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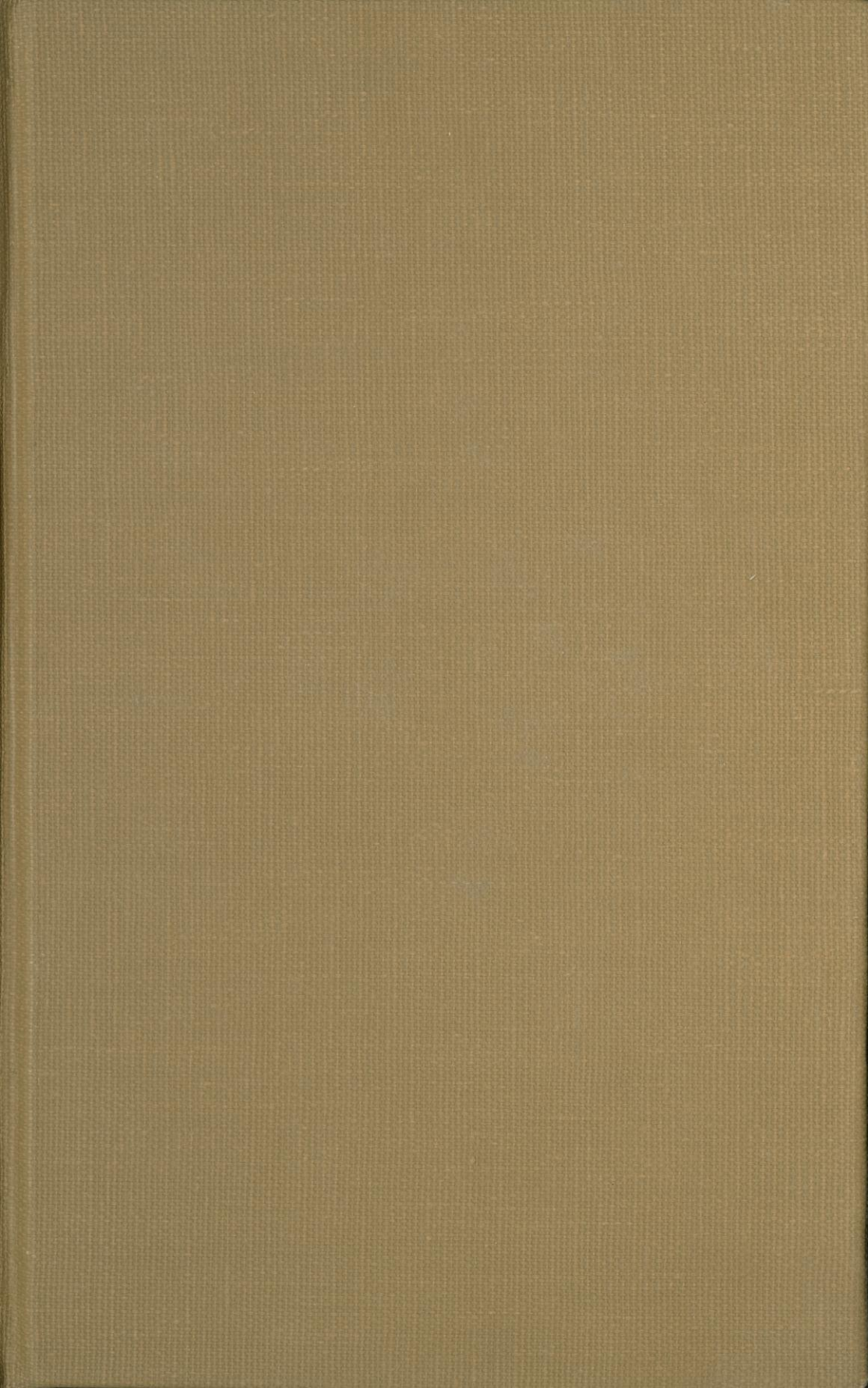
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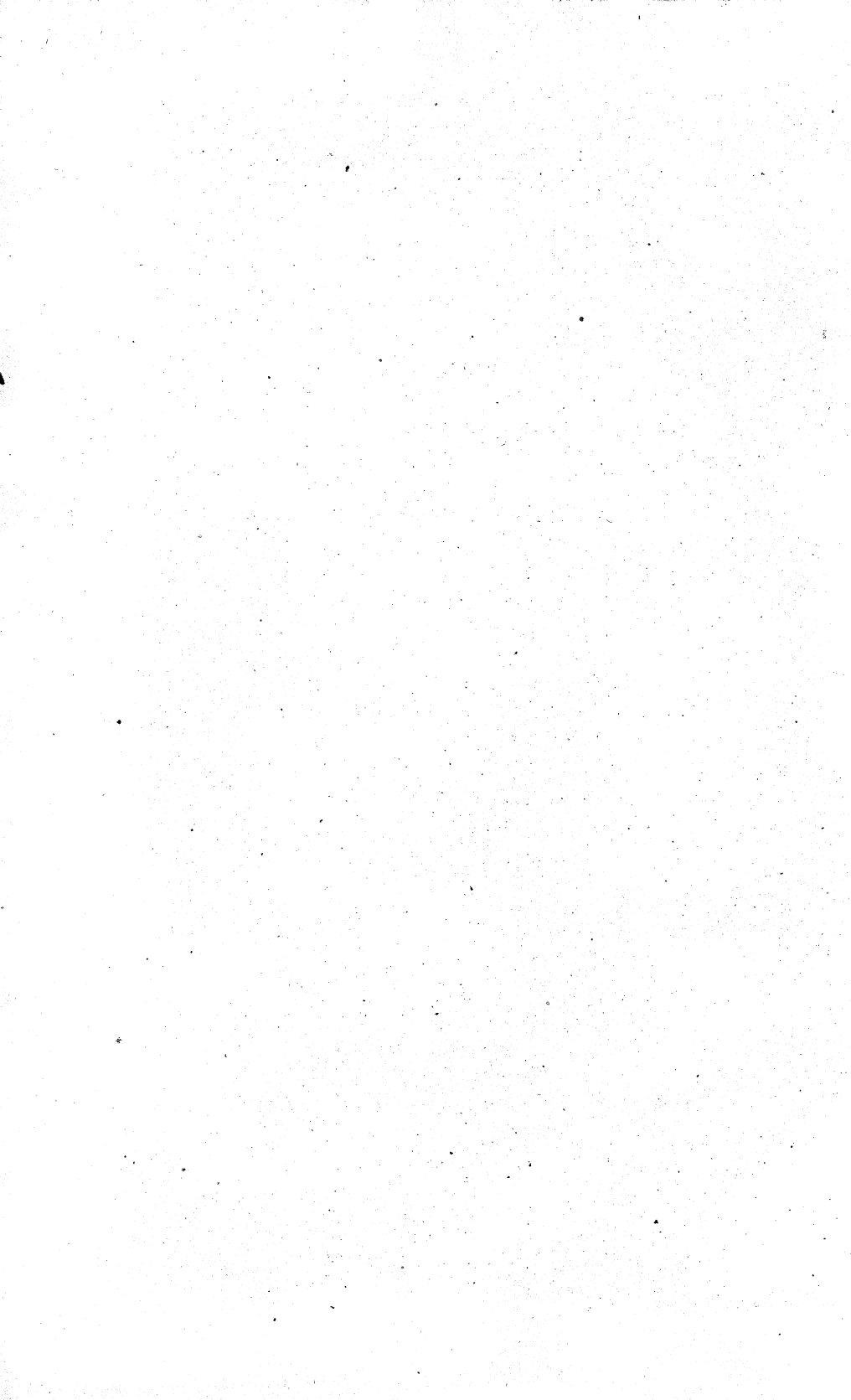
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EXECUTIVE DOCUMENTS

PRINTED BY ORDER OF

THE HOUSE OF REPRESENTATIVES

DURING THE

SECOND SESSION OF THE FORTIETH CONGRESS,

1867-'68.

IN TWENTY VOLUMES.

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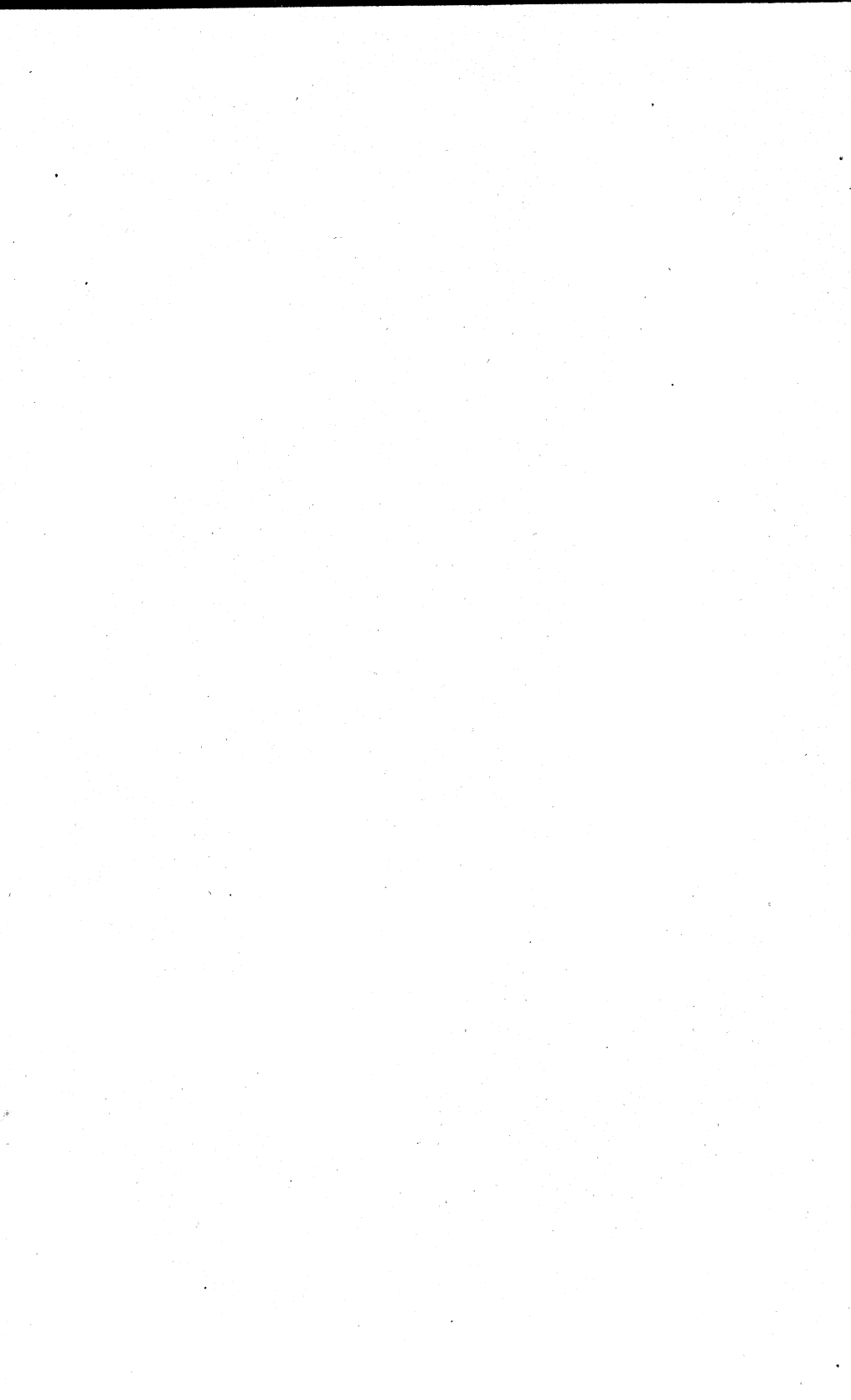
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40TH CONGRESS, }
2d Session. }

HOUSE OF REPRESENTATIVES.

{ Ex. Doc.
{ No. 1.

M E S S A G E

OF THE

PRESIDENT OF THE UNITED STATES

AND

ACCOMPANYING DOCUMENTS,

TO THE

TWO HOUSES OF CONGRESS

AT THE

COMMENCEMENT OF THE SECOND SESSION OF THE FORTIETH CONGRESS.

P A R T I I .

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1868.

P A P E R S
RELATING TO
FOREIGN AFFAIRS.

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CORRESPONDENCE.

TURKEY.

Mr. Morris to Mr. Seward.

No. 199.] LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, March 13, 1867.

SIR: I regret to be obliged to announce a fearful disaster which has recently covered the island of Mitylene with general ruin and a great loss of life.

On the 7th instant, about 6½ p. m., two successive shocks of earthquake threw down all the villages in the island excepting two, destroying also the greater part of the capital, Mitylene, and burying beneath the ruins over 4,000 people. The people are for the most part without shelter, and are living in the mountains and the open fields. The almost continual succession of shocks since the 7th of March renders it extremely difficult and in many cases impossible to extricate the buried bodies from the ruins, as the shaking earth causes the tottering walls to fall, and is producing new catastrophes. Such few houses as remain are uninhabitable, and the population is obliged to live in the open air, where they, of course, suffer from exposure to the elements. There is a scarcity of food in the island, as all the shops in the villages are destroyed and no bread is baked. The loss of property is incalculable, and hundreds of families in easy circumstances are reduced to extreme poverty. The same shocks were felt in Constantinople and other parts of European Turkey, and in Scio and some of the adjacent islands. On the previous Monday several shocks of earthquake were felt at Smyrna of such force as to produce general consternation among the inhabitants.

The island of Mitylene is one of the most fertile and beautiful islands of the Ægean sea, and contains a population of about 45,000. It bears traces of volcanic action, and in ancient and modern times has suffered severely from earthquakes. There is hardly an island, however, in the Grecian archipelago which is not of volcanic origin, or which does not show signs of volcanic devastation. They are all more or less subject to earthquakes, and their history is marked with great calamities from these convulsions.

I am, sir, with great respect, your obedient servant,

E. JOY MORRIS.

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

Mr. Morris to Mr. Seward.

[Extract.]

No. 206.] LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople May 8, 1867.

SIR: Enclosed I transmit a translation of a note from the minister of foreign affairs relative to the prohibition of the importation of revolvers.

I am pleased to see that the Senate by a nearly unanimous vote has confirmed the treaty by which Russia cedes all her possessions in North America to the United States. The enterprise and capital of our countrymen will develop the resources of this comparatively inhospitable region of country, and will render it available to its utmost capacity for the agriculturist, the miner, and the fisherman along its coasts. Whatever of the productive wealth it may contain will now be brought to light.

* * * * *

The skill and secrecy with which the present session has been negotiated has excited the admiration and surprise of Europe; and the confirmative action of the Senate shows that upon all questions nearly concerning the national dignity and welfare there is but little divergence of opinion among the co-ordinate branches of the government.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

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

—
Fuad Pacha to Mr. Morris.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS OF THE SUBLIME PORTE,
March 30, 1867.

SIR: You are not ignorant of the fact that the Sublime Porte, by a decision dated the 29th of Rijebe, 1279, (January 7, 1863,) prohibited the introduction into the Ottoman empire of all kinds of arms and ammunition of war, with the reservation only of arms for sporting purposes and of luxury.

The administration of the customs up to the present time having considered revolvers as coming under the head of arms of luxury, excepted them from the general measure of prohibition aforementioned, and therefore permitted their admission without difficulty. But as for some time past the number of revolvers introduced into the empire as a matter of luxury evidently surpasses the demands of commerce, and the calibre of these peculiar arms more and more increasing, and also the use which is made of them in the armies of various countries having awakened the attention of the imperial government, it has come to the resolution, based upon a conformity of opinion on the part of the Grand Council of Justice, to suppress their importation. This decision is all the more justified by the circumstance that these kinds of arms are essentially suitable for the arming of evil designing men, who may readily conceal the possession of them, and so escape the vigilance of the police.

In bringing this decision, the necessity and urgency of which are sufficiently shown, to your knowledge, I beg you, sir, to be so good as to give notice to American merchants that the general direction of the customs of the empire will no longer allow the importation of revolvers, hereafter classed among arms of war, and coming under this title in the act of prohibition contained in the ordinance of the 7th of July, 1863.

Accept, sir, assurances of my perfect consideration.

FUAD.

Hon. E. J. MORRIS,
Minister Resident, United States of America.

—
Mr. Seward to Mr. Morris.

No. 141.]

DEPARTMENT OF STATE,
Washington, May 10, 1867.

SIR: Herewith I enclose a transcript of a communication from Mr. Myer S. Isaacs, secretary of the Board of Delegates of American Israelites at New York, of date the 19th ultimo, relative to the alleged deplorable condition of the Jewish population at Servia on account of the administration of certain severe laws which have gone into effect since the reorganization of that government.

You are instructed to cause inquiries to be made, at your earliest opportunity, in regard to the statements put forth in Mr. Isaac's letter, and report to this department the result of such inquiries.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. JOY MORRIS, Esq., &c., &c., &c., *Constantinople.*

Mr. Isaacs to Mr. Seward.

BOARD OF DELEGATES OF AMERICAN ISRAELITES,
New York, April 19, 1867.

HONORED SIR: In behalf of the executive committee of the board, I would respectfully call the attention of the State Department to the fact that in the recently reorganized government of Servia severe laws and a painfully proscriptive administration of them have rendered the condition of the Jewish population deplorable in the extreme. In this exigency our oppressed brethren cry out for help, and rely upon their co-religionists dwelling in the liberal and enlightened countries of Europe and America to exercise their influence with the Servian authorities, so as to secure the removal of the odious disabilities now rendering the condition of Servian Jews simple slavery.

Representations made to the French and British governments by the central organizations of Israelites in France and Great Britain respectively have, this committee is informed, met with favorable consideration and intimations that the ministers of these nations at Constantinople would submit to the Servian prince remonstrances expressive of their sense of the injustice, cruelty, and despotism characterizing the laws and practices of the principality with reference to the Jews.

This executive committee would respectfully ask the State Department to forward instructions to the minister resident of the United States at Constantinople, to the end that he may investigate the subject, and, if he deem the occasion fitting, represent to the Servian government, in the name of liberty and humanity, that the United States cannot but deplore the cruel and inhuman laws and practices directed against the Jews of that principality. This committee entertain the hope and conviction that representations on the part of our nation's envoy will produce a salutary effect, contribute to the recognition of the right of Jewish citizens to the like privileges with Christians and Mohammedans, and once more demonstrate the interest the United States will ever take, and the great moral power this country exercises, in the maintenance of civil and religious liberty wherever denied.

Confidently relying upon the department's consideration and sympathy, as heretofore manifested on similar occasions, I am, in behalf of the executive committee,

Very respectfully, yours,

MYER S. ISAACS,
Secretary, 243 Broadway.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Morris to Mr. Seward.

No. 209.]

LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, May 31, 1867.

SIR: In compliance with the instructions contained in despatch No. 141, dated 10th ultimo, I have the honor to report the following explanatory observations of Mr. Ristich, political agent of Servia, at this capital, relative to the abuses and oppressions to which the Jewish population of Servia are said to be subjected, in the memorial of Mr. M. S. Isaacs, of New York, to the State Department.

There is a Jewish population of 1,300 in Servia. The Jews are on a footing of equality with the Servians, and they possess the same civil and political rights. Their testimony is received in the courts of justice according to their form of religious belief. They are admitted to the civil and military service,

and they enjoy the right of suffrage and are eligible as deputies. They suffer no persecution of any nature, and there exists no law to their disadvantage, nor has the government established any line of demarcation between them and the other communities which dwell in the Servian territory. The memorial to the department, Mr. Ristich said, quotes no law or regulation of the kind and deals only in general complaints which have no real foundation other than the prejudice which exists against the Jews, among the people, on account of their usurious practices, and especially on the part of the agriculturists. Usury, he remarked, has been extremely prejudicial to the agriculturists of Roumania, and it is this example which indisposes the Servians against its mischievous operations among themselves.

The Jews formerly monopolized almost all the trade of the Servian capital, but progress and civilization have of late brought the Servians into commercial pursuits, and the Jews being unable to withstand their competition, now desire to settle in the rural districts. It is from this source proceed their complaints against the Servian government. The rural population refuse to receive them, and the Servian communes being autonomic, the government has not the power to oblige the people to admit among them their Jewish fellow-subjects. The national assembly is also in unison on this subject with the communes of the interior. The Jews are not prohibited from travelling or trading in the interior; the latter privilege they avail themselves of as freely now as heretofore.

They may reside at Belgrade, and there are as many as 73 families in the interior towns, viz: 20 at Chabatz, 4 at Oube, 2 at Kragonevatz, 4 at Obrenovatz, 6 at Swilainatz, 15 at Smederevo, 2 at Negotine, and 20 at Pojarevatz.

It is objected to the Jews of Servia that they do not identify themselves with its fortunes and with its people. They live apart as a distinct race, know nothing of the Servian language, and speak exclusively Hebro-Spanish.

After having acquired competence and ease, they leave the country, and invest their capital in banking and trading enterprises in Vienna and other German cities. It is further alleged to their reproach that they are destitute of a patriotic spirit, and that they have taken no part in defending the interests and liberty of Servia.

During the bombardment of Belgrade, Mr. Ristich says they all abandoned it, while the other inhabitants remained to defend the national capital.

The moral and intellectual condition of the Jews of Servia is not high. They are particularly addicted to usury, and it is for this that the rural populations oppose their settlement among them. To aid them in a better training of their children, the teachers of their schools are paid by the government, as they will not frequent the Servian schools. In the annual budget a certain sum is also set apart for the support of a rabbi, in case the Jews of Belgrade should decide to choose one, but to this they have given no consideration.

The government of Servia, hereditary in the family of Obrenowitch, is a constitutional system, I deem it proper to add. The prince rules with a responsible ministry, and the concurrence of a senate and a national assembly. The principality is divided into departments, subdivided into arrondissements, each containing a certain number of communes. The chiefs or *kmetes* of the communes, and who unite the functions of mayor and justice of the peace, are elected by the people.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

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

Mr. Morris to Mr. Seward.

No. 213.]

UNITED STATES LEGATION,
Constantinople, June 12, 1867.

SIR: I am requested by the minister of foreign affairs to communicate to the department the following customs regulation prohibiting the importation of revolvers from and after the 13th instant.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD.

Secretary of State, Washington, D. C.

CUSTOMS REGULATION.

Notice is given to traders that, by order of the government, the importation of revolvers into the Ottoman empire is prohibited from and after the 13th day of June, 1867. From this prohibition are excepted—1. Revolvers which have already arrived; 2. Revolvers which, up to the 16th of the present month of June, shall be in the course of transmission—that is to say, shall have previously left the place of export. The consignee who wishes to avail himself of this exception shall prove, by the bills of lading, ships' papers, and other authentic evidence, that the revolvers which he asks to introduce were on board June 16, and that the ship by which they were sent had then quitted the port from which they were forwarded. Admission will be rigorously refused to revolvers exported contrary to these conditions, and steps will be taken to insure their re-transportation beyond the limits of the Ottoman empire.

The Alexandria papers publish the following document:

Transit between the Mediterranean and the Red sea.

The Suez Canal Company engages to convey merchandise direct from Port Said, on the Mediterranean, to Suez, on the Red sea, and *vice versa*, on the following terms:

Per ton, for all goods except coals, 25 francs. For coals, 20 francs for cargoes of 300 tons. For special arrangements for the transport of heavy goods, &c., and all other information, application must be made to the offices of the company, No. 9 Clary square, Paris.

General observations.

1. The price of the ton applies to indivisible fraction of 100 kilograms. 2. The bill of lading is charged 20 centimes. 3. The ton of goods is calculated in conformity with the tariff in use in the French ports, as published by imperial decree of August 25, 1861. The ton is estimated at a cube corresponding to 1.44. 4. The transit and transport service does not undertake the conveyance of indivisible packages of more than 30 metres long, or eight metres broad. 5. For machinery of a weight exceeding 8,000 kilograms, the price of carriage will be fixed according to special arrangement. 6. The transit and transport service is responsible for packages embarked in their lighters, but it is not responsible for the breakage of fragile objects, for the leakage of liquids, for the weight, the contents, or the value of the packages, for waste arising from defects in the goods or from defective packing, nor from losses and damages sustained from cases of *force majeure*. Merchants sending goods direct to the company at Port Said or Suez, for transport from sea to sea, must cover all expenses, including landing, transit, and loading. 8. Merchants sending goods to the transit agents of the company, to be forwarded to any port, will do so at their own risk and peril, the company only answering for the packages of which it has taken delivery to be embarked on its lighters and conveyed from Port Said to Suez, and *vice versa*. 9. The company undertakes loading and unloading, both at Port Said and Suez, according to a special tariff.

Mr. Morris to Mr. Seward.

No. 214.]

LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, June 25, 1867.

SIR: I have the honor to transmit enclosed a translated copy of the law recently published, granting the right of property to foreigners in landed property in the Ottoman empire, and the protocol attached to the same. It is

expected that the different governments represented here will give their adhesion or not to the protocol. Their assent is necessary to enable their subjects to enjoy the privileges conceded by this new law.

Heretofore foreigners have been excluded from the right of holding real estate in their own names in Turkey. They could only acquire such property through a Mussulman agent, who became the nominal proprietor, and in whose name exclusively could suits be instituted or defended in the Ottoman tribunals. This title was exceedingly precarious, the instances being not rare of the assertion of the real ownership by the merely representative proprietor. Although the Turkish tribunals, on principles of equity, occasionally consented for the ends of justice to respect the interest of the *bona fide* owner, they were under no legal obligations so to do.

To avoid the litigation growing out of such a factitious title to real property, and to give foreigners the right to acquire and hold the same in their own names, the present law has been devised. It involves certain conditions of acceptance, which, however objectionable they are, seem to be indispensable to such a concession. As real estate owners, foreigners are to be assimilated in every respect to the condition of Ottoman subjects. Judicial questions respecting their property are to be decided by the Turkish courts, and the land to be subjected to the same taxes and charges which are imposed on Ottoman subjects. The person and domicile, however, of the foreigner, will continue to enjoy the immunities guaranteed by the capitulations and treaties. With the latter exception the foreign land-holder under this law will *pro tanto* denationalize himself.

It is to be regretted that the venality and incapacity of Turkish courts of justice is such as to render them generally unreliable as guardians of private rights. Until the judicial administration undergoes a radical reform, but few foreigners will be induced to avail themselves of the provisions of this law of property, and it will fail of its intended effects in promoting European emigration into Turkey and in developing the resources of the empire. Foreigners who consent to hold real estate on the terms prescribed will know the risks they incur, and they cannot blame their respective governments for the consequences resulting from their own voluntary action.

The provision for executing foreign decrees against the property of a non-native owner, without the formality of any action in an Ottoman court, and that rendering liable such estates to the satisfaction of their owner's debts in the event of his bankruptcy, are liberal and just. The whole law bears evidence of careful preparation, and it only needs an honest and enlightened judiciary to commend it to general acceptance.

I respectfully solicit instructions as to my course of action on this law. Should the department leave the question of adhesion to me, I shall be guided in a great degree by the views which my colleagues of the diplomatic corps shall adopt, and I will co-operate with them to secure such modifications as may seem necessary to render this measure effective for the ends for which it was framed and for the protection of Christian interests.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

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

Fuad Pacha to Mr. Morris.

[Translation.]

SUBLIME PORTE, BUREAU OF FOREIGN AFFAIRS,

June 18, 1867.

SIR: I have the honor to communicate to you, enclosed, a law clothed with the imperial sanction, granting to foreigners the right of property in real estate in the Ottoman empire.

The imperial government, in abolishing all distinction between Ottoman subjects and foreigners in the holding of real property in Turkey, has sought to give a larger development to the public prosperity, and to render more productive the relations of Turkey with other countries. The realization of this aim must contribute to their reciprocal advantage.

For the reason, however, that the accession of strangers to the right of property is destined to favor and facilitate their establishment in the Ottoman territory, the Sublime Porte has been obliged to occupy its attention with the probable consequences of this new situation, in view of the particular regime enjoyed by foreigners under the provisions of the ancient treaties. It should, in fine, consider and regulate the practical conditions for the exercise of the right of property by foreigners, for the purpose of preventing the difficulties and misapprehensions to which the application of this new law may give rise.

It is in this spirit of precaution and solicitude that I have the honor to submit to you the draft of the protocol enclosed, which will form an international agreement between the imperial government and the friendly powers, and the acceptance of which will secure to their respective subjects the immediate enjoyment of the right of real property, as provided for by the law in question.

This protocol will remain open for the reception of the successive adhesions of the friendly powers who desire that their subjects shall profit by the advantages of the new law.

In submitting to you this communication I do not hesitate in expressing the conviction that the government of the United States of America will appreciate the views of public policy and the liberal sentiments which have inspired the imperial government in this important measure, and that it will willingly give its adherence to the particular provisions which are its indispensable sequence.

I beg you, sir, to accept the assurance of my perfect consideration.

FUAD.

Hon. E. J. MORRIS,
Minister Resident United States of America.

Law granting to foreigners the right of holding real property in the Ottoman empire.

With the view of developing the prosperity of the country, putting an end to the difficulties, abuses, and uncertainties which arise out of the exercise of the rights of property by foreigners in the Ottoman empire, and completing, by a precise regulation, the guarantees due to financial interests and administrative action, the following legislative enactments have been decreed by order of his Imperial Majesty the Sultan:

ART. 1. Foreigners are admitted, by the same title as Ottoman subjects and without any other condition, to the enjoyment of the right of possessing real property in town or country in any part of the Ottoman empire, except the province of Hedjaz, on submitting to the laws and regulations which bind Ottoman subjects themselves, as hereinafter provided.

This enactment does not concern Ottoman subjects by birth who have changed their nationality, to whom a special law will apply.

ART. 2. Foreigners who are owners of real property, urban or rural, are consequently assimilated to Ottoman subjects in everything which concerns such real property.

The legal effect of this assimilation is: 1st. To oblige them to conform to all police or municipal laws or regulations which do now or shall hereafter affect the enjoyment, transmission, alienation, and mortgaging of lands. 2d. To pay all charges and contributions, of whatever form or denomination, to which real property in town or country is or shall hereafter be made liable. 3d. To render them directly subject to the jurisdiction of the Ottoman civil tribunals in every dispute relating to lauded property and real actions of every kind, whether as plaintiffs or as defendants, even when both parties are foreign subjects, in every respect by the same title and under the same conditions and the same forms as Ottoman owners, and without their being entitled in such cases to any advantage on account of their personal nationality, but with the reservation of the immunities attaching to their persons and their moveable effects under the terms of the treaties.

ART. 3. In case of the insolvency of an owner of real property, the assignees under his insolvency shall apply to the proper authority and the Ottoman civil courts for an order for the sale of such of the insolvent's real possessions as are, according to their nature and the law, liable to the owner's debts.

The same course shall be taken when a foreigner obtains from any foreign court a judgment against another foreigner, being an owner of real property. For the execution of such judgment upon the real estate of his debtor, he shall apply to the competent Ottoman authority for an order for the sale of the property liable to the owner's debts, and the judgment shall not be executed by the authorities and the Ottoman tribunals until they have satisfied themselves that the property proposed to be sold really belongs to the category of those possessions which can be sold to pay the owner's debts.

ART. 4. A foreign subject shall have the power of disposing by gift or will of such real possessions as the law allows to be disposed of under that form. With respect to such real estate as he shall not have disposed of, or which the law does not permit him to dispose of by gift or will, the succession thereto will be regulated by the Ottoman law.

ART. 5. Every foreign subject shall enjoy the benefit of the present law as soon as the power whose subject he is shall have assented to the arrangements proposed by the Sublime Porte for the exercise of the right of property.

Constantinople, 7 Sepher, 1284, (June 18, 1857.)

Protocol.

The law which grants foreigners the right of holding real property does not infringe on any of the immunities secured by treaties and which will continue to cover the person and movable effects of foreigners who become owners of realty.

As the exercise of this right of property ought to induce foreigners to settle in greater numbers in the Ottoman territory, the imperial government feels it its duty to anticipate and provide for the difficulties to which the application of the law might give rise in certain localities. Such is the object of the arrangements which follow.

The dwelling of every person living on Ottoman soil being inviolable, and no one being allowed to enter therein without the consent of the master, unless in virtue of orders emanating from a competent authority and in the presence of the magistrate or functionary invested with the necessary powers, the dwelling of a foreign subject is equally inviolable, conformably with the treaties; and no peace officer can enter except in the presence of the consul or the delegate of the consul of the power to which such foreigner is a subject.

By "dwelling" is understood a house of residence and its appurtenances; that is to say, the offices, courts, gardens, and contiguous enclosures, to the exclusion of every other part of the property.

In localities distant less than nine hours from the consular residence, the peace officer cannot enter a foreigner's dwelling without the assistance of the consul, as stated above. The consul, on his side, is expected to lend his immediate assistance to the local authority, so that there shall not elapse more than six hours between the time when notice is given to him and the departure of himself or his delegate, in order that the action of the authorities may never be suspended for more than 24 hours.

In localities distant nine hours' journey or more from the residence of the consular agent, the peace officers can, on the requisition of the local authority and in the presence of three members of the council of elders of the commune, enter the dwelling of a foreign subject without the presence of the consular agent, but only in case of urgency and to make investigations respecting crimes of murder, attempted murder, arson, robbery with violence, burglary, armed rebellion, base coining, and this whether the crime was committed by a foreign subject or by an Ottoman subject, and whether it took place in the foreigner's dwelling, or outside it, or in any other place.

These regulations are applicable only to the parts of the property which constitute the dwelling as defined above. Outside the dwelling the police shall have free and unrestricted action; but when a person accused of a crime or misdemeanor is arrested, and such person is a foreign subject, the immunity attaching to his person shall be observed.

The functionary or officer employed to make the domiciliary visit under the exceptional circumstances above described, and the members of the council of elders who assist, are required to prepare a *procès verbal* of the domiciliary visit and to communicate it immediately to the superior authority under which they act, who shall transmit it without delay to the nearest consular agent.

A special order will be promulgated by the Sublime Porte regulating the manner in which the local police are to act in the different cases above mentioned.

In localities distant more than nine hours from the residence of the consular agent, and where the law of the judicial organization of vilayets is in force, foreign subjects shall be judged, without the assistance of the consular agent, by the council of elders discharging the functions of justices of the peace, and by the tribunal of the *caza*, in disputes involving sums not exceeding a thousand piastres, or condemnation in a fine of not more than 500 piastres.

Foreign subjects will have in every case the right of appealing to the tribunal of the *sandjak* from sentences so passed; and the appeal shall be heard and decided with the assistance of the consul, in conformity with the treaties.

An appeal shall always suspend execution.

In no case shall the forcible execution of sentences pronounced under the conditions above specified take place except in the presence of the consul or his delegate.

The imperial government will issue a law determining the rules of procedure to be observed by the parties in the application of the preceding provisions.

Foreign subjects in any locality are authorized to put themselves voluntarily under the jurisdiction of the council of elders or the courts of the *cazas*, without the consul's assistance, in disputes within the jurisdiction of those councils or courts, saving the right of appeal to the *sandjak*, which appeal shall be heard and judged with the assistance of the consul or his delegate. The foreign subject's consent to have his cause tried without the assistance of the consul ought in every case to be given in writing, and before any proceedings are taken in the cause.

It is to be well understood that none of these restrictions relate to processes or to questions affecting real property, which will be tried and decided according to the conditions established by the law.

The right of defence and publicity of trial are assured in every case to foreigners who appear before Ottoman tribunals as well as to Ottoman subjects.

The preceding arrangements will remain in force until the revision of the old treaties, a revision respecting which the Sublime Porte will hereafter endeavor to bring about an understanding between itself and the friendly powers.

Mr. F. W. Seward to Mr. Morris.

No. 144.]

DEPARTMENT OF STATE,

Washington, June 29, 1867.

SIR: I enclose herewith, for your information and for such action as you may, in your opinion, deem expedient, a transcript of a communication of the 14th instant, from M. S. Isaacs, esq., secretary of the board of delegates of American Israelites, relative to the alleged ill-treatment of the Jewish inhabitants of the Danubian principalities.

I am, sir, your obedient servant,

F. W. SEWARD,

Assistant Secretary.

E. JOY MORRIS, Esq., &c., &c., &c.

Mr. Isaacs to Mr. Seward.

NEW YORK, *June 14, 1867.*

HONORED SIR: I beg to call the attention of the department to the enclosed extract from the Paris correspondence (May 31) of the London Times, in sad confirmation of advices I have heretofore had the honor of submitting to the Department of State in urging the transmission of instructions to the United States ambassador near Constantinople that he may exercise his influence in behalf of the oppressed Jews resident in the Danubian principalities. The alacrity with which the Emperor Napoleon has interceded in the interests of humanity prompts me to trespass again on your attention so far as to communicate this statement, and to solicit its transmission to the United States minister.

Very respectfully,

M. S. ISAACS,

Secretary Board of Delegates of American Israelites.

Hon. WILLIAM H. SEWARD,

Secretary of State.

The reminiscence of the calamitous consequences to the Jews of Roumania is every apology for enclosing a slip from the newspaper rather than wait for official communications from the Universal Israelite Alliance.

[Correspondence of the London Times.]

ROUMANIA.—TERRIBLE PERSECUTION OF JEWISH INHABITANTS.—THE EMPEROR OF FRANCE INTERFERES ON THEIR BEHALF.

PARIS, *May 31.*

M. Bratiano, minister of the Interior of Roumania, and the present persecutor of the Jews of Moldavia, was, and probably still professes to be a liberal of the first water. He has studied law in the schools of Paris, and contributed various articles to the Republican National and *Revue Indépendante*, under the signature "Regnault." He fought on the barricades of February, 1848, for liberty, equality and fraternity, and after having contributed as much as he could to the overthrow of the Orleans government, he returned with his experience to his native country. He then became a member of the revolutionary committee, and was sent to Transylvania and Hungary to offer the aid of the Rouman liberals to the Magyar movement. He then formed part of the commission sent to Constantinople to present the new Rouman constitution to the Sultan. After the entry of the Russians into the

principalities, he fled to Transylvania and proceeded to London. He made acquaintance with leading liberals, and succeeded in having the grievances of his oppressed countrymen brought before Parliament. He was allowed to return to Wallachia, together with other patriots exiled in 1848. He was named member of the Divan *ad hoc*, and in this character drew up a memorandum explanatory of the resolutions adopted by it, and came to Paris to defend them before the congress. One of the first things which this ultra-liberal does when he gets into power is to prove the sincerity of his liberalism by his conduct towards the unfending Jewish population of Moldavia.

When the intelligence of these atrocities reached Paris, three or four days ago, by telegraph, it was not believed. It was not believed because it was thought impossible that the Roumans, who have clamored so long and so loudly against the oppression to which they were subjected by the Turks, would, in turn, when they had gained their independence, become the persecutors of others, for no other reason apparently than that they were of a different persuasion; and it was disbelieved that a minister who had signalized himself as the defender in other countries of liberty, equality, and fraternity, would, the moment he got into the government, become a tyrant and a persecutor. All doubt, however, is removed, for M. Cremieux, member of the provisional government in 1848, himself a Jew, has received a despatch from the Jewish community of Jassy to the following effect:

"The minister of the interior, Bratiano, interpreting falsely, in a circular addressed to prefects, laws and regulations which had long become obsolete, and which were actually repealed by the constitution and the new civil code, orders that the whole of our co-religionists shall be instantly expelled from the farms, lodging houses, and *cabarets* of the villages, to the contempt of public and private rights; and he annuls at one stroke of the pen the contracts which the government has concluded in respect of the domains of the state, as well as of private persons, with the Jewish farmers. The same minister has signalized his arrival at Jassy by an ordinance still more barbarous; he has ordered the police to make a sweep of all Jews as rogues and vagabonds; and the police, before the eyes of the said minister, have gathered together crowds of Jews in the streets, without any power of law, without distinction of age or condition, and with unprecedented brutality, put them in irons, and transported them beyond the Danube. This sad spectacle, accompanied on the one hand by the jeers and laughter of the populace, and on the other by the screams of distress from the women and children of our unfortunate co-religionists, is repeated every instant in the streets of Jassy, and becomes day after day more menacing. With such a persecution ordered by the Minister Bratiano, and encouraged by certain party leaders who excite the fanaticism of the populace, we are threatened with a general massacre. We implore your protection, we supplicate you to interfere in our behalf by all the means you deem proper to rescue your wretched co-religionists of Jassy from the fate which is hanging over them. This despatch will be sent to you from Sereth, for it is not possible to send it direct from Jassy."

M. Cremieux being absent from Paris, this appeal was transmitted to the vice-president of the Universal Jewish Alliance.

The committee of the Alliance met the next day in the chambers of M. Cremieux, and it was resolved that two members should wait on the minister of foreign affairs. The minister expressed his sympathy with the persecuted Jews of Moldavia, and, without delay, sent instructions to the French consul general at Bucharest. Soon after M. Cremieux received another despatch, thus worded:

"Since our last telegram matters are become worse. In all the streets nothing is heard but the shrieks of the women and the weeping of the children of the banished Jews. We continue to be hunted down on all sides. The aged and sick are bound in chains and dragged to some unknown destination. All our prayers for the protection of the laws are rejected by the authorities. We are declared to be outlaws. The mob are encouraged to exterminate us. It is only by means of prompt and efficacious succor that we can be saved from a frightful fate. Our eyes are turned to you, our illustrious co-religionist. Save, save your wretched brethren of Moldavia!"

On the receipt of this second despatch, M. Cremieux decided on demanding an audience of the Emperor Napoleon. The audience was at once granted. M. Cremieux found his Majesty already informed of the details of what had passed at Jassy, and expressed in no measured terms his astonishment and indignation, and M. Cremieux asked for his personal intervention. The following is Mr. Cremieux's account of what passed at the interview:

"This moment," the Emperor said "I will write by telegraph to Prince Charles, as I intended to do this very day. To tolerate such persecution would be to place one's self under the ban of Europe."

I observed, "Prince Charles is animated by the most liberal intentions. He declared to me that he should consider it a point of honor to proclaim civil equality in favor of the Jews of his State; and he gave out of his own purse a large sum for the rebuilding of the synagogue, which was demolished during last year's troubles. The man who deserves to be put under the ban of nations is this Minister Bratiano, who calls himself a liberal and a democrat; and public indignation will exact from him an account of this barbarity."

The Emperor then asked me what could be the cause of an event so incredible.

I answered, "Sire, there are many interests which serve as the pretext for troubles in

Roumania. What I can assure your Majesty is that the Rouman people did not know some years ago what religious hatreds were. In 1848 the equality of all forms of worship was recognized unanimously."

"I promise you," said the Emperor, "immediate intervention."

"Sire, the convention of 1858 guaranteed by the great powers of Moldavians and Wallachians of all creeds the same civil rights, the same right of admission to all civil and military functions. Who, then, can deprive the Rouman Jews of their rights? It is true that in these great treaties Christian populations are only cared for, and on them are conferred all political rights. It is to be hoped, however, that people will see the necessity of placing the professors of all creeds on the same level. The English House of Commons, on the interpellation of Mr. Goldsmid, has taken much interest in the Jews of Servia, who were treated as pariahs in spite of conventions; and Lord Stanley, after giving his public proofs of the sympathy of his government, sent pressing instructions to his agents abroad and the ambassador at Constantinople, when the Prince of Servia was instructed to inform him that England gave its support to the oppressed Christians, but that the Christians must take care not to oppress the Jews."

The Emperor said: "This oppression cannot be tolerated nor understood, and I shall tell the Prince so."

"And I, Sire, shall transmit my unfortunate co-religionists of Roumania the kind words your Majesty has spoken. They will be their consolation and their hope; and if the Emperor causes his opinion, and the blame with which he stigmatizes those barbarities, worthy only of the middle ages, to be made public, they will be stopped and reparation made. I shall address myself to the press. I know we shall have all its sympathies, and that the general voice will be raised against this odious persecution ordered by the minister of a constitutional government."

The Emperor added, "My sympathies are for those who suffer under calamities so great."

The Jewish Alliance at Paris at once addressed the English government, through Mr. Francis H. Goldsmid, and the other governments of Europe; and there is no doubt they will interfere on behalf of the democratic Mr. Bratiano's victims.

Mr. Morris to Mr. Seward.

No. 215.]

LEGATION OF THE UNITED STATES OF AMERICA,

Constantinople, July 3, 1867.

SIR: I have the honor to enclose an additional law, completing the Vacouf reforms.

As the law granting the right of real property to foreigners was a concession to the Christian interests, that relating to the extension of the right of inheritance to Vacouf estates is for the especial benefit of the Mussulman population. These concessions, being intended to conciliate both Mussulmans and Christians, and to promote their respective welfare, have been simultaneously promulgated.

The former will unquestionably be greatly benefited by the new law on Vacouf property. The term Vacouf represents what may be designated as "church property." It consists of the lands set apart by Mahomet the Conqueror and his successors for the endowment of mosques and for charitable and educational purposes, and of bequests made by private persons for similar purposes. A most important branch of Vacouf is composed of lands sold to the mosques for sums much below their real value, and which the mosque consents to hold in its own name for a small annual payment by the proprietor, who has perfect control of his estate, with the enjoyment of its revenue and products. In case of a failure of direct heirs, the property lapses to the mosque and falls into its exclusive possession. In this way a vast amount of *mulke*, or freehold, has become Vacouf or ecclesiastical property. It is estimated that nearly three-fourths of the whole real property of Turkey, including lands and houses, has become Vacouf.

By the new laws just published it will be seen that the inheritance of the Vacouf property, hitherto confined to direct heirs, has been extended seven degrees, embracing the surviving wife or husband, the grandchildren, the father and mother, and four degrees of collateral descent. In consideration of this

boon, which almost completely emancipates the last class of *Vacouf* mentioned above, the government exacts 15 per cent. of the annual production of the land or its equivalent, payable in the course of five years in kind or in money, at the option of the owner. At the expiration of the fifth year he will have nothing to pay in future but the normal dime [*tithe*.]

This tax of a *tithe* and a half will yield, it is estimated, about \$25,000,000 to the treasury. Vineyards, orchards, and mulberry and olive plantations are, however, to pay nothing for their conversion into freehold by this process.

This law has given great satisfaction to the Mussulman population, and will have an important influence on its well-being and prosperity. Had the whole property known as *Vacouf* been converted to the uses of the state, the imperial treasury would have been relieved of much of its existing embarrassments. This was, considering the powerful influence of the Ulemas, too bold a step for the government to take at present. It will, I think, be forced on it eventually, as the declining revenue and the increasing taxation call for radical relief. The debt of the empire exceeds \$350,000 000, and it is constantly increasing. Unfortunately, while the taxes are augmented, the country seems to grow poorer. Had public opinion any influence in Turkey it would force the Mussulman church to surrender its unproductive property to the government for the general relief. It is creditable to the present ministry that it has had the moral courage to carry through such an important reform, and it is to be hoped that it is the precursor of other measures of like beneficence.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

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

Law as to Vacoufs.

CONSTANTINOPLE, 7 *Sepher*, 1284,
(June 18, 1867.)

The following legislative provisions have been sanctioned by his imperial Majesty the Sultan for the purpose of extending the hereditary transmission of the *Vacouf* properties, called *mussacafat* (literally, "covered with roofs") (1) and *musteghellat*, (literally, "revenue-producing,") (2,) acquired by *idjaretein*, (tenancy at double rent,) (3,) without prejudice to the provisions relative to pious foundations, and without infringing upon either the principles which govern the *musteghellat* properties, or the stipulations of the founders of those estates.

ARTICLE I. The existing right of heirship is maintained, in favor of the children of both sexes, in equal portions, to the *Vacouf* properties called *mussacafat* and *musteghellat*, acquired by *idjaretein*.

In the absence of children of either sex constituting the first degree of succession, the succession of these classes of property will devolve upon the heirs of subsequent degrees, in equal portions between heirs of the same degree, namely:

Second degree, the grandchildren, that is to say, the sons and daughters of either sex, of the heirs of the first degree; third degree, the father and mother; fourth degree, the brothers and sisters of the whole blood; fifth degree, the brothers and sisters of the half blood; sixth degree, uterine brothers and sisters; seventh degree, the surviving husband or wife.

ARTICLE II. The heir in one of the higher degrees excludes all other heirs belonging to inferior degrees. For instance, grandchildren cannot inherit *mussacafat* and *musteghellat* properties if there be any children, and the father and mother shall also be excluded from inheritance if there be grandchildren, and so on.

Nevertheless the children of pre-deceased sons and daughters, being the representatives of the said sons and daughters, shall inherit, by right of reversion, through their deceased father and mother, in succession to their grandfather and grandmother; but the surviving husband and wife shall be entitled to a part of the inheritance of land transmitted by succession to the heirs of all degrees from the third degree, (succession of father and mother,) inclusively, to the sixth degree, (succession of uterine brothers and sisters,) inclusively.

ARTICLE III. To compensate for the advantages of which the *Evcaf* will be deprived in consequence of the extension of the right of inheritance and the suppression of escheats, the annual fine of *idjarei mueddjilé* upon the *mussacafat* and *musteghellat* properties will be augmented in a reasonable proportion according to the value of the properties, and this proportion will be fixed in a special regulation.

ARTICLE IV. As previously a tax of 30 per 1,000 or three per cent. will be attached to the sale of *mussacafat* and *musteghellat* properties, and of 15 per 1,000 or $1\frac{1}{2}$ per cent. to the succession of the first degree.

A special regulation will fix the duties to be collected upon the successions of succeeding degrees of inheritance.

ARTICLE V. The *kiraghi bil véfa*, or mortgage laws, affecting the mortgage of real estate as security for debt, will remain as before. The conditions of mortgage and the procedure regarding it will be settled by special regulations.

ARTICLE VI. The provisions of the present law are optional. The owners of *mussacafat* and *musteghellat* estate who wish to profit by it will need to renew the titles of the properties which they hold by *idjaretein* according to certain forms which will be settled at a later period.

ARTICLE VII. The present law is only applicable to the *Vacoufs* founded by the Sultans or the members of the imperial family, and to all the *Vacoufs*, which, by the extinction of the descendants of their founders, have come to be administered by the state, and whose disposal belongs to his Majesty the Sultan, represented, in this matter, by the *mutevelli*, (administrator of the *Vacoufs*.) Nevertheless, private individuals who are founders of *Vacoufs*, and possess legal power to modify the conditions of the foundation, are equally authorized to do so in conformity with the present law.

ARTICLE VIII. The *mussacafat* and *musteghellat* properties of which the soil is held under the form of *monkataa*, (4,) and upon which *mulk* buildings have been erected, will remain subject to the laws which at present govern them. The duty of *monkataa* imposed upon the purchase, sale and transfer through hereditary channels of *mussacafat* and *musteghellat* real estate will be augmented in a fair proportion.

ARTICLE IX. The present law will come into effect from the date of its promulgation.

1. Under this designation those *Vacouf* properties are understood upon which buildings of any kind are erected.

2. *Musteghellat* is urban real estate, upon which there are no buildings, but which yield produce or rent.

3. The *idjaretein*, which signifies literally "two rents," constitutes the essential character of *Vacouf* property. The first rent, called *idjarei monaadjele* or "anticipatory rent," is paid at the moment of taking possession, and the second, *idjarei muedjele*, or "rent due at the expiry of any period," constitutes the fine which the possessor of the *Vacouf* property must pay annually.

4. *Monkataa* signifies a tenancy at a fixed rent. Under this form the possessor of the *Vacouf* is relieved of all obligation towards the administration of the *Evcaf*, except the annual fine, and the buildings on these *Vacouf* lands considered as *mulk*.

Mr. Morris to Mr. Seward.

No. 216.]

LEGATION OF THE UNITED STATES OF AMERICA,

Constantinople, July 12, 1867.

SIR: I have the honor to acknowledge the receipt of despatches Nos. 142, 143, and 144. In reference to the last-numbered despatch I beg leave to state that some six weeks since, prior to his departure on congé I had a conversation with Mr. Golesco, the agent of the Danubian principalities, on the alleged persecution of the Jews in that government. I understood from him that the vexatious measures in question had been adopted to prevent the entrance into the principalities of an inordinate number of Jews from the neighboring provinces of Austria, most of whom were in a necessitous condition, and who were likely to increase the poverty and distress already prevailing in Moldavia and Wallachia. He denied that there had been any real persecution, and claimed that the action of the government was of a purely defensive character, and rendered necessary by the state of affairs in the country.

I replied that whatever might be the object of the government, it had all the appearance of a religious persecution, and that its tendency was to impair confidence in Prince Hohenzollern as a liberal and enlightened ruler. I assured him that the sympathies of the government of the United States with that of Prince Hohenzollern, already manifested in the creation of a consulate at Bucharest, would be impaired unless these proscriptive measures against the Jews were discontinued. He promised to express my views at Bucharest.

Through the interference of the Emperor Napoleon these alleged persecutions have been discontinued. Should they be revived, I shall in a proper form endeavor, through Mr. Goleasco, on his return, to use my official influence for their suppression.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Morris.

No. 150.]

DEPARTMENT OF STATE,

Washington, July 17, 1867.

SIR: Your despatch No. 214, of the 25th ultimo, with the accompanying copy of the Turkish law conceding to foreigners the privilege of holding real estate in the Ottoman dominions, has been received and taken into consideration. In answer to your request for instructions upon the subject, I have to remark, that under our form of government the only valid acceptance by the United States of the conditions of the law in behalf of their citizens must be by treaty, and as such an instrument would probably be expected to embrace the rule of reciprocity in behalf of Turkish subjects who might wish to acquire real estate in this country, it is not probable that the Senate would approve of such a treaty, especially as the laws of many of the States restrict the holders of such property to citizens of the United States. The law and the protocol taken together seem to imply a relinquishment of consular jurisdiction, which it would not be desirable to agree to on behalf of our citizens. It is true that it is not probable that many of them would desire to possess landed property in Turkey. It may not also be sound policy of the government to encourage their enterprise in that direction. If, however, the occupation of real estate in their own names should be necessary for the business of such American citizens as may repair to that quarter, it is hoped that the law may be so modified as to make it more acceptable than it seems to be in its present form.

I am, sir, your most obedient servant,

WILLIAM H. SEWARD.

E. JOY MORRIS, Esq., &c., &c., &c.

Mr. Seward to Mr. Morris.

No. 151.]

DEPARTMENT OF STATE,

Washington, July 22, 1867.

SIR: Herewith I enclose a transcript of a resolution of the Congress of the United States, declaring sympathy with the suffering people of Crete. Upon its receipt you are instructed to seek an interview with the Ottoman minister for foreign affairs and to read to him the resolution. You are also instructed to leave with him a copy of the same if he shall desire it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. JOY MORRIS, Esq., &c., &c., &c.

A RESOLUTION declaring sympathy with the suffering people of Crete.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the people of the United States feel a strong sympathy with the people of Crete, constituting a part of the Greek family to which civilization owes so much; that they are pained by the report of the present sufferings of this interesting people; and they unite in the hope that this declaration, which they feel it their duty to make, will be favorably considered by the government of Turkey in determining its policy towards Crete.

SEC. 2. *And be it further resolved,* That it shall be the duty of the President of the United States to communicate this resolution to the government of Turkey.

Approved, July 20, 1867.

Mr. Morris to Mr. Seward.

No. 224.]

LEGATION OF THE UNITED STATES OF AMERICA,

Constantinople, August, 1867.

SIR: In conformity with the instructions of despatch No. 151, I have brought to the attention of the Turkish government the resolution of sympathy for the suffering people of Crete, adopted by the Congress of the United States. The minister of foreign affairs being absent on a special mission to the Emperor of Russia, in the Crimea, I read the resolution to his Highness Aali Pasha, grand vizier, and at his request left with him a translated copy in French. His Highness, while apparently surprised at the character of the resolution and the order of Congress for its communication to the Turkish government, made no comments whatever on its subject-matter.

I am, sir, very respectfully, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

JAPAN.

No. 57.]

Mr. Van Valkenburgh to Mr. Seward.

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, November 20, 1866.

SIR: In my despatch No. 54, under date of the 5th instant, I informed you that in an interview I had on the 27th ultimo with two of the governors of foreign affairs, I had urged upon them "the importance of permitting their people to purchase of the foreign merchants rice and provisions, and to sanction it by proclamation." Previous to that time I had held a consultation with Sir Harry S. Parkes, her Britannic Majesty's envoy extraordinary and minister plenipotentiary, upon the same subject, and in pursuance of our arrangement on the 12th instant I addressed to the Gorogio a communication, a copy of which is enclosed, (No. 1.) marked number one.

On the 18th instant I received from the Gorogio a communication, together with a copy of a proclamation issued by them, pursuant to our request, a translation of said communication, and copy I enclose, marked No. 2. The government itself is now engaged in purchasing and importing a quantity of rice for the poorer people, and I have no doubt their wants will soon be supplied.

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

R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to the Minister of Foreign Affairs.

[Enclosure No. 1.—Translation.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, November 12, 1866.

Their Excellencies the **MINISTERS OF FOREIGN AFFAIRS, &c., &c., &c., Yedo:**

My knowledge of the suffering of your people for food, occasioned by the great advance in the price of rice, and of the desire your excellencies have for diminishing such distress, evinced by the establishment of buildings and the furnishing of food to them, induces me to address you this note.

Foreign merchants, I am told, would be very glad to import into your empire foreign rice, nearly, if not quite as good as that raised upon your own soil, had they the assurance that your people would be permitted to purchase of them without hindrance.

I am also told that such foreign rice could be sold in this market at a much less price per picul than your own rice now brings.

I desire, therefore, to call the attention of your excellencies to the great importance of at once issuing a proclamation to the people of Japan, assuring them that they are at liberty to purchase of foreign merchants, and I have no doubt that an abundant supply will soon be in market.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Ministers of Foreign Affairs to Mr. Van Valkenburgh.

[Enclosure No. 2.—Translation.]

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America:

We received your excellency's letter of the 12th of November, and tender you our thanks for the friendly feeling that prompted you to suggest a project for the relief of the poorer classes in our empire, who, owing to the advanced price of rice, are subject to much misery. With regard to the importation of rice from foreign countries, as proposed in that letter, a proclamation has been issued of which we now hand you a copy.

Which we have to state in reply, with respect and esteem,

INOWEYE KAWATSI NO KAMI.
MATSUDAIRA SURVO NO KAMI.
MATSUDAIRA NUI NO KAMI.

The 11th day of the 10th month of the 2d year of Reill, (17th of November, 1866.)

PROCLAMATION.

Having learned that the season's crop of rice is unfavorable in various localities, our government, in view of the suffering the advanced price of that staple entails upon the humbler classes, intend to purchase supplies of the same in foreign countries.

For the general benefit, therefore, rice may be purchased in foreign countries and sold in Japan, and Japanese are free to procure supplies from foreign merchants.

Mr. Van Valkenburgh to Mr. Seward.

No. 58.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, December 20, 1866.

SIR: After the occurrence of the rice riot mentioned in my despatch No. 54 under date of November 5th, I made an application to the Gorogio for permission to make a small pecuniary present to each of the three Yaonins who were injured on that occasion. Such permission was granted, and I sent for them and presented each with twenty dollars in silver. Their names are Gotoa Aigiro, Toayama Naka, and Sovda Shoogi.

On the 19th of November, by special invitation of Inoweye Kawatsi No Kami, president of the Gorogio, I made him a social visit at his home in the official quarter, accompanied by my private secretary, Lieutenant Colonel William Rumsey.

We found there Matsudaira Suo No Kami, another member of the Gorogio, several governors of foreign affairs and of the navy, and other subordinate officers, to receive us. For over four hours we sat at the table and were entertained very handsomely. No business matters were discussed, but various questions were asked by them as to the organization of our army, the kind of ordinance and arms used, and the character and condition of the navy, all of which I endeavored to answer.

They apologized for the occurrence of the recent riots, and expressed themselves as highly gratified at the course I had pursued, spoke of the presents I had made to the Yaonins, and remarked that my kindness and courtesy to their government and people "was wonderful."

They told me that the government had taken the necessary measures to supply the poor with food and houses by erecting buildings for them and sending abroad to buy foreign rice.

They informed me that they intended to send an embassy to the United States for the purpose of seeing the working of our army and navy, and to acquire general information.

I understand, unofficially, since, that five persons have been appointed and will soon take their departure for California.

On my return to the legation they sent with me six of the beautiful dwarfed trees of Japan, in house-pots, which now stand on the veranda.

Rear-Admiral H. H. Bell being about to visit Nagasaki with the "Hartford" and "Wyoming," invited me to accompany him, and offered to return me to Yokohama in the "Wyoming."

I desired to see Mr. Mangum, our consul at that port, and to take the trip through the inland sea, and no business pressing, I accepted the invitation, and on the 22d ultimo left Yokohama in the "Hartford." On the 2d day out, one of the air-pumps of the "Hartford" broke down, and the admiral was obliged to go to Hong Kong under sail for repairs. I went on board the "Wyoming." In the inland sea we had strong head winds and heavy seas all the way. At Simonoseki, in the straits of that name, we were compelled to anchor for 36 hours to take in coal. This town is in Choshu's territory, and a number of batteries have been erected on his shore. Opposite is the province of Bouzen, belonging to Kokura, who was loyal to the Tycoon's government. His territory has been overrun by Choshu's troops, his batteries destroyed, his guns captured, and his towns burned.

On the 2d day of December we reached Nagasaki. I met Mr. Mangum; visited with the Japanese governor, and had a pleasant visit of eight days.

On Tuesday, the 11th instant, at day-light, we left Nagasaki, and after a pleasant run reached Yokohama on Monday morning, the 17th instant. We stopped at Hiogo on our return, anchoring in the harbor over night, and spend about three hours on shore in the morning. At Nagasaki I found the French Rear-Admiral Rose with three vessels of war, the Russian Rear-Admiral Kern with three vessels of war, and three English vessels of war.

The English and French ministers had each within the last few months visited Nagasaki and the inland sea, and I could not forego the opportunity offered by the kind invitation of Rear-Admiral Bell.

I trust it will prove to have been for the interests of the government, and that it will meet the approbation of the President and the department.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Van Valkenburgh to Mr. Seward.

No. 59.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, December 22, 1866.

SIR: I have the honor to transmit herewith, No. 1, translation of a letter from the minister for foreign affairs, announcing that an armistice had been concluded with the Prince of Choshu. I also enclose No. 2, copy of my reply.

The military operations against this Daimio had been attended with varying success, and rather slightly in his favor, as expected. He had found the means of supplying his forces with arms of foreign manufacture, and his acting on the defensive naturally insured him some advantage, of which, it appears, he skillfully availed himself.

Upon the advent of the present Tycoon, it was supposed that a new policy might be consistently inaugurated, and, in this manner, the way be paved for a peaceful solution of the hitherto existing internal difficulties. The present communication of the minister for foreign affairs probably affords an indication that this happy result may eventually be arrived at.

Some time must necessarily elapse before the negotiation for the restoration of harmony may be fairly in progress. A council of Daimios of the empire has been called to assemble at Kioto; but it appears, while a few of these will respond to the call, that the majority are only willing to send their representatives; and others, again, doubtless apprehensive of committing themselves, have as yet withheld their replies to the invitation altogether.

Holding sovereign rights in their respective provinces, several of those Daimios object to the suzerainty virtually assumed by the Tycoon, whose ascendancy, derived even more from his lead in foreign intercourse than from the fact that he is the most powerful among his fellow-Daimios, hardly admits of being legally disputed, if, as in the present instance, he is in perfect accord with the Mikado.

This question of state rights, if it may be so called, was tested by the Prince of Choshu, and though successful in the field thus far, the Tycoon's, or the central power, has been able to prevent other Daimios from joining him in his rebellion. As the present incumbent of that office appears to be a man of energy and ability, and not wedded to the policy of his predecessor, there is a fair prospect, as there are besides many inducements of a compromise being reached, restoring the homogeneity of the empire on a basis acceptable to our interests.

The obstacles in the way of a satisfactory arrangement of all internal questions are at this moment greatly enhanced by the scarcity of food, and the distress consequently caused among the lower classes referred to in former despatches. Yet these obstacles will soon cease to exist, and I trust I shall soon be able to report to you that all civil commotion in Japan is at an end.

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

R. B. VAN VALKENBURGH.

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

[Enclosure No. 1.]

The Ministers to Mr. Van Valkenburgh.

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America, &c., &c., &c. :

We have to inform your excellency with reference to our former communication in relation to the navigation of the straits of Suwo and Nagato, that an armistice has been concluded, as already verbally stated to you by a governor for foreign affairs.

If the war be resumed we shall give you due notice.

With respect and esteem,

The Ministers for Foreign Affairs.

On the 5th day of the 11th month of the 2d year of Keill.

[Enclosure No. 2.]

Mr. Van Valkenburgh to the Ministers for Foreign Affairs.

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, December 21, 1866.

Their Excellencies the MINISTERS FOR FOREIGN AFFAIRS, &c., &c., &c., *Yedo :*

It gives me much pleasure to acknowledge the receipt of your excellency's letter of the 5th day of the 11th month, in which you inform me that a suspension of hostilities between his Majesty the Tycoon and the Prince of Choshu had been agreed upon.

While tendering you my congratulations on this auspicious event, I beg to express the hope that it will prove the beginning of an era of lasting peace and prosperity in your country.

I shall be obliged to your excellencies for communicating to me, at your earliest convenience, the terms upon which the armistice was concluded.

With respect and esteem.

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Mr. Van Valkenburgh to Mr. Seward.

No. 60.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, December 22, 1866.

SIR: From the despatch of the consul, a copy of which he sent me, you will have been informed of the terrible conflagration which, on the 26th ultimo, destroyed a considerable portion of both the foreign and native settlements of Yokohama, (Kanagawa,) including our consulate, the custom-house, one bonded warehouse, and other public buildings. I enclose a printed report of the conflagration, from one of the local papers, which is substantially correct.

The foreign loss may be estimated at about 4,000,000 of Mexican dollars; that of the Japanese was much less, though I regret to say that several lives were lost amongst them, and that about 10,000 persons were rendered houseless on that day. The ground was hardly cool, however, when hundreds of them, with characteristic enterprise, were already engaged in putting up sheds, to enable them to resume their usual avocations.

It gives me much pleasure to state that the Gorogio, by the appointment of competent commissioners, promptly responded to the appeal to consider with the foreign representatives the measures to be adopted to prevent the recurrence of similar disasters; and at an early day I trust to be able to submit to you the result of our negotiation.

A still more disastrous conflagration, I regret to say, laid a portion of the city in ashes on the 15th instant, inflicting considerable loss on many of the adobe warehouses. Such as admirably withstood the fire at Yokohama, and which always contain the merchandise and valuables of the more industrious of the population, were destroyed. The loss, therefore, was very severe, and cannot now be estimated even by approximation with any degree of accuracy.

As far as ascertained, 138 persons were either killed or dangerously burned or wounded, and reported past recovery. On a printed report of the fire, issued immediately after the occurrence, a copy of which I transmit herewith, and which there is every reason to believe correct, it is estimated that if the houses destroyed stood in line, a street would be formed of $16\frac{7}{8}$ Japanese li, equal to about 40 English miles of houses in a single line.

The prolonged absence of the Tycoon and the Daimios from this capital, with their thousands of followers and retainers, naturally checked its commercial movements; and it will be interesting to watch the progress to be made in rebuilding the burned districts, as affording, in all probability, a better indication than the vague and unsatisfactory statements, by the higher officials, of the political prospects of Yedo, and those of the other cities—Kioto and Placca—where the Tycoon and his court are still temporarily residing.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Van Valkenburgh to Mr. Seward.

No. 61.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, December 24, 1866.

SIR: According to the agreement entered into at Hiogo in November of last year, the opening of that port and of the city of Osacca were guaranteed on the 1st of January, 1868; but as yet this government have taken no preliminary steps whatever to carry the stipulation into effect. No ground has as yet been set apart for foreign occupation at either of those places; nor has any commencement been made with the building of a custom-house, bonded warehouses, or any other necessary public buildings.

This question, however, must soon come up for final settlement, and I hope to receive your instructions in regard to it. I would have applied to the Gorogio for their views on this subject; yet with reference to former despatches, relating to the present uncertainty in political affairs, in conjunction with the present scarcity of food, the consequent distress among the people and the recent disastrous conflagration, I beg to submit that I would not be justified in pressing this government for proposals for the solution of a matter it is not absolutely necessary to dispose of at once.

I have the honor, therefore, to request, as I am unable as yet to invite specific instructions, that I may be authorized to act in this matter on the basis of the maintenance of our treaty rights in concert with my colleagues, the representatives of the treaty powers interested, in such manner as shall best subserve our interests, and in view of the circumstances, as they shall present themselves when the question arises for consideration.

In the mean time, I shall lose no opportunity in endeavoring to obtain from this government such information as may enable me to invite the specific instruction it is so desirable to be furnished with.

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

R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to Mr. Seward.

No. 5.]

LEGATION OF THE UNITED STATES,
Yedo, January 12, 1867.

SIR: I have the honor to acknowledge the receipt of your despatch, No. 5, under date of October 15th, 1866; also No. 26, dated October 22d, 1866, directed to A. L. C. Portman, esq., late chargé d'affaires *ad interim*.

Through the kindness of Sir Harry Parkes, her Britannic Majesty's envoy extraordinary and minister plenipotentiary at this capital, I have been furnished with copies of certain documents, translations of which I enclose, (No. 1.) They are important as bearing upon the present state of affairs in this country.

The first is an address directed by 22 of the Daimios to the Mikado, and purports to have been delivered in person to him at about the time of the death of the late Tycoon.

It seems by the second paper that the Mikado immediately sentenced the Daimios who were so bold thus to address him, to confinement in their own residences, but on the 1st of November he issued a decree summoning a council of Daimois at Kioto, upon representations made to him by Tokugawa Chinnangong. The Tokugawa family is that from which the Tycoon is taken, and the title "Chinnangong" is given to the successor appointed by the Mikado previous to his investiture as Tycoon.

The last paper is a letter from the Prince of Etshizen to Hotsbashi, now Tycoon. The prince is one of the most powerful Daimios and is considered a man of ability.

Shogun is the title by which the political ruler of Japan is known. Tycoon, while meaning Great Lord, was not his title until adopted by foreigners, and he is now better known as Shogun, meaning "commander of the armies."

The recent council of Daimos held at Kioto seems to have had its origin in this decree of the Mikado, but whether it accomplished anything we do not, as yet, know.

The new Tycoon has not been invested with his office according to the ceremonies attendant upon it, but it is supposed such investiture will take place immediately at Osacca, where he now is.

I have the honor to be, sir, with great respect, your obedient servant,
R. B. VAN VALKENBURGH,

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

[Translation.]

Proceedings at Kioto.

ADDRESS OF TWENTY-TWO KUGE TO THE MIKADO.

On the 8th October, 22 of the Mikado's court presented themselves before the Mikado and addressed him in person the following discourse:

1. Japan has, at the present hour, arrived at an important epoch, and still, up to to-day, no steps have been taken to assemble the Daimios and to take council with them. For what reasons has such an important step been delayed?

Your petitioners pray that even on this very day measures should be taken to summon Daimios, as the state of affairs will not bear any delay.

2. The war with Chosin should be put an end to by an order of the Mikado.

3. It is improper that the Mikado's policy should be always changing, as in the present case.

4. Pardon should be granted to the officers of the Mikado's court at present incurring his displeasure and undergoing punishment.

ORDER ISSUED BY THE MIKADO CONSEQUENT UPON ABOVE ADDRESS.

Many persons having plotted together and addressed the Mikado without due respect, thus committing an extreme breach of reverence, they are therefore condemned to be confined to their residences.

The necessary guards for the execution of this order will be supplied by Aiza (protector of Mikado) and Kuwana, (Tycoon's representative at Kioto.)

DECREE OF MIKADO SUMMONING COUNCIL OF DAIMIOS.

9TH MONTH, (*October and November, 1866.*)

In consequence of the representations made to us by Tokuzawa, Chinnaugonz, and also imbued with a desire to hear the opinions of the various Daimios, we desire that you will come up to Kioto immediately. The decisions of the meeting are to be brought before us through the Chinnaugonz.

To Owari, Kushee, Kanga, Thizen, Hiogo, or Rinoske, if the Prince is prevented; Awa, or his son; Chickuzeu, Matsdaira Dura No Kami, Kurimie, Matsungama, or his son; Maba, Iosa, Igo, (Uwajuna;) Satsuma, Ise, or his son; Matsdaira No Kawa No Kami, Bizen, Tachibana Hida No Kami, Sendai; Matsudaira Okura No Tayer, Ugunhegi Saki-bon Tayer, Aizu, Kuwana, at present already resident at Kioto.

The following Daimios were summoned by direct writ from the Uye Sama, the same being carried by his retainer Mawe Iawa Magohachiro: Owari Matsundaira Linsa No Kami, old prince of Hizeu Kanga, old Prince of Josa Yodo, old Prince of Uwajima, Date Iyo No Kami, old Prince of Satsuma, Shumadzu Osnim No Kami, Nogeska Rionoske.

ADDRESS OF THE PRINCE OF ETSHIZEU U STOTSBASHI.

It is now evident that the shogunship does not at present exist. It belongs now to the Mikado to bestow the appointment either, as customary, on the Tokugawa family or upon some other person. If the Mikado insists upon bestowing it upon the Tokugawa family I advise you to assemble the Daimios and not to accept it before having consulted them. You should request the Mikado to issue a mandate to the Daimios to assemble in council. (Note written in small characters.) The best and shortest way would be to put a isugo or Mikado's officer and a member of the Gorogio on board a steamer and make them the bearer of the summons.

If the Daimios, having assembled, shall decide, after public discussion held, that the appointment should be bestowed upon the house of Tokugawa, you should not then hesitate to accept it. (Note written in small characters: Would it not, for the present, be better to decline the change of government if at once delegated by his Majesty?)

The government for the future to be adopted in the country, as well as the settlement of Choshin, should also form the subject of your council with the Daimios. You should ask their opinion as to whether a liberal pardon would not be the best means of effecting this. Let the question be, at any rate, fully discussed, and submitted to the final decision of the Mikado. In thus acting you will, whilst obtaining the assistance of the mandate of the Mikado, impress the people with the conviction that, if elected new Shogun, you would act in a public spirited and unselfish manner, and thereby you will gain general confidence and allay suspicion. But if, at this moment of transition, any failure should attend your proceedings, it may be foreseen that your government will be thereby obstructed hereafter.

If you cannot now master your ambition, and lay the shogunship open to the whole empire, you must not expect to see peace again restored to the country.

Said to be dated 8th month, (October,) 1866.

Mr. Van Valkenburgh to Mr. Seward.

No. 10.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, February 4, 1867.

SIR: I have the honor to inform you that a treaty of friendship, commerce and navigation, was, on the 12th day of January last, concluded between his Majesty the King of Denmark and his Majesty the Tycoon of Japan.

I enclose (No. 1) a copy of a communication sent me by D. de Graeff Von Polsbroeck, esq., his Netherlandish Majesty's political agent and consul general in Japan, who acted on the part and in behalf of the King of Denmark, and (No. 2) a copy of an official notification received by me from the Gorogio, both of which enclosures announce the conclusion of the treaty.

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

R. B. VAN VALKENBURGH.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.]

29TH OF 12TH MONTH, 2D YEAR OF KAION, (*February 3, 1867.*)

We have the honor to inform you that we concluded the treaty with Denmark.

With respect and regard,

INO NE YE KAWATSI NO KAMI.
INABA NUIRO NO KAMI.
MATSUDAIRA INO NO KAMI.
OGASAWARA IKI NO KAMI.

His Excellency R. B. VAN VALKENBURGH,

Minister Resident of the United States.

Mr. Von Polsbroeck to Mr. Van Valkenburgh.

YEDO, 12th January, 1867.

SIR: I have the honor to inform you that I succeeded this day to conclude a treaty of friendship, commerce and navigation between his Majesty the King of Denmark and his Majesty the Tycoon of Japan.

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

D. DE GRAEFF VON POLSBROECK,

His Netherlandish Majesty's Political Agent and Consul General in Japan.

His Excellency R. B. VAN VALKENBURGH,

United States Minister Resident in Japan.

Mr. Van Valkenburgh to Mr. Seward.

[Extract.]

No. 11.]

LEGATION OF THE UNITED STATES,

Yedo, February 19, 1867.

SIR: I have the honor to inform you that the Japanese government has appointed two commissioners to proceed to the United States for the special purpose of purchasing from the United States government, if possible, some ships of war, as mentioned in my despatch No. 43, under date of September 29th, 1866, and also No. 45, dated October 9th, 1866.

Should the United States government not be able to furnish them with what they desire, then their purpose is to purchase, if possible, of private individuals, or procure such vessels to be constructed in the United States. The Japanese officials here have verbally requested me to ask for these commissioners the kind attention of the United States government, and also that some competent naval officer or other person may be assigned with whom they may consult and advise. They are entirely ignorant of our manner of doing business, and take no foreigner with them, relying upon the assistance of our government in such business as they may find it necessary to transact.

The Japanese feel most friendly towards our people, and are very much inclined, I think, to rely upon the advice received from them. I trust the impressions they get of the prosperity of our country through this embassy, on its return, may induce them to make more rapid progress in civilization. They purpose remaining in the United States about three months, and are desirous of seeing the navy yards, arsenals, foundries, machine shops, &c., and, in fact, learning as much as possible in that brief period.

Enclosed (No. 1) I send copy of translation of their appointment by the Tycoon, the red seal being his official signature. Enclosure No. 2 is copy translation of a letter of the Gorogio, or ministers for foreign affairs, to the Secretary of State, defining their powers.

* * * * *

Enclosure No. 4 is copy translation of the names of the commissioners and their suite, and No. 5 a copy of the translation of a letter from the Gorogio to me, announcing the appointment of the commissioners.

Ono Tomogoro, the first commissioner, was formerly a lieutenant in the navy, and in such capacity visited San Francisco in 1858. He was afterwards promoted to be captain, and has since been again promoted to a position in the finance department, a civil office. He is charged generally with the receipt and disbursement of a portion of the funds, and is called by them a commissioner of finance.

Matsmoto Judayu was a low officer in the embassy which visited the United

States some years ago, has since been promoted, and is now at the head of the educational bureau in Japan.

Sekey Shimpatchi, one of the interpreters, was some years ago in France with Japanese officers who were sent there by this government, but since my residence in Yedo, at my request, he has been attached to this legation as Japanese interpreter.

Neither of the commissioners are of high rank, but are about the average in intellect and ability of the official class.

They carry with them the originals, as well as copies of the translation of enclosures Nos. 1, 2, and 3, and also a duplicate of this despatch.

I have the honor to be, sir, very respectfully, your obedient servant,
R. B. VAN VALKENBURGH.

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

[Translation.]

ONO TOMOGORO and MATSMOTO JUDAYU:

You are appointed to proceed to the United States, and invested with full powers to negotiate with the same government.

[SEAL OF THE TYCOON.]

Dated this 12th day of the 1st month of the 3d year of Kaion, (*February 16, 1867.*)

[Translation.]

The Honorable the SECRETARY OF STATE
Of the United States of America:

We have the honor to inform you that his Majesty the Tycoon has appointed Messrs. Ono Tomogoro and Matsmoto Judayu commissioners, to proceed to the United States for the special purpose of procuring from that government ships of war, munitions, &c., and for all other purposes in this connection, and we therefore request that you will be pleased to extend to them all courtesies and facilities in the execution of their duty, and to give credence to all their statements.

MOWRYE KAWATSI NO KAMI.
INABA MUIO NO KAMI.
MATSDAIRA TONO NO KAMI.
OGASAWARA IKI NO KAMI.

Dated this 12th day of the 1st month of the 3d year of Kaion, (*February 16, 1867.*)

[Translation.]

Messrs. ONO TOMOGORO and MATSMOTO JUDAYU:

You, or either of you, are hereby appointed to proceed to the United States as the commissioners of the Japanese government, and there settle with the honorable R. H. Pruyn, late United States minister to Japan, and to receive from him the balance due to the Japanese government for account of moneys paid to him for the construction of ships of war and other purposes, giving receipts therefor. And we hereby give you full power and authority in the premises.

MOWRYE KAWATSI NO KAMI.
INABA MUIO NO KAMI.
MATSDAIRA TONO NO KAMI.
OGASAWARA IKI NO KAMI.

Dated this 12th day of the 1st month of the 3d year of Kaion, (*February 16, 1867.*)

[Translation.]

The names of the members of the mission to the United States :

First Commissioner.—Ono Tomogoro, with a servant.

Second Commissioner.—Matamoto Judayu, with a servant.

Secretary.—Fukusawa Ukitchy.

Interpreters.—Tsudah Senya, Sekey Shimpatchi.

Paymaster.—Giumo Simrodio.

First Lieutenant in the Navy.—Ogasawara Kenzo.

Second Lieutenant in the Navy.—Iwata Haizaku.

The latter two are concerning to the mission beside the purpose of studying them.

Eight officers—no servants—ten persons in all.

Hon. R. B. VAN VALKENBURGH,

Minister Resident of the United States of America, &c., &c., &c.:

We have the honor to inform you that Messrs. Ono Tomogoro and Matamoto Judayu have been appointed to proceed to the United States for the purpose of procuring ships of war, &c., from the same government, and also invested with the full power to settle with Mr. R. H. Pruyn, late United States minister, and receive from him the balance due to our government for account of moneys paid to him for the construction of ships of war and other purposes.

And we therefore request that you will be pleased to understand the above, and communicate it to your government.

With respect and consideration,

MOWRYE KAWATSI NO KAMI.
INABA MUIO NO KAMI.
MATSDAIRA SUNO NO KAMI.
OGASAWARA IKI NO KAMI.

The 12th day of the 1st month of 3d year of Kaion, (*February 16, 1867.*)

Mr. Van Valkenburgh to Mr. Seward.

No. 12.]

LEGATION OF THE UNITED STATES,

Yedo, February 21, 1867.

SIR: I have the honor to transmit herewith translations of letters received from the Gorogio, as follows:

Enclosure No. 1, inviting the foreign representatives to an audience with the Tycoon at his castle in Osacca.

Enclosure No. 2, announcing the investiture of his Majesty the Tycoon with the title of Seii Dai Shongung, at Kioto, (Miaco) on the 10th of January last.

Enclosure No. 3, announcing the death of the Mikado on the 3d instant. He died at Kioto of the small-pox. He was about thirty-seven years of age, and is succeeded by his son, about sixteen years of age.

Enclosure No. 4, announcing the appointment by the Tycoon of his brother Tokugawa Minaboo Tayu to proceed to France and be present at the opening of the International Exhibition at Paris. He sailed for Paris on the French mail steamer of the 15th instant.

Enclosure No. 5, announcing the postponement of the audience with the Tycoon. This postponement is in consequence of the death of the Mikado, the Tycoon and court being in mourning for fifty days; but I am informed by one of the governors for foreign affairs that the invitation will be renewed in about two months.

I am yet unable to form an opinion with any degree of accuracy on the bearing of the several events, but believe that their effects will be in a direction in harmony with our interests.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.]

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America, &c., &c., &c.:

On entering upon the charge of his government his Majesty the Tycoon intended to grant you an audience, but an important matter prevents him at present from returning to his castle in this city. The official reception will have to take place in the castle at Osacca, and it is therefore desirable that the foreign ministers, after consulting each other, will proceed to that city for that purpose.

The governors for foreign affairs, Iskahara, Tajinia No Kami, Sibata Hinga No Kami, Kawakats Omi No Kami, and Mukoyama Hayato No Kami, have been authorized fully to confer with you in regard to the date, and all that may relate to this official reception.

With respect and esteem,

INOMIYE KAWATSI NO KAMI.
 INABA MUIO NO KAMI.
 MATSDAIRA SUWO NO KAMI.

The 2d day of the 12th month of the 2d year of his Majesty, (*January 7, 1867.*)

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America, &c., &c., &c.:

We have to inform your excellency that on the 5th instant, (*January 10, 1867,*) at Kioto, his Majesty the Tycoon received the title of Seii Dai Shongung Generalissimo, (chief executive.)

With respect and esteem,

INOMIYE KAWATSI NO KAMI.
 INABA MUIO NO KAMI.
 MATSDAIRA SUWO NO KAMI.

The 14th day of the 12th month of 2d year of his Majesty, (*January 19, 1867.*)

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America, &c., &c., &c.:

We regret to have to inform your excellency that our Emperor (the Mikado) died on the 29th day of the 12th month of last year, (*the 3d February, 1867.*)

With respect and esteem,

INOMIGE KAWATSI NO KAMI.
 INABA MUIO NO KAMI.
 MATSDAIRA SUWO NO KAMI.
 OGASAWARA IKI NO KAMI.

The 5th day of the 1st month of the 3d year of his Majesty, (*February 9, 1867.*)

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America, &c., &c., &c.:

We have the honor to inform your excellency that, in compliance with a desire expressed on behalf of the French government, that our nobility, like that of other countries, should be represented on the occasion of the opening of the international exhibition at Paris, his Majesty, the Tycoon, has resolved upon sending his Highness Tokugawa Minboo Tayn, his youngest brother, to the capital of France.

Stated with respect and esteem,

INOMIGE KAWATSI NO KAMI.
 INABA MUIO NO KAMI.
 MATSDAIRA SUWO NO KAMI.
 OGASAWARA IKI NO KAMI.

The 5th day of the 1st month of the 3d year of his Majesty, (*February 9, 1867.*)

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America, &c., &c., &c.:

We have to inform your excellency that the time for your audience of his Majesty the Tycoon, at Osacca, will necessarily have to be postponed, as recently explained to you by the governor for foreign affairs.

However, as soon as the date shall have been fixed it will be communicated to you, which we request your excellency to take into consideration.

Stated with respect and esteem, *

INOMIYE KAWATSI NO KAMI.
INABA MUIO NO KAMI.
MATSDAIRA SUWO NO KAMI.
OGASAWARA IKI NO KAMI.

On the 10th day of the 1st month of the 3d year of his Majesty, (*February 14, 1867.*)

Mr. Seward to Mr. Van Valkenburgh.

No. 11.]

DEPARTMENT OF STATE,

Washington, March 5, 1867.

SIR: Herewith I enclose a copy in translation of a note which was addressed to this department on the 28th ultimo, by Mr. Cantagalli, chargé d'affaires of his Majesty the King of Italy, announcing the conclusion of a treaty of commerce between that government and the governments of Japan and China, and stating also that, for the ulterior accomplishment of the intentions of the government of the King, a new diplomatic post had been created in the capital of Japan, to be filled by Count V. de la Tour, a distinguished diplomatist, who will soon depart upon his mission.

You are instructed to comply with the wishes of the Italian government, as expressed in the note of Mr. Cantagalli, by extending to the new minister, on his arrival in Japan, such support as he may need in the accomplishment of the important objects of his mission.

Your despatches to No. 56 of the 10th of November last, have been received.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Cantagalli to Mr. Seward.

[Translation.]

LEGATION OF ITALY TO THE UNITED STATES,

Washington, February 28, 1867.

The undersigned, chargé d'affaires of his Majesty the King of Italy, has just received a communication from the minister of foreign affairs in Florence, announcing to him the conclusion of a treaty of commerce and navigation with Japan and China, for the purpose of establishing relations of exchange and amity with those two countries upon a regular basis.

In conformity with the instructions which he has received upon that subject, the undersigned, while mentioning the event to the honorable William H. Seward, Secretary of State of the United States, has the honor to inform him at the same time that, for the ulterior accomplishment of the intentions of the government of the King, a new diplomatic post has been created in the capital of Japan. Count V. de la Tour, a very distinguished diplomatist, has been appointed to perform the important functions of minister at that legation.

Without mentioning the many advantages the government of the King hopes to derive from this determination, dictated by very important interests of a general nature, the undersigned will remind the Hon. Secretary that a friendly intercourse with Japan is of particular importance in one of the principal branches of Italian industry, namely, the production of silk-worms.

The attention of the government, in its solicitude for the welfare of the nation, has long been attracted in this direction; but the political circumstances of late years have prevented till now the execution of a project that had been determined on and prepared for some time.

It is desirable that Count de La Tour, who will soon repair to his post, should be welcomed by his colleagues, the representatives of the different nations, and receive from them that effective support which he will need in the exercise of his duties, that his mission may be crowned with the success expected of it. The talents of the representative of the United States, and his experience from a long residence in the country, to whose assistance the gov-

ernment of the King seems to attach a special importance, will be a very valuable aid to the minister of the King.

In view of these circumstances, the undersigned has the honor to request the Hon. Secretary to instruct the representative of the United States in accordance with what has been said; and accepts the opportunity to renew to him the assurances of his very high regard.

R. CANTAGALLI.

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

Mr. Van Valkenburgh to Mr. Seward.

No. 14.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, March 15, 1867.

SIR: About one year has now elapsed since the payment by the Japanese government of the third instalment of the Simonoseki indemnity, as provided by the convention of the 22d October, 1864.

The remaining three instalments are all past due, and no steps have as yet been taken, either to provide for the same, or to carry out the provisions of the agreement of November, 1865, between the treaty powers and Japan, by preparing for the opening of the ports of Hiogo and Osacca on the 1st of January next.

In compliance with the instructions contained in your despatch, No. 21, under date of July 18th, 1866, and upon consultation with my colleagues, the representatives of England, France, and the Netherlands, we came to the unanimous conclusion to no longer defer the demand for prompt payment of the remainder of that indemnity, and, consequently, on the 7th instant, I forwarded to the minister for foreign affairs a communication, a copy of which is herewith enclosed, marked No. 1.

My colleagues severally made a like request, urging the payment of one-third of the amount on the 15th of May, and the remainder in two instalments thereafter on the 15th August and the 15th November. To this communication I have as yet received no answer.

Since the death of the Tycoon in August or September last, there have been no active movements in the field. The recent death of the Mikado has been the occasion of another armistice, but I am informed by a governor for foreign affairs that as soon as the days of mourning are passed, which will be in the early part of April, hostilities will be renewed.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to the Ministers for Foreign Affairs.

No. 18.]

UNITED STATES LEGATION IN JAPAN,
Yedo, March 7, 1867.

About one year has now elapsed since the payment by the Japanese government of the third instalment of the Simonoseki indemnity.

The government of the United States has not by any act or word consented to the postponement of the remaining payments according to the terms of the convention, but desiring, in common with my colleagues, the representatives of England, France, and Holland, to give proof to the Japanese government of the friendship and consideration of our respective governments, and having been informed of the financial and other embarrassments of your government, I have not urged the fulfilment of the obligation.

I cannot consent longer to postpone the request for payment of the remainder of this just indebtedness, duty to the government which I represent requiring that I should present this matter in concert with my colleagues, whose governments are also interested therein,

and to urge that your excellencies will fulfil the engagements made by the Japanese government by the prompt payment of the remaining instalments.

I shall therefore request that the first of those instalments will be paid on the 15th day of May next, the second in three, and the third in six months thereafter.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Their Excellencies the MINISTERS FOR FOREIGN AFFAIRS, *Yedo.*

Mr Van Valkenburgh to Mr Seward.

No. 15.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, March 18, 1867.

SIR: I have the honor to transmit herewith No. 1, copy of a letter from Mr. Adams, our minister in London, acknowledging receipt of remittance of £2,673 12s. 2d., sterling.

This letter is in reply to mine, a copy of which formed enclosure No. 6 of my despatch No. 53 of the 26th October last.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

Mr. Adams to Mr. Van Valkenburgh.

LEGATION OF THE UNITED STATES,
London, December 27, 1866.

SIR: I have to acknowledge the receipt of your letter of the 26th October, and of the first of a bill of exchange for £2,673 12s. 2d. at six months, drawn in my favor by the Oriental Bank at Yokohama on the Union Bank, London, which I shall place in proper course of collection, on account of the foreign department of the government of the United States, as heretofore directed in former cases.

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

CHARLES FRANCIS ADAMS.

R. B. VAN VALKENBURGH, Esq.,
Minister Resident of the United States, Yedo, Japan.

Mr. Seward to Mr. Van Valkenburgh.

No. 12.]

DEPARTMENT OF STATE,
Washington, March 28, 1867.

SIR: I have received your telegram dated February 22d, announcing the departure of two commissioners and suite, appointed by the Tycoon to visit Washington on business mentioned in your despatch No. 43. Information has also been received by the department of the arrival of the commissioners at San Francisco, and of their intention to leave there for New York on the 1st of next month. In that city they will be properly received by an officer of this department.

Your despatches No. 43 and 45 have been communicated to the Secretary of the Navy.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Van Valkenburgh to Mr. Seward.

No. 20.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, April 20, 1867.

SIR: In my despatch No. 12, of the 21st February last, I transmitted translation of an invitation on behalf of his Majesty the Tycoon to an audience at his castle in Osacca, and also (enclosure No. 5 of that despatch) translation of a letter from the Gorogio, announcing the postponement of the audience in consequence of the death of the Mikado, which took place shortly after the invitation had been issued.

Similar invitations and announcements had been made to the representatives of England, France, and the Netherlands. When, however, towards the expiration of the period of mourning for the late Mikado, there was no indication of a renewal of the invitation to an audience, and deeming it desirable, in concert with my colleagues, that all uncertainty in relation to the approaching opening of the ports and cities to foreign trade and residence, according to the treaties and existing agreements, should be removed as speedily as possible, I addressed a letter to the Gorogio on that subject, a copy of which I now have the honor to transmit, (enclosure No. 1.)

I also transmit No. 2, copy of a despatch from the Gorogio, informing me that the Tycoon will grant me an official audience in the early part of next month.

Rear-Admiral Bell arrived here a few days ago in the flag-ship *Hartford*, but as the machinery of that ship requires slight repairs, she will be obliged to remain here for some ten days at least. In order therefore to reach Osacca at the time appointed, I shall leave in the *Shenandoah* on the 25th or 26th instant, accompanied by the steamer *Wyoming*, also at present on this station. I transmit No. 3, copy of my letter to the Gorogio, announcing my approaching departure.

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

R. B. VAN VALKENBURGH.

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

No. 29.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, March 30, 1867.

The time is rapidly approaching when the cities of Osacca and Yedo, and the ports of Hiogo and Newgato, are to be opened to foreign commerce and trade, according to the agreement made by the treaty powers with the government of Japan.

Arrangements preparatory thereto are necessary to be made, especially at the ports of Hiogo and Osacca. But nine months now intervene, and your excellencies must be aware that at least that time will be necessary to make those arrangements and to give such notice as would be requisite for the faithful carrying out of the stipulations.

The undersigned is therefore desirous of visiting Hiogo and Osacca, to enable him, by personal observation, more intelligently to enter into the adoption of such regulations as may be necessary upon the opening of those places; and having consulted with his colleagues, will, in concert with them, as soon as is practicable, proceed to Osacca, there to discuss with the government of the Tycoon such necessary provisions and regulations.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Their Excellencies the MINISTERS FOR FOREIGN AFFAIRS, &c., &c., &c., *Yedo.*

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America, &c., &c., &c. :

We have to state to your excellency that while we wrote to you in the last year to mention hereafter the time for the audience to Tycoon, at the castle in Osacca, in consequence of the general mourning, it has been now informed from Kioto that the audience will positively take

place in the beginning of the next month. This is for the purpose of making closer the treaty of peace and to extend the friendship between two nations.

Stated with respect and esteem,

INOMIYE KAWATSI NO KAMI.
MATSDAIRA SUMO NO KAMI.
OGASAWRA IKI NO KAMI.

The 8th day of the 3d month of the 3d year of Cay An, (*April 12, 1867.*)

No. 34.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, April 23, 1867.

I have the honor to inform your excellencies of the arrival of the United States steamers Shenandoah and Wyoming at this anchorage, and that I purpose to proceed with those vessels to Osacca, leaving here about the 26th instant.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Their Excellencies the MINISTERS FOR FOREIGN AFFAIRS, &c., &c., &c., *Yedo.*

Mr. Van Valkenburgh to Mr. Seward.

No. 22.]

LEGATION OF THE UNITED STATES IN JAPAN,
Osacca, May 6, 1867.

SIR: As stated in my despatch No. 20 of this series, I proceeded to this city in the steamer Shenandoah, under the command of Captain Goldsborough, not on the 25th or 26th as first intended, but on the 29th ultimo, and arrived here in the afternoon of the 1st instant.

This brief delay was occasioned partly by my desire to await the arrival of the mail steamer Colorado, by which I hoped to receive despatches from you, and perhaps further instructions for my guidance; but I also deemed it of importance, in view of the peculiarities of this people, to fully ascertain the policy of this government in regard to the faithful observance of the treaty, and the subsequent agreements in connection therewith, previous to my departure for this place; and when I felt convinced of the sincerity of their repeated assurances that Hiogo and a port on the West Coast, and also the cities of Yedo and Osacca would be opened without fail to American trade and residence on the 1st January next, I left Yedo with my mind much relieved, only to receive here the confirmation of the success of my negotiations with the government at Yedo.

From enclosure No. 2 of my despatch No. 20, (copy of the Gorogio's letter to me,) you will have perceived that the Tycoon was prepared to grant me an official audience in the early part of this month. I judged that my arrival here at an earlier day might perhaps be somewhat embarrassing to him; and that, at all events, in view of the non-expiration of the period of mourning for the late Mikado, my appearance at precisely the appointed date would be accepted as an act of courtesy on my part. It affords me much pleasure to say that I received the assurance that, as such, it has been duly appreciated.

The English and Dutch representatives, however, left Yedo as early as the 15th, and the French minister on the 23d ultimo; yet it was not until the 2d instant that they were officially received by the Tycoon. At 7 o'clock in the morning of that day I received a visit from a governor for foreign affairs, bidding me welcome to Osacca in the name of the Tycoon, and assuring me in behalf of his government that all the preparation for my reception had been completed. It was accordingly agreed that I should proceed to the temporary legation building during the forenoon.

At 10 o'clock the Shenandoah fired the national salute, which was returned

gun for gun from the Osacca port; and at half-past 10 o'clock precisely I left the ship with my staff, and also accompanied by officers of both the Shenandoah and Wyoming, with an escort of 40 marines and 70 blue-jackets from those two ships. As I passed the fort at the entrance of the Osacca river, I received a salute, which was duly acknowledged by the Shenandoah.

As yet the city was not in sight; only the castle, which stands on an eminence, and a pagoda in its vicinity, showed me the extreme boundary at about six miles inland. Hundreds of small coasting junks and boats came crowding up the river and greatly enlivened the scene, which otherwise, owing to the level nature of the country and its rather sterile aspect, afforded no indication whatever of the approach to the large city enjoying the reputation of being the commercial metropolis of Japan.

As we proceeded, squads of the Tycoon's infantry marched along with us on both banks of the river; this was a guard of honor, and also for the purpose of preventing evil-intentioned persons, if such there were, from throwing stones at the boats. At about two miles up this river, where the city may be said first to present itself, the boats were requested to halt, and the same governor for foreign affairs who had visited me in the morning invited me to come on board a large government boat, where refreshments had been provided.

We were delayed here only a few moments, and then resumed our progress in the same order of procession, passing under several bridges until we came, through thoroughfares crowded with most orderly people, to the official landing-place at the foot of the castle. From this landing place a walk of about one-mile, through streets lined on either side by Japanese soldiers, took us to the quarters prepared for us; and this temporary legation building, furnished with tables, chairs, and all other conveniences, is certainly as comfortable as could possibly be provided, when it is taken into consideration that such articles of furniture are not used by this people, but were mostly purchased at Yokohama, and thence forwarded to this place.

The American, English, and Dutch legation buildings are all situated in close proximity on the same street, and the French minister occupies barracks at a distance of about one mile from the legation street.

I must not omit to state here that all the arrangements in connection with my official landing were superintended by Captain Goldsborough himself, and that high praise is due therefor to that excellent officer.

I had scarcely taken possession of my quarters and hoisted the flag on the staff that had been provided, when I was visited by Itakura Ega no Kami, the senior Gorogio and minister for foreign affairs, and his colleague, Ogasawara Iki no Kami, who came again to bid me welcome in the name of the Tycoon, and to interchange the customary compliments on great occasions. They showed themselves highly pleased when I expressed my satisfaction at the accommodation that had been provided for me; and it was then arranged that I should have my private audience with his Majesty the Tycoon, as previously agreed upon at Yedo, on the next day, and my official audience, for the purpose of delivering my letters of credence, on the day following. At 3 o'clock in the afternoon of that day (the 3d instant) I accordingly proceeded to the castle, accompanied by Mr. Portman, Colonel Rumsey, my private secretary, Captain Goldsborough, Lieutenant Commander Carpenter, commanding the Wyoming, and Surgeon Rhodes, of the Shenandoah, preceded by the flag and a color-guard of marines, and followed by several companies of Japan infantry.

The Gorogio, governors for foreign affairs, and other high functionaries, received me at the entrance to the castle, and led me through various long galleries, with the beating of drums and the presentation of arms by the Tycoon's body-guard; first into a large ante-room, where tea was offered, and then to the reception hall. After waiting a few moments the Tycoon made his appearance, accompanied by

one sword-bearer only. The ceremony of introduction was performed through the senior Gorogio, and then the Tycoon opened the conference.

I should mention here that the young interpreter who, on the occasion of the visit of the Japanese embassy to the United States in 1860, enjoyed such vast popularity under the name of Tommy, though holding an army appointment as captain of engineers, now acted again in his former capacity between the Tycoon and me; and as not only myself but also the officers who accompany me must necessarily to some extent be the guests of the Japanese government during our brief stay at Osacca, the presence on this important occasion of this young interpreter, whose American predilections have ever been undisguised, may fairly be considered as a reminder that the liberal hospitality of which that embassy were the recipients is still held in pleasing remembrance here, and further as a suggestion that I must not hesitate to accept for myself and the officers of my suite of such hospitality as this country affords, and I have therefore accepted it as frankly as it was courteously tendered.

His Majesty the Tycoon is 31 years of age, and of extremely prepossessing appearance. There is that about him which stamps him as a gentleman; such simple dignity and such an air of perfect breeding, only equalled by his intelligence, which is as superior as it is unassuming. Our conversation ran principally on our army and navy matters, and the manner in which it was conducted on his part showed that he was well conversant with the subject.

You will no doubt recollect that on former occasions the foreign representative was not allowed to behold the face of the Tycoon. For about five years the Tycoon had granted no official audience to any representative whomsoever. The present friendly audience, in which I not only met the Tycoon face to face, but was seated at his right hand, was a fair indication of the wonderful progress that has been made in our intercourse with this people; but even this it strikes me cannot be compared, viewed in the light of progress, with the extremely handsome entertainment that followed.

The friendly interview lasted about one hour, after which we were conducted to an ante-room for a few moments, and then to the banquet hall, when the Tycoon made his reappearance, taking the head of the table, and we then sat down to an excellent dinner provided by foreign cooks, remaining there till 9 o'clock, his Majesty retiring half an hour before that time.

On the next day, the 4th instant, I proceeded at the hour appointed, accompanied by a numerous staff in full uniform, to the castle, for the purpose of delivering my letter of credence; and I now have the honor to transmit enclosure No. 1, copy of my address to the Tycoon, and No. 2, copy of his Majesty's reply.

I also enclose No. 3, copy of the address of the British minister, and No. 4, copy of the Tycoon's reply to him, with which I have kindly been furnished.

It is earnestly to be hoped that the friendship of the Japanese government, and their desire as exhibited on this occasion to increase the cordiality of their relations with the United States, may prove to have been a well-sustained effort, and that no reaction to the admirable feeling displayed be in store for us.

I have the honor to be, sir, very respectfully, your obedient servant,
R. B. VAN VALKENBURGH.

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

General Van Valkenburgh's address to the Tycoon.

OSACCA, May 4, 1867.

SIRE: Appointed by the President to represent the United States at the court of your Majesty, I am instructed by him to assure you of his desire to continue and strengthen those

bonds of friendship which unite the two countries, and to use every effort in my power to preserve and advance on all occasions their interests and prosperity.

I congratulate your Majesty on your accession to the throne of this empire.

The United States have recently come safely through the ordeal of war; rebellion existed among us; but the loyal hearts of the people, true to the instincts of patriotism, and guided by the aid of a Divine Providence on the field and on the sea, overcame that rebellion, and the Constitution and the laws were vindicated.

That your Majesty may come safely through all present difficulties, overcoming or conciliating your enemies, and that your reign may continue through a succession of many years of peace, prosperity, and happiness to your Majesty and to the empire you rule, is the earnest wish of the President and the people of my country.

I have now the honor most respectfully to present to your Majesty my letter of credence.

The Tycoon's reply to General Van Valkenburgh.

OSACCA, May 4, 1867.

Ever since we entered into treaty relations with the United States and opened our ports, the friendship between our respective countries has been most cordial. And now that the distance between them is shortened by the establishment of a line of mail steamers, at which we rejoice, the bonds of friendship which unite them will be strengthened.

It gave us pleasure to learn that the war in your country has recently been brought to a successful termination; that the North and the South are at peace; and that the power of your government, by subsiding the rebellion, has been fully vindicated.

We are pleased that the President has appointed you his minister resident to this country. You appreciate our situation and act accordingly, and this we highly prize.

The prosperity of our country will increase in proportion to the advance in power of the United States.

By your friendly feeling you properly meet our wishes for the maintenance, for all time to come, of the friendly relations that exist; and this you will be pleased to communicate to your government.

We tender you our sincere wishes for the happiness and prosperity of your country.

Sir Harry Parkes's address to the Tycoon.

OSACCA, May 2, 1867.

I have responded with feelings of profound respect and admiration to the invitation of your Highness to visit you in your castle of Osacca. I see in this invitation, combined with the assurances I have already had the happiness to receive from your Highness and the marked kindness of my reception, unmistakable evidences of a firm resolve on the part of your Highness and the government you conduct to cultivate the most friendly relations with Great Britain, and to insure the faithful performance by Japan of the treaties upon which these relations are based. In my own case I should respectfully inform your Highness that I am charged by my most gracious sovereign to spare no effort that may lie in my power to strengthen the exciting friendship between our two nations and to promote an intercourse, which when allowed to expand to its natural channel, cannot fail to be highly conducive to the prosperity of both.

As long as these feelings continue to be mutually entertained and acted on, no doubt can arise as to the cordiality and advantage of our future relations.

It only remains for me to congratulate your Highness on your accession to the exalted office to which you have recently been called, and to express my sincere wish that long life may be spared you to carry out the liberal measures in respect to the internal as well as the external policy of your great country to which I believe your Highness to be earnestly devoted.

The Tycoon's reply to Sir Harry Parkes's address.

MAY 2, 1867.

In holding, in accordance with the laws of my country, the supreme authority as handed down to me from my ancestors, I consider it to be my most important duty to maintain friendly relations between Japan and the countries with which treaties were concluded by my predecessor, and it is with this object in view that I have invited the representatives of foreign powers to visit me at Osacca.

It gives me the greatest pleasure to learn from the lips of the envoy of Great Britain that

he is determined to use his best efforts to advance the friendly relations between the two countries; and this is because I believe the cultivation of friendly intercourse and amicable relations between Japan and all the treaty powers, and especially Great Britain, to be the most important means of promoting the interests of Japan.

The ceremonies of this day afford me a fitting opportunity, of which I avail myself with the highest pleasure, to declare my intention, of which you have already been assured by my government, of carrying out the treaty concluded with Great Britain in all its details, and I request you, in reporting this my intention to your government, to communicate to them at the same time my most heartfelt wishes for the glory and happiness of your Queen.

I feel assured that you will recognize in the feelings of regard which I entertain for your self, not only as the representative of Great Britain but also in your personal capacity, a proof of my sincere friendship and profound respect.

Mr. Van Valkenburgh to Mr. Seward.

No. 23.]

LEGATION OF THE UNITED STATES IN JAPAN,

Osacca, May 10, 1867.

SIR: I have this moment returned from the port of Hiogo, whither I proceeded on the 7th instant in the *Wyoming*, for the purpose of determining, in concert with my colleagues, upon the site for the foreign settlement.

Our selection was as unanimous as it had been at this place, where an admirable location, with excellent water front, has been granted for the accommodation of foreign residents and merchants.

The necessary preparations for the reception of foreigners will now soon be in full course of execution, and I trust they will be satisfactorily completed before the 1st of January next, the date of the opening of the two ports and cities.

I have the honor to be, sir, very respectfully, your obedient servant,
R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Van Valkenburgh to Mr. Seward.

No. 24.]

LEGATION OF THE UNITED STATES IN JAPAN,

Osacca, May 18, 1867.

SIR: I have the honor to transmit herewith No. 1, copy of a letter from the *Gorgio*, announcing the intention of the Japanese government, to send envoys to *Corea*, for the purpose therein set forth. I transmit No. 2, copy of my reply.

This mission is expected to leave within a fortnight, and as soon as the result shall be made known to me, I shall immediately report the same to you.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

We have heard that recently there was war in *Corea* with the French, and that a merchant vessel of the United States was treated with great cruelty in the country.

Corea being the neighbor of Japan, with which friendly relations have been maintained so long, the Tycoon feels much grieved at learning, in view of the sincere friendship subsisting between Japan and the United States, that a wrong has been perpetrated upon American citizens, and he will not fail therefore to tender friendly advice to *Corea* and to endeavor to induce that country, with due regard to the friendship which should govern the intercourse between neighbors to mend its course in future.

A letter on the subject will be sent to the king of that country, and *Hirayama Diurho No Kami* and *Koga Kingitshero* will be directed to address him in accordance therewith.

And if, on reflection of the wrong that has been committed and through our influence, he should sue for peace, we hope that the flag of the United States will return; that retaliation will be abandoned and the means for friendly intercourse be found.

We now request your excellency to communicate the foregoing to your government.

We have only to add, that it is of course uncertain whether the Coreans will be dissuaded from persisting in their course. Yet it is the wish of the Tycoon that no effort should be left untried, with the object of promoting peace in this part of the world, and we further request your excellency to use your best endeavor in the same direction.

Stated with respect and consideration the 7th day of the 4th month of the 3d year of Keu. 10th May 1867.)

ITAKURA EGA NO KAMI.
OGASAWARA IKI NO KAMI.

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States.

Mr. Van Valkenburgh to Ministers for Foreign Affairs.

No. 43.]

LEGATION OF THE UNITED STATES IN JAPAN,
Osacca, May 18, 1867.

I have the honor to acknowledge the receipt of your letter of the 10th instant, in which you announce your intention of sending envoys to Corea; a copy of which letter I shall not fail to send to my government by the earliest opportunity.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Their Excellencies the MINISTERS FOR FOREIGN AFFAIRS,
Osacca, &c., &c., &c.

Mr. Van Valkenburgh to Mr. Seward.

No. 25.]

LEGATION OF THE UNITED STATES IN JAPAN,
Osacca, May 18, 1867.

SIR: I have the honor to transmit herewith, No. 1, copy of a letter from the Gorogio, and No. 2, copy of my reply.

The subject-matter is an application for an extension of the payment of the balance of the Simonoseki indemnity for a definite period of two years.

In this connection I beg to state, as the Japanese government have carried out their engagements relative to the opening of the two ports and two cities named in our treaty in so liberal a manner so as not only to satisfy my colleagues and myself for the present, but also to inspire me with perfect confidence for the future, that in view of the terms of the convention of the 22d October, 1864, to the effect that "the object of the treaty powers was not the receipt of money, but the establishment of better relations with Japan," I do not hesitate to recommend their application to your favorable consideration.

I trust, therefore, that you will be pleased to authorize me to grant their application, more or less conditionally, according to circumstances, as they shall hereafter present themselves, and in concert with my colleagues, the representatives of the powers interested.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

Osacca, May 15, 1867.

We have received your letter in relation to the balance of the Simonoseki indemnity, which, in accordance with agreement, was expected to be paid on or from the 15th May, 1867.

This matter was referred to the Treasury Department for settlement, and the delay in replying to your letter was caused by our being obliged to wait for the report of that department, which is to the effect that appropriations of large sums of money had to be made, and that it is very difficult to close that account at present. It is further stated to us that the efforts of our government to strengthen the friendly relations with foreign powers to some extent increased the difficulty of procuring the money required.

In view of these circumstances we are, to our great regret, unable to close that account within a brief period, and yet we do not hesitate to invite your kind aid when communicating the present despatch to your government, in consideration of the many proofs we have given, notwithstanding the numerous difficulties by which we are surrounded, of a proper and faithful execution of the treaty, in procuring for us the postponement for a fixed period of the payment of the balance of that indemnity.

Within one year we expect to be able to pay that balance, yet, in order to guard against disappointments, and to render any further application for an extension unnecessary under any circumstances, we request that such extension for the payment aforesaid be granted to us for two years from this date, it being understood, as a matter of course, that we do not object to pay interest on that money if desired.

With respect and esteem,

ITAKURA EGA NO KAMI.
IWABA MINO NO KAMI.
OGASAWARA IKI NO KAMI.

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America.

Mr. Van Valkenburgh to the Ministers of Foreign Affairs.

No. 44.]

LEGATION OF THE UNITED STATES IN JAPAN,
Osacca, May 18, 1867.

I have the honor to acknowledge the receipt of your letter of the 15th instant, in which you apply for an extension of the payment of the balance of the Simonoseki indemnity for a fixed period of two years, and in reply to say that it will give me pleasure to submit translation of that letter to my government by the first opportunity.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Their Excellencies the MINISTERS FOR FOREIGN AFFAIRS, &c., &c., &c., *Osacca.*

Mr. Van Valkenburgh to Mr. Seward.

No. 26.]

LEGATION OF THE UNITED STATES IN JAPAN,
Osacca, May 18, 1867.

SIR: Having, in concert with my colleagues, the representatives of Great Britain, France, and Holland, arrived at a unanimous agreement with the Japanese government in relation to the location of the foreign settlements at Hiogo and Osacca, and also to the basis upon which such settlements shall be established at Yedo and Neeëgata, or another port on the west coast instead of the latter, I have the honor to transmit herewith No. 1, copy of the letter from the Gorgios, enclosing their proposition, and No. 2, copy of my reply accepting the same.

It gives me much pleasure to state that the Japanese government, throughout our conferences and negotiations, evinced the greatest promptness and liberality, and that the sites selected at the two places first named, which I have carefully examined, are unsurpassed for convenience in every respect.

The opening of these ports and cities on the 1st January next will render the appointment of consular officers necessary.

The distance between Yokohama (the port of Kanagawa) and the eligible site to be set apart for foreign merchants at Yedo, is about 25 miles by land, and the distance between Hiogo and Osacca is about 30 miles by land, and about 16 miles from anchorage to anchorage. The communication between the two

cities and the two nearest ports respectively named are frequently interrupted, and as it is undoubtedly desirable that consular action be promptly on the spot when required, I beg to suggest, with a due regard to the avoidance of unnecessary expenditure, that a vice-consul for Kanagawa be appointed to reside at that place, or at Yedo, as the consul at that port may direct, and that a gentleman of tact and ability be appointed as consul for Osacca and Hiogo, and also a vice-consul for those two places to reside at either, as in the opinion of the consul may be necessary.

The salary of the-consul for Osacca and Hiogo, in view of the arduous nature of his duty and the great expense of living here, should certainly not be less than \$3,000 per annum, and the salaries of the two vice-consuls, both for Kanagawa and this port of Japan, in proportion.

As soon as a port on the west coast shall have been selected, I shall accompany the report of my proceedings with a suggestion in regard to the consular officer who will have to be appointed to represent our commercial interests there.

In conclusion I have respectfully to request that you will be pleased to take the matter of these appointments into consideration at an early day.

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

R. B. VAN VALKENBURGH.

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

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America, &c., &c., &c.:

We have the honor to hand you herewith a letter containing our proposition in relation to the foreign settlements at Hiogo and Osacca.

Please inform us if they are satisfactory.

With respect and esteem, the 13th day of the 4th month of the 3d year of KeU, (May 16, 1867.)

ITAKURA EGA NO KAMI.
IWABA MINO NO KAMI.
OGASAWARA IKI NO KAMI.

Arrangements for the establishment of a foreign settlement at the port of Hiogo and at Osacca.

1. The Japanese government will form at Hiogo a settlement for foreigners of all nations having treaties with Japan, on the ground situated between the town of Kobe and the Ikuta river.

The Japanese government will raise that portion of the ground colored red, on the annexed plan, and will give it such an incline toward the sea as is necessary for the thorough drainage of the site. They will also construct an embankment, faced with stone on the sea front of the said site, of not less than 400 ken in length, and will provide such roads and drains as may hereafter be determined on.

2. As soon as all the grounds thus prepared in accordance with the preceding article, for the use of the foreigners above named, is occupied and more space is required, the settlement may be extended towards the hills at the back as far as may be found necessary, and Japanese owning ground or buildings in the town of Kobe will then be at liberty to lease the same to foreigners if they wish to do so.

3. The Japanese government will set aside the site shown on the annexed plan, and colored red, within which foreigners may, in the terms of the treaties, hire houses and reside at Osacca. But no Japanese shall be compelled to rent any buildings to foreigners within the said site against his will; and as the Japanese government are willing that foreigners of those nations having treaties with Japan should enjoy at Osacca the same facilities for leasing ground and building houses as are secured to them by treaty at the Porte, the Japanese government are prepared to lease to foreigners, for building purposes, that portion of land on the same plan which is colored blue. The Japanese government will raise the ground now under cultivation on the west face of the latter site to the level of the other portion of the ground within it, and will embank it with stone. The necessary roads and drains will be provided and the trees will be carefully preserved.

4. The above-mentioned site for building purposes shall be extended in a southerly direction as far as may be found necessary, whenever it shall have been occupied by the foreigners above named, and more space is required for their use.

5. The Japanese government will prepare the said site at Hiogo and Osacca, in the manner above stated, in time for the occupation of foreigners on the 1st of January next.

6. The Japanese government will be reimbursed the cost of preparing the said sites for the use of the foreigners above named by the sale of the leases of the ground. The land will be divided into lots, and prices placed upon the different lots which will vary with the eligibility of the situation, but will amount in the aggregate to the total outlay incurred by the Japanese government. This outlay will form the basis for calculating the upset prices at which the lots will be offered to foreigners at auction. The foreigners of all nations having treaties with Japan may bid at these auctions, and each bidder may obtain as much land as he requires. The money realized above the upset price will be retained by the Japanese government as compensation for deprivation of interest on capital, and for the risk that may be incurred of not recovering their outlay.

7. All the ground leased to foreigners at Osacca and Hiogo will be subject to the payment of an annual rent calculated at a rate that will be considered sufficient to meet the expenses of keeping in repair the roads and drains, the cleansing and lighting of and maintaining order in the settlement, and the ordinary land tax payable at the present date to the Japanese government.

8. The Japanese government will not grant or dispose of any of the ground set aside by the preceding articles for the establishment of foreign settlements at Hiogo and Osacca to any foreign government, company, or individual, for building or other purposes, except at public auction, in the manner laid down in the preceding articles. The foreign consuls will not be provided with separate grants of land by the Japanese government, either within or without the foreign settlement.

9. In determining the upset price of all the land to be thus leased to foreigners at Hiogo and Osacca, the amount of annual rent, the number and size of the streets, lots, and drains, the quantity of the ground to be put up to auction at one time, the conditions and date of sale, and the formation of the cemeteries hereinafter mentioned, the Japanese government will consult the foreign representatives.

10. Insurable warehouses, in which the goods of foreigners may be stored in bond, will be provided by the Japanese government, both at Hiogo and Osacca, in the same manner as is stipulated in the convention of Yedo. At the former place the space colored blue on the annexed plan will be reserved by the Japanese government for this and other official purposes, and the dock now commenced will be removed.

11. The Japanese government will form a cemetery for the use of all nations, at Hiogo, on the hill in the rear of the foreign settlement, and another at Osacca, at Zuikensan. The Japanese government will lay out the cemeteries and surround them with fences. The expense of maintaining and repairing the cemeteries will be borne by the foreign communities.

12. The Japanese government will select at Yedo, in concert with the foreign representatives, a port on the west coast, at which a foreign settlement may be formed, as well as the place within which houses may be rented by foreigners at Yedo. Those will be made in accordance with the treaty and convention above mentioned, and on the basis of the present arrangement.

Mr. Van Valkenburgh to Mr. Seward.

No. 28.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, May 23, 1867.

SIR: The business relating to the approaching opening of the two ports and cities being terminated, as I had already the honor to report, to the entire satisfaction of my colleagues and myself, I determined upon returning to this place in order to hasten the arrangements necessary to be taken for the accommodation of Americans on the date fixed for its opening, and to be thus enabled at the earliest day to visit the west coast for the purpose of selecting, in concert with my colleagues, the port to be opened in case, on further examination, Neeëgata should be found unsuitable.

The Gorogio, members of the second council, and other high dignitaries dined with me at the legation on the 18th instant, and this necessarily delayed me one day.

On the same day I announced my departure, and I now transmit No. 1, copy of my letter to that effect; and on Monday, the 20th, I accordingly left Osacca in the Shenandoah, and arrived here yesterday.

The French minister had left four days previous on a visit to Nagasaki, and the British minister on that day proceeded overland to Tswruga bay, reported to be a good harbor on the west coast, at a distance of about 80 miles from Osacca.

Immediately on his return to the latter place, it is his intention to return to Yedo.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to the Minister for Foreign Affairs.

No. 46.]

LEGATION OF THE UNITED STATES IN JAPAN,
Osacca, May 18, 1867.

I have the honor to inform your excellencies that I shall leave for Yedo on the day after to-morrow.

The promptness and liberality with which your government have carried out their engagements in relation to the approaching opening of the two ports and cities, the many civilities shown not only to myself but also to the civil and naval officers who accompanied me, and particularly the courteous manner in which they were extended on all occasions, have made my visit to this place one of unmingled satisfaction, and inspired me with perfect confidence for the future.

I now beg to request your excellencies on my behalf to tender to his Majesty the *Tycoon* and to accept for yourselves my sincere thanks for all those courtesies, together with the assurance that I shall not fail to properly represent them to my government, by which they will be duly appreciated.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Their Excellencies the MINISTERS OF FOREIGN AFFAIRS, *Yedo.*

Mr. Van Valkenburgh to Mr. Seward.

No. 29.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, May 23, 1867.

SIR: I have the honor to transmit herewith No. 1, copy of a notification I deemed it necessary to issue, announcing the opening, on the 1st day of January next, of the two ports and two cities named in our treaty.

From the descriptions in so many books on this country of Osacca, as the great centre of trade in Japan, it may be presumed that on, or probably even before the date fixed for its opening, there will be a large influx of adventurous persons of all nations, expecting to find a profitable market for their wares.

From personal observation, and from the information I have been able to gather during the short time afforded me while at Osacca, I am inclined to think that although a large trade will eventually be created both at that place and Hiogo, it will be desirable for our merchants to guard against disappointment, and to observe great caution in their ventures to those places, should any be contemplated.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

LEGATION OF THE UNITED STATES IN JAPAN,
Osacca, May 17, 1867.

In pursuance of previous agreements, which were duly confirmed in this city, the citizens of the United States are informed that the port of Hiogo and one on the west coast of Nippon, and also the cities of Yedo and Osacca, will be opened to them on the 1st January next.

Ground for the purpose of residence and trade has been set apart at Hiogo and Osacca: and as soon as similar arrangements for Yedo and the port on the west coast shall be completed, notice will be given accordingly.

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

Mr. Van Valkenburgh to Mr. Seward.

No. 30.]

LEGATION OF THE UNITED STATES,
Yedo, June 10, 1867.

SIR: I have the honor to inform you that Kamehameha V, King of the Hawaiian Islands, has appointed Eugene M. Van Reed, esq., an American citizen, long resident in Yokohama, a commissioner for the purpose of negotiating, on the part of the Hawaiian government, a treaty with the Tycoon of Japan.

Mr. Van Reed is now engaged with commissioners appointed on the part of the Japanese government in agreeing upon the terms of such treaty, and I have no doubt will soon complete his labors.

Hostilities have not again commenced between the Tycoon and Choshu, although I am informed that the armistice has ceased, and that no arrangement has been arrived at between the opposing parties. The Tycoon still remains at Kioto, and it is not known when he will return to this city.

A proclamation has been issued by the Tycoon, permitting the members of the Gorogio, and other high officials, to visit the foreign representatives at their legations, and also to receive them socially at their private houses. This has been one of the results of the visit to Osacca, and in pursuance of it Inoweve Kawatsi No Kami, President of the Gorogio at Yedo, and two of his official associates, breakfasted with me last week at the legation. This innovation upon their previous customs shows the progress this people are making in civilization.

The crops of barley and wheat, now nearly ready for harvesting, are very fine—could scarcely be better. The time for the transplanting of rice, upon which the people depend for food, has not yet arrived, but the weather, so far this spring and summer, has been very propitious, and an abundant crop is looked for.

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

R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to Mr. Seward.

No. 31.]

LEGATION OF THE UNITED STATES,
Yedo, June 12, 1867.

SIR: On consultation with my colleagues, the representatives of England, France, and Holland, we have deemed it best to make an examination personally of the west coast of Japan for the purpose of determining what port it is expe-

dient to open in the place of Neeégata, which is deemed unfit as a harbor. Admiral Bell has kindly directed the Shenandoah, under command of Captain J. R. Goldsborough, to afford me facilities for such personal examination, and I expect to leave here about the 25th instant for that purpose. No American vessel of war having for some years been at Hakodadi, we shall probably visit that port *en route* to the western coast, intending to return via Nagasaki and the inland sea.

My colleagues have notified me of their intention of leaving here for the same purpose early in July. I trust my action in this matter will meet the approval of the President and yourself.

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

R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to Mr. Seward.

No. 32.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, June 18, 1867.

SIR: With reference to my despatch No. 30, of the 10th instant, I have now the honor to transmit No. 1, translation of a circular issued by the Japanese government to their officers for the purpose of encouraging social intercourse with the foreign officials.

The most noteworthy feature of this document, the authenticity of which (although not officially communicated) is beyond question, is the injunction to deal straightforwardly in future.

It gives me pleasure to state that all the officers of this government thus far appear to act fully in accordance with both the letter and spirit of the Tycoon's special instructions, and that in the opinion of my colleagues as well as myself there is every indication that much progress has been made in our official intercourse.

I might easily, while at Osacca, have landed marines from the Shenandoah and Wyoming to go through their drill before the Tycoon; but as the Tycoon fully appreciates the military power of the United States, I deemed it better not to follow the example of my colleagues of France and England in treating him to the drill of a small guard which could never be very imposing.

In conclusion I beg to add that I received presents of lacquerware and garments from the Tycoon, precisely as my colleagues of England and France.

Coming from so high a source, it may be supposed that these presents are very valuable. They are not so, however. The expense of sending to the Patent Office would be in excess of their intrinsic value, and as they may fairly be considered as returns or equivalents for valuable presents his Majesty the Tycoon has been pleased to accept from me, I did not hesitate to receive the same as mementoes of my very interesting visit to Osacca, and I hope you will be pleased to approve of my action.

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

R. B. VAN VALKENBURGH.

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

[Translation.]

12TH DAY OF THE 4TH MONTH, (*May 15, 1867.*)

By order of Inowuye Kawatsi No Kami, Sato Seingoro, chief secretary, makes known to the ometskes, (auditors,) the governors for foreign affairs, the governors of Kanagawa, the governors of Nagasaki, and governors of Hakodadi, the following :

The four representatives, namely, of the United States, England, France, and Holland, were invited by the Tycoon to meet him at Osacca.

The invitation was accepted and they arrived in the following order: the English minister on the 14th day of the 3d month, the Dutch minister on the 16th day of the 3d month, the French minister on the 22d day of the 3d month, the American minister on the 28th day of the 3d month.

Immediately on arrival a Gorogio went to their respective places of residence, to bid them welcome.

On the 25th day of the 3d month the English minister and suite visited the Tycoon in his castle, at 10 o'clock. They came on horseback. They dismounted at the Sakura gate, and were conducted to the room Thiro Shoin.

The Gorogios, members of the second council, and other high officers were present.

After conversing a while, they were conducted to the grounds in front of the room Ohiroma, where, at the Tycoon's request, the English mounted guard went through some evolutions.

The Tycoon then retired. Refreshments were provided in the room Thiro Shoin.

The Gorogios, members of the second council, and other high officers were present.

A few articles of lacquerware were presented to the English minister, and crape-silk to the officers of his suite.

The English minister and suite were then conducted from the room Thiro Shoin to the room Botannoma, and there entertained at dinner. In the evening they returned.

All the Japanese high officials present on this occasion came to the castle at the usual hour, and in their usual dress, and the Gorogios acted as masters of ceremony.

On the next day, being the 26th, the reception of the consul general of Holland took place. It was in all respects similar to that of the English minister, with the exception of a cavalry display.

On the 27th day the reception of the French minister took place. There was a drill of French mounted soldiers. The carriage of the French minister was shown, and during dinner the band of the French flag-ship performed.

On the 28th day, (2d May,) the English, Dutch, and French representatives were officially received by the Tycoon.

The officers of the English minister's suite were presented by the Gorogio.

The Tycoon having retired, dresses of ceremony were presented to the English minister, by the Gorogio. The Tycoon making his reappearance, the English minister returned thanks.

The Tycoon then retired and the English minister and suite were conducted in ceremony to the gate.

On the same day the representative of Holland was officially received by the Tycoon. He delivered a letter from his king, which he handed to the Tycoon in person.

The ceremony was precisely the same as that observed on the reception of the English minister. Only seven garments were presented.

On the same day, also, the French minister was officially received. He was accompanied by the French admiral, to whom the Tycoon addressed a few words. Ten garments were then presented. The ceremonies were the same. All the Japanese officials were in court dress.

From 8 o'clock in the morning the guards were on duty. They were dressed in foreign uniform, and presented arms when the minister passed them.

On the 29th day, at 10 o'clock, the English minister came to the castle, to the Ohiroma grounds. The Tycoon saw the drill of the English soldiers. His photograph was taken on this occasion; and foreign refreshments were offered to the English minister and the Gorogios who were present.

On that day, at 3 o'clock, the American minister was received, in precisely the same manner as the three other representatives.

On the 1st day of the 4th month the French minister came to the castle to show the drill of French soldiers. Refreshments were offered in the same manner as with the English minister.

On the same day, at half-past 3 o'clock, the American minister was officially received, on which occasion he placed his letters of credence into the hands of the Tycoon in person.

And because the ministers have been received with great ceremony, they will, on the occasion of receiving the congratulations, on their return to Yeddo, be invited to the residence of the Gorogios and entertained by them, and during such entertainment no business will be transacted, but only pleasant matters will form the subject of conversation.

And hereafter, from time to time, the Gorogios will invite the foreign ministers to their houses and entertain them. They may also accept invitations from the foreign ministers, and be entertained at their legations.

When, however, a foreign minister visits the Gorogio on business, an entertainment is not required, but only tea and sweetmeats will be offered.

The foregoing is also to be observed by the governors for foreign affairs, and the governor of Kanagawa.

Ministers and other officers may visit the governors at their houses in a friendly manner, and also on business.

This applies not only to the governors for foreign affairs, but also to the governors of the army, navy, and all other departments.

For the information of the principal officers in the department for foreign affairs, letters sent to the foreign ministers and others must be respectful, and signed with the small seal. Invitations must be tendered in most respectful terms.

In dealing with foreigners straightforwardness must be the rule in future.

NOTE.—Then follow the replies of the Tycoon to the addresses of the four representatives named. Enclosures Nos. 2 and 4, of despatch No. 22, of May 6, 1867, were translations of the Tycoon's replies to myself and the English minister, respectively. The replies to the French and Dutch representatives were, with a slight variation of language, similar to those already transmitted.

The addresses of the four representatives to the Tycoon are not even mentioned in the document.

Mr. Seward to Mr. Van Valkenburgh.

No. 19.]

DEPARTMENT OF STATE,
Washington, July 6, 1867.

SIR: You are aware of the purchase by the Japanese government of the iron-clad ram Stonewall. She is now being fitted for sea at the navy yard here, and it is understood will be ready to leave about the 1st of next month. She will go out under command of Captain George Brown, an accomplished officer of the United States navy, who has been granted the necessary leave of absence to act as the agent of the Japanese commissioners in the transfer of the vessel to Yokohama.

The price agreed upon for the Stonewall was \$400,000. Of this sum \$300,000 have been paid. The remaining \$100,000 will be transmitted hither by the Japanese government through you. Should this deferred payment be made promptly no interest will be expected, but in the event of any considerable delay in making it, it is proper that interest upon the sum should be paid with the principal. This expectation was made known, to his Excellency Ono Tomogoro. The proper mode of remitting the money will be left to your judgment.

It is hoped that the commissioners, who are now crossing the Pacific on their way to Japan, will carry back with them an impression of us as agreeable as that made by themselves upon all who had the pleasure of meeting with them here.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Seward to Mr. Van Valkenburgh.

No. 20.]

DEPARTMENT OF STATE,
Washington, July 12, 1867.

SIR: Your despatch No. 25, of the 18th of May last, accompanied by correspondence on the subject of the Simonoseki indemnity, has been received. In reply to your request for authority to grant the application which had been

made to you for a postponement of the payment of the balance of that indemnity for a definite period of two years, I have to state that this department has no right to grant that authority. The convention by which Japan engaged to make the payment was submitted to, and approved by the Senate. The consent of that body to a change in its terms would consequently be indispensable. The President, however, is not indisposed to consult the Senate as to its views of the expediency of the desired change.

This may best be done upon the occasion of submitting an additional article to the convention extending the time for the payment as desired by the Japanese authorities. A power authorizing you to conclude such an article is herewith transmitted. When concluded, it may be forwarded hither to be laid before the Senate. It is expected, however, that the other parties to the treaty will also consent to the postponement.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Seward to Mr. Van Valkenburgh.

No. 21.]

DEPARTMENT OF STATE,

Washington, July 12, 1867.

SIR: Your despatch No. 26, of the 18th of May last, on the subject of certain appointments of consular officers in Japan, has been received.

In reply I have to inform you that a copy of the despatch will be submitted to the proper committees of Congress, in order that salaries may be provided for the consulate to which you refer, and appointments made to fill them. It is not likely, however, that Congress will dispose of the subject at this present session. Still, as it may be desirable to have consular officers at these ports in advance of the decision of Congress, the consul nearest to them may appoint consular agents, who may act until consuls regularly appointed can enter upon their duties.

The selection of such consular agents, if approved by the minister, would be approved by the department.

American citizens who are residing or engaged in business in Japan should be selected. The fees they would receive would be their compensation.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Seward to Mr. Van Valkenburgh.

No. 23.]

DEPARTMENT OF STATE,

Washington, July 23, 1867.

SIR: I have received your despatch No. 24, dated the 18th of May last. With it you transmit copy of a letter addressed to you by the Gorgio, and of your reply thereto, concerning the proposed sending by the Japanese government of envoys to Corea with the object of preventing for the future such a wrong as is represented to have been committed during a recent war in that country upon American citizens.

This friendly proceeding of the Japanese government is highly appreciated, and you are instructed to return suitable thanks therefor. You will also make

known to me the result of the Tycoon's laudable efforts. to promote peace in that part of the world.

It is deemed proper to add that the government of the United States will feel obliged, should no satisfactory explanation or apology be furnished by Corea, to consider how proper reparation can be obtained and honor maintained.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Van Valkenburgh to Mr. Seward.

No. 37.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, August 17, 1867.

SIR: In pursuance of the determination arrived at by my colleagues and myself, as stated in my despatch No. 31, dated the 12th day of June last, I left Yokohama in the *Shenandoah*, on Tuesday, the 25th of that month, and reached Hakodadi on the evening of the 28th.

The Japanese governor called early on the 29th, and caused a salute of 15 guns to be fired for me from the fort at the entrance of the harbor; which salute was returned from the *Shenandoah*.

This fact is noticeable, as it was the first salute ever fired for a foreign minister at this port. On that day I landed from the ship and took up my quarters with Colonel Rice, our consul. On Monday, the 1st day of July, I started for a short trip into the country, riding in a northerly direction through Sickenope, visiting the volcano of Kromanataki, and the village of Mowery, on the shores of Volcano bay. At this point we saw several of the Ainos, the original inhabitants of the island of Yesso, and probably of Nippon. They still inhabit the interior of Yesso, and little is known of that part of the island. They are a distinct race from the Japanese, marked in features, manners, and religion.

From the trip I returned on the evening of the 3d of July. On the 4th the governor again called upon me at the consulate, accompanied by the vice-governor and several other officials, congratulated me upon the return of our national anniversary, and proposed as a toast: "The prosperity of the United States, and a lasting friendship with Japan." He also caused a national salute to be fired from the fort at midday, at which time the *Shenandoah* also fired a like salute. On Friday, the 5th of July, in pursuance of an invitation, together with Commodore Goldsborough, Consul Rice, Colonel Rumsey, and several officers of the *Shenandoah*, I proceeded to the governor's residence, some four miles from the consulate, and breakfasted with him. We were received at different points by companies of Japanese infantry at present arms, and by the governor and all the officials connected with the government of the island with great ceremony and politeness.

The palace, as it is called, is situated within a strong fort, and connected with it are the offices at which the entire business of that portion of Japan is conducted.

I had expected, from information I received from Sir Harry Parkes, her Britannic Majesty's envoy extraordinary and minister plenipotentiary, to meet her Britannic Majesty's ship *Serpent*, Commander Bullock, at Hakodadi. She had sailed from Nagasaki early in June, intending to put into the several harbors on the west coast, make preliminary surveys of them; and I hoped through the kindness of the commander to get such information in regard to these surveys as would enable Commodore Goldsborough safely to visit the ports. Sir Harry Parkes also intended to reach Hakodadi, in one of her Majesty's ships,

about the 5th of July, and we expected together to make the survey of the ports on the west coast.

On the 7th of July, the *Serpent* arrived, having made the preliminary surveys of several of the ports, copies of which Commander Bullock kindly permitted Commodore Goldsborough to take for his guidance.

Still hoping that Sir Harry Parkes would come to accompany me, I remained at Hakodadi until the morning of the 11th, when her *Britannic Majesty's* ship *Perseus* arrived with information that Sir Harry would not leave Yokohama until the 20th July, and that he would be accompanied by the English admiral in command of the China squadron. We immediately got under way on the 11th of July, and sailed for Neeëgata, 249 miles distant from Hakodadi.

It is hardly necessary for me to give a description of Hakodadi; it has been opened so long that the department must have all necessary information in regard to it.

American interests, so far as I was able to learn, were safe in the hands of our excellent consul, Colonel Rice, who is now the oldest foreign official resident in Japan.

The island of Yesso is sparsely populated; little is known of the interior; the soil is rich; the country beautiful. Within 50 miles from Hakodate are a number of small lakes, filled with fish, and three volcanoes, one of which, at an eruption in 1854, destroyed a village, together with a number of people. There is quite a business done in and near Hakodadi in raising and selling silk-worm eggs.

NEEËGATA.

(Latitude $37^{\circ} 57' 30''$ north; longitude 139° east.)

We reached the anchorage off Neeëgata about 6 o'clock in the morning of the 12th of July. It is an open roadstead, and our anchorage was at least five miles from the shore. The river comes in at this place from the interior, and across its mouth there is a bar which prevents ships or even large junks from going up to the city, which is situated about one mile from the beach. It will not answer for a port, as no vessel can anchor there in safety. There is but eight feet of water upon the bar. I took a boat and visited the city, was received by the governor and vice-governor, and a large concourse of officials and common people. I was conducted to a temple, where fruit, confectionery, and tea were served. The governor directed that I should be escorted through the city, and we spent about two hours in visiting the different streets. No attempt was made to prevent our going where we pleased. It has a population of about 35,000, all of whom I presume were in the streets as we passed through, attracted by the unusual sight of two foreigners. It is evidently the most populous town on the west coast, and the one at which the largest amount of trade is carried on, but unfortunately ships cannot visit it. About 11 o'clock of the same day we started for Nanou, a distance of 109 miles.

NANOU.

(Latitude $37^{\circ} 2' 00''$ north; longitude $136^{\circ} 58' 00''$ east.)

At 12 o'clock, noon, of the 13th of July we anchored in the bay of Nanou. This bay has two entrances, caused by an island some three miles long, parallel with the coast. We went in at the southern entrance. It is situated on the promontory of Noto, in the territory of the Prince of Kaga. The city has a population of about 15,000, and its exports are almost nothing—a few dried fish and mats. The harbor is excellent. The city looks old and finished. The country about is hilly, but the valleys are fertile and well tilled. Commodore Goldsborough caused soundings to be taken and a slight survey of the bay. The people were kind, and I was treated with marked politeness and hospitality. No American vessel had ever visited this harbor before, and crowds of two-

sworded men came off to see the "great ship." At this place I first learned the fact that the princes issue, each in his own territory, *paper money*, taking the place of copper and silver. The largest denomination is six ichiboos, or about two dollars, while the smallest is one tenpo, or two cents. I purchased some little article at a shop, and in change they gave me back paper. On inquiry I learned the fact to be as above stated, and that this paper money is redeemed by the prince at his yaski (residence) in his own territory, or at Yedo. I also learned that they have lotteries, carried on by the government, precisely similar to those formerly authorized by our laws. Tickets are posted for sale in all the shops, and the drawing is upon an advertised day and from a wheel. I never have heard of the existence of these lotteries or seen the tickets in any other place in Japan. The highest prize in the lottery is about 900 boos, while the smallest is a few tenipos. Kanasawa is the capital of the Prince of Kaga's territory. It is a city of 60,000 or 70,000 inhabitants, on the south side of the promontory of Noto, about 40 miles from Nanou, on a little river four miles from the sea. The prince sent three of his retainers to call upon us at Nanou, and remain there until we left. He is now building at Nanou a shipyard where they intend to construct two steamers and one merchant vessel. He also fenced in a very large tract of land, upon which they informed me he intended building an iron foundry.

We left Nanou on Tuesday, July the 16th, at 5 a. m., for Mikuni, distance 146 miles.

MIKUNI.

(Latitude 36° 12' north; longitude 133° 08' east.)

We reached Mikuni roads at 8 o'clock on the morning of the 17th July. The river *Ekadagawa*, formed by the union of four rivers just above, here enters the sea. There is a bar across the mouth, with very little water upon it, preventing even loaded junks of any size from coming up to the city, which is a mile above the bar. There is, therefore, no harbor or safe anchorage. This is in Prince Etshizen's territory, and his capital, Fukeu, is about 12 miles from Mikuni, up the river. We visited the city, which has a population of about 10,000; were received kindly by the officials and people, and escorted over the place, which looked like all other Japanese towns—finished.

At 12 o'clock noon we were again on board, and up anchor and off for Tsurunga, a distance of 36 miles.

TSURUNGA.

(Latitude 35° 39' north; longitude 136° 04' east.)

We reached the beautiful bay Tsurunga, in which no foreign vessel of war had ever before anchored, at 7 o'clock p. m., July 17. The scenery about it is grand, the entrance good, and the anchorage fine. It is a city of about 12,000 inhabitants; not many exports or imports; the country hilly, but the valleys fertile and beautiful. This is a Tycoon's port, only about 35 miles from Kioto and 80 from Osacca. We were received with great kindness by the officers, who insisted upon taking out a guard of a hundred soldiers, armed with matchlocks, to protect me from the threatened raid of a band of rebels, said to be a few miles back in the country. I succeeded, however, on the second day, by landing at a very distant point from the town, in evading the guard, seeing the country for some miles about, and satisfying myself that the story of the rebels was "the ancient fiction." Commodore Goldsborough, inasmuch as no vessel had visited the bay before, caused a survey to be made by Lieutenant Commander Nichols and Lieutenant Maclay, assisted by Lieutenant Meade, of the marines; and we remained until Saturday, July the 20th, for that purpose. At 5½ a. m. of that day, we sailed for Miyadsu, distant 38 miles.

MIYADSU.

(Latitude 35° 32' north; longitude 135° 15' east.)

On Saturday, July 20, at 1.30 p. m., we anchored in this most beautiful of all the bays we have visited on the west coast of Japan. The ingress and egress is more easy than any other, and the harbor is free from all danger. The land is high and rugged, the valleys fertile and well tilled, and the people more comfortable, better-looking, and lighter in complexion than any we have seen. The city has a population of about 12,000. We were received by the officers with great kindness, and permitted to go where we pleased without hindrance. This is in the province of Matsudaira Hoki No Kami, formerly a member of the Gorogio and now a resident of Yedo. He has a yaski, or large residence, at this port, surrounded by a substantial wall, and protected by a fort, upon which are mounted four guns. It is about 35 miles from Kioto and 80 from Osacca. Some silk is manufactured both here and at Tsurunga; but the exports are few, principally consisting of dried fish. We remained in this harbor until Monday morning, the 22d July, when we sailed for Nagasaki, a distance of 410 miles.

NAGASAKI.

We reached this port on the evening of the 24th July. I here found letters from Rear-Admiral Bell, asking that the Shenandoah go to Shanghai and take in her supplies, thus saving a trip of the Supply storeship to Yokohama in the typhoon season. Although anxious to reach Yedo, I at once complied with the request, and she sailed for Shanghai on the 27th July. I remained in Nagasaki, and found my time well employed in advancing American interests in the interim of her absence. What I did while there will be found in subsequent communications. On the 10th August, the Shenandoah having returned, we sailed for Yokohama through the inland sea, reaching that harbor on the 14th.

Sir Harry Parkes left Yokohama on the 20th July, accompanied by the English admiral, and is making the same tour from which I have returned. The French representative has also despatched the Laplace, with his first secretary, to make the same trip.

There are but three good harbors upon the west coast, so far as I am informed—Nanou, Tsurunga, and Miyadsu. The latter one is the best harbor; but Nanou will open the greatest extent of country, and is about half the distance between Hakodate and Nagasaki. I trust, after the return of the English minister, and upon consultation with all my colleagues, we shall be enabled to unite upon one of the ports without difficulty.

I apprehend but a small amount of business will be done at either one of them for some time to come, and therefore would recommend the appointment of a commercial agent, or vice-consul, to represent American interests at the port which shall be opened.

The Japanese government sent with me on this voyage two Japanese officials and one interpreter, authorized to communicate with the officials at the several ports we should enter, and see that we were received with proper attention.

Enclosed (No. 1) I send copy of the charts of the ports, kindly made for me by Lieutenant Commander S. W. Nichols, jr., and Lieutenant W. W. Maclay of the Shenandoah, assisted by Lieutenant R. L. Meade of the marines; also enclosure No. 2, sailing directions; and enclosure No. 3, remarks of Commodore J. K. Goldsborough, upon the several above-named ports.

I desire to express my thanks to Rear-Admiral H. H. Bell and to Commodore J. K. Goldsborough for their kindness in affording me facilities for visiting Osacca and the west coast, and for the promptness with which every wish of mine has been by them executed.

I have the honor to be, sir, very respectfully, your obedient servant,
R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Van Valkenburgh to Mr. Seward.

No. 38.]

LEGATION OF THE UNITED STATES,

Yedo, August 17, 1867.

SIR: I send enclosed (No. 1) copy of a communication received from D. L. Moore, esq., vice-consul at Nagasaki, announcing the murder at that place, on the morning of the 14th of June, of George Bunker, an American sailor from the bark Valetta. While at Nagasaki I took occasion to make further personal examination into the circumstances attending the murder, but was unable to learn more than is set out in the enclosed papers.

The governor of Nagasaki promised me to use every exertion to discover the assassin and bring him to punishment. I fear, however, their efforts will be in vain.

While I was at Nagasaki two English sailors, from the Icarus, were cruelly murdered in the native town by Japanese officers. They seem to have been sleeping in the street, near the entrance of a tea-house, and were killed about midnight, each with one cut of a sword across the throat and chest. Their bodies were not discovered until morning. Every effort is being made by the English and Japanese authorities to discover the assassins.

My opinion is that all these murders are committed, not by residents of Nagasaki, but by the retainers of Daimios residing in other provinces of Japan, who frequently visit Nagasaki, commit their depredations, and then return by water to their homes.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Moore to Mr. Van Valkenburgh.

No. 66.]

UNITED STATES CONSULATE,

Nagasaki, June 17, 1867.

SIR: I regret to have to inform you that on the morning of the 14th instant, between 1 and 2 o'clock, an American seaman was found murdered in one of the streets of the foreign quarter at this port. He had received a severe cut across the back of the neck, which, from its appearance, had been caused by a Japanese sword. From the testimony taken at the inquest on the body, it was found that he was a sailor from the American bark Valetta, named George Bunker; that about 11 o'clock the night before, he had left a public house in the settlement, saying he was going on board his ship, but was found by some sailors from H. M. S. Serpent, who were returning from the city about two hours afterwards, lying in the street quite dead, though warm. They procured assistance and carried him to the house of a British subject near by. It also appears that a man answering to his description was seen at one of the tea-houses in the city, according to the statement of a Japanese woman, about 1 o'clock, and that he only remained a few moments. The man left the public house alone, and, judging from the position in which the body was lying when found, must have been cut down while returning from the city. I enclose herewith copy of the doctor's certificate and copy of the verdict given at the inquest.

No motive can be assigned for the crime, nor has anything yet transpired to give a clue to the perpetrator. The testimony shows that he was sober when he left the public house.

I promptly placed the matter before the native authorities, requesting them, without delay, to take the necessary steps for the detection and punishment of the guilty party, and at an interview with the governor to-day he expressed his profound regret at the murder, and informed me that as soon as it was made known to him he sent officers to the several public places in the native city, and to the different villages in the vicinity, with instructions to be vigilant in their endeavors to find the assassin, and that he would do all in his power to find out and punish the murderer. It is known among foreigners here that on the same night a Japanese woman was severely wounded in the city, by a sword in the hands of a Yaconin. The governor, when questioned about this, said he had not been informed of it, but his interpreter told me it was true, though it had not been reported officially.

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

D. L. MOORE, *United States Vice-Consul.*

General R. B. VAN VALKENBURGH,

United States Minister Resident in Japan, Yedo.

NAGASAKI, June 14, 1867.

I certify that I have examined a corpse lying in an outhouse on these premises, and find an incised wound extending from the right ear across the back of the neck to the left ear. In the course of the wound the soft parts are all clearly divided. There is also a piece of the inferior portion of the occipital bone sliced off, and the spinal cord divided between the first and second conical vertebrae.

The wound is sufficient to cause *instant* death, and appears to have been made by one cut from a heavy sharp instrument.

JOS. J. LOWERBY, M. D.

True copy:

D. L. MOORE.

Verdict given at an inquest on the body of George Bunker, held on the 14th day of June, 1867, before D. L. Moore, United States vice-consul at Nagasaki, acting as coroner, and a jury, composed of Messrs. J. U. Smith, Robert G. Walsh, and Captain Henry Brown.

From the testimony we find that deceased came to his death by a wound inflicted on the back of the neck with a heavy sharp instrument in the hands of some person to us unknown. And we are further of opinion that a wound of this nature could be caused only by such an instrument as a Japanese long sword.

D. L. MOORE, *United States Vice-Consul.*
J. U. SMITH.
H. BROWN.
ROBERT G. WALSH.

JUNE 15, 1867.

Mr. Van Valkenburgh to Mr. Seward.

No. 39.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, August 18, 1867.

SIR: I have the honor to transmit herewith (No. 1) copy of a letter from S. L. Phelps, esq., chief agent in the east for the Pacific Mail Steamship Company, applying for wharf privileges at Nagasaki. I also enclose (No. 2) copy of my letter to the Gorogio, making the desired application.

After several interviews with the Gorogio and governor for foreign affairs, in which I explained this matter at length, it was agreed that the governor of Nagasaki should be furnished with full instructions on the subject to grant the application, if there were no insuperable objection of a local nature; and further, that on the occasion of my visit to that port, after returning from visiting the ports on the west coast, he would be authorized to come to a final understanding with me in the matter.

I found the governor of Nagasaki favorably impressed with the contemplated improvement; and after several interviews with him, it was agreed that he would construct a pier in front of the Pacific Mail Steamship Company's premises into deep water, upon which merchandise may then be landed under the existing local regulations, and that the construction of this pier would be begun as soon as the requisite plans shall be furnished by the Pacific Mail Steamship Company's agents.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Phelps to Mr. Van Valkenburgh.

AGENCY PACIFIC MAIL STEAMSHIP COMPANY,
Yokohama, January 23, 1867.

SIR: In order to facilitate the despatch of the mail steamers of the American line at Nagasaki, it is necessary to build out a wharf to 21 feet water off the property the company may purchase for its purposes at that port. In the foreign settlement there is not sufficient depth of water except in front of lots 45 to 51 inclusive, and a lot next southwest, owned or occupied by Kazoni, a Japanese. Following next are two lots occupied by foreigners for ship-building purposes. These properties are in the foreign quarter at Namino, and have water enough at about 100 feet from the shore.

I have caused an offer to be made to Kazoni to purchase his right at a good market value, but should he refuse to sell and it should be necessary, cannot authority be given to the governor to remove him upon application of the company's agent at Nagasaki; Kazoni to be paid a fair compensation?

It becomes necessary to apply to the Japanese government for the above authority as well as to build the wharf at which the steamers can lie for loading, discharging and coaling. The company will also wish to establish a "bonded warehouse," where freight, both inward and outward, can be stored under such rules as may be necessary, the customs business being conducted entirely through the warehouse, and not the ship. Thus the steamers on arrival will at once discharge into the building and receive from it what has already passed the custom-house, and can put to sea in four hours after entering port. The company can give all the security demanded for the faithful observance of the laws of Japan in the premises.

I have the honor now respectfully to request that you will present these questions to the government of Japan, and obtain the permission to proceed with the works at as early a day as practicable.

I have the honor to be, respectfully, your obedient servant,

S. LEDYARD PHELPS, *Agent*.

His Excellency R. B. VAN VALKENBURGH,
United States Minister, Yedo.

LEGATION OF THE UNITED STATES,
Yedo, February 5, 1867.

THEIR EXCELLENCIES,

The Ministers of Foreign Affairs, &c., &c., &c., Yedo:

You have, no doubt, been informed that it is the purpose of the Pacific Mail Steamship Company, who own and run the line of large steamers from San Francisco to Japan and China, to connect Yokohama by a line of steam vessels, running through the inland sea, touching at Nagasaki, and thus to Shanghai. In order to enable them properly and expeditiously to make the trip it will be necessary for the company to erect a wharf or pier at Nagasaki, reaching from the shore into deep water, so that the steam vessels may come alongside of it; loading and discharging without the use of lighters or boats. They also desire to erect a large bonded warehouse, from and into which goods can only be taken or removed after they shall have properly passed the custom-house. I need hardly say to your excellencies that such a line would add much to the commercial prosperity of Japan, and should be encouraged by the government.

The wharf proposed to be built would not interfere with the navigation or safety of the harbor, but on the contrary would render it more safe and convenient.

I have the honor herewith to transmit to your excellencies a copy of a communication addressed to me by Captain S. Ledyard Phelps upon this subject. He is the agent of this company at Hong Kong.

I trust your excellencies will give to this application that consideration which its importance demands, and inform me of your favorable conclusion at an early date.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States.

Mr. Van Valkenburgh to Mr. Seward.

No. 41.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, August 21, 1867.

SIR: I have the honor to transmit herewith, No. 1, copy of a letter to J. Stahel, esq, our consul to Kanagawa, authorizing him to transfer to Dr.

Vedder, of that place, (and who formerly was a surgeon in the navy,) the ground reserved for the United States hospital purposes, and on the express condition that possession of this ground may at any time, if desired, be resumed by the United States.

In view of the suffering that may be relieved and also of the expense necessarily to be incurred in the erection of suitable hospital accommodation, I trust you will be pleased to approve of the conditional transfer of the said ground which can scarcely be said to possess any marketable value, and that you will authorize me—in case there is no prospect of a United States marine hospital being erected, and of an appropriation therefor being made as applied for—to relieve Dr. Vedder of the embarrassments of the transfer, and to make it unconditionally for hospital purposes.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to Mr. Stahel.

No. 69.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, August 20, 1867.

SIR: As already stated to you there is no objection on my part to the transfer of the lot on the bluffs at Yokohama, reserved on behalf of the United States for hospital purposes, to Dr. Vedder for that specific purpose, and for no other, provided it be distinctly stipulated in the deed that at any time hereafter possession of the said lot may be resumed by the United States on refunding to Dr. Vedder, in such case, the appraised value of the improvements that may be on the ground at the time of such a resumption of possession.

Dr. Vedder has, of course, to assume the payment of the ground rent.

I shall inform the department of my action in this matter, which, in view of the urgency of establishing hospital accommodation at your port, I have no doubt will be entirely approved; and I shall at the same time request that at the earliest possible moment I may be notified whether there still exists a probability of the ground referred to being required for the United States, and that in case of a negative answer to this inquiry I may be authorized to waive on behalf of the United States the title to the said ground, by which Dr. Vedder would be placed in unconditional possession and become the original grantee.

I am, sir, respectfully, your obedient servant,

R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

J. STAHEL, Esq.,
United States Consul, Kanagawa.

Mr. Van Valkenburgh to Mr. Seward.

No. 42.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, August 21, 1867.

SIR: At an interview yesterday with Edzure Kanga No Kami, one of the governors for foreign affairs, he informed me that the war in Japan was over, and that peace was now established. The precise terms of the arrangement made between the Tycoon and the Prince of Nagato and Suwo, (Choshu,) he was not able to give me, but this much is undoubtedly true: Choshu returns to his allegiance, disbands his army, and surrenders to Kokura the territory he had taken from him; while the Tycoon rebuilds the yaikis or residences of Choshu, which were demolished in Yedo. Satsuma and Tosa, powerful princes and warm friends of Choshu, are now apparently friendly with the Tycoon, having recently visited him at Miako, and assisted in bringing about the settlement of difficulties.

The governor remarked to me "that all now seemed to be pleasant, but it was impossible to tell how long peace would continue, as there were many bad men in Japan." I trust there will be no further outbreak, and yet fear that the opening of the cities and ports on the 1st of January next may be made the occasion of new troubles.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to Mr. Seward.

No. 43.]

LEGATION OF THE UNITED STATES,
Yedo, August 22, 1867.

SIR: Count De la Toure, envoy extraordinary and minister plenipotentiary of the Italian government; Kint de Rosenbeck, representative of the Belgian government, who is charged specially with the exchange of the ratification of the treaty between his government and the Tycoon; and M. de Brandt, representative of the Prussian government, have recently arrived in Japan, making quite an addition to the number of my colleagues.

I have called upon them, and, so far, there is perfect cordiality and unanimity existing among us.

Upon consultations in regard to the opening of the city of Yedo, under the treaty, "for the purposes of trade," we have selected a site for the foreign settlement at the mouth of the Sumedegawa river, which enters the bay of Yedo near the centre of the city. The place selected is close to the business part of the city and is located directly upon the water, which, however, is very shallow for a long distance out into the bay. Large ships cannot approach the shore nearer than about two miles. The agreement with the Japanese government has not yet been perfected, but they have assented to the location, designated the grounds within which foreigners can rent land and houses under the treaty, and have further agreed to build a large two-story hotel, to be conducted on the European plan, to contain about sixty rooms, costing about sixty thousand dollars, for the especial use and benefit of foreigners. They have also employed an American architect to make the plans and superintend the building, and send to San Francisco, per Colorado, this month for the furniture.

I trust all will be ready by the first of January. Unless otherwise instructed, believing it to be not only for the interests of the American, but also of the Japanese government, I shall insist upon the terms of the treaty, admitting no one to Yedo except for the purposes of trade. This I believe to mean trade for export or import from the country, and does not include the retailing of liquors, the erection of grog-shops, or a general influx of sailors, visitors, or vagabonds.

Were such persons to be freely admitted at this time to Yedo, there would be no end of casualties and consequent troubles both to foreign and to the Japanese governments.

As soon as the agreement shall have been signed between the foreign representatives and the Japanese government relative to the opening of Yedo, I shall forward a copy to the department; and in the mean time I send a small map of Yedo, enclosure No. 1, with the portion designated for the foreign settlement and hotel marked.

I have the honor to be, sir, very respectfully, your obedient servant,
R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to Mr. Seward.

No. 44.]

LEGATION OF THE UNITED STATES,
Yedo, August 23, 1867.

SIR: On my recent arrival at Nagasaki, in the Shenandoah, returning from the west coast, I heard a rumor that a large number of native Christians of the Roman Catholic faith had recently been arrested, tortured, and imprisoned, under an old law of Japan, for the exercise of Christian belief. I at once wrote a note to Right Reverend Bishop Petitjean, the Roman Catholic bishop of Japan, who resides in Nagasaki, asking for such information as might be in his possession. The next day, 27th July, he called upon me and kindly gave me the following facts:

In Japan there are now, as nearly as can be estimated, 20,000 native Roman Catholics, descendants from the Christians formerly resident in this country. These are scattered, more or less, all over the empire. There are, comparatively, no new converts. The largest portion of these Christians reside in the island of Kiusiu, and Nagasaki is the central point at which there is a French bishop and several French priests. Whenever it has been possible, these Christians have kept up their forms of worship in secret, and their religious fires have been constantly alive since the last massacre at Pappenburg. Near Nagasaki there are many of these Christians, and the priests frequently meet among them, preaching and administering their sacraments in the night. The government must have had notice of these meetings for a long time, but took no measures about them until the Bonzes, or priests of the Buddhist and Sintoo temples, complained bitterly that their revenues from burials, &c., were rapidly falling off. About the middle of July, these complaints having become so numerous, the governor, in the night time, caused the arrest of 63 men, women, and children, in the little valley of Owri Kami, situated about four miles from Nagasaki. They were confined in small prisons erected for the purpose. It was not known what, if any, torture had been inflicted, or what was to be the punishment.

Deeming it my duty, I at once asked an audience with the two governors of Nagasaki, and, on the 29th of July, they visited me pursuant to my request. I expressed to them my regret at the occurrence, and endeavored to induce them to release the poor prisoners. They declined, having arrested them as criminals under the laws of Japan, upon complaint and proof, unless by direction from the government. They assured me, however, that they had not been tortured, and promised that the wants of those confined, as well as of their families, should be provided for, and that no future arrests should be made until directions were received from the Gorogio.

Subsequently, I learned that two more arrests had been made. I at once asked another interview with the governors, and on the 8th of August they again visited me. They then informed me the two subsequent arrests were not by their order, and that the charge against the persons arrested was not that of being Christians. They renewed their promises of kind treatment made at the former interview.

On my return to this city, and on the 20th instant, I had an interview with one of the governors of foreign affairs upon the subject, and addressed a communication to the Gorogio, a copy of which I forward in this.

To this I have received, as yet, no answer, but am informed, unofficially, that orders have been forwarded to Nagasaki for the release of the prisoners.

Enclosed (No. 2) I send memoranda of my conversations with Noshe Osuni No Kami and Tokuraga Iwami No Kami, the two governors of Nagasaki.

I trust that my action in this matter will meet with the approval of the President and of the department.

I have the honor to be, sir, very respectfully, your obedient servant,
R. B. VAN VALKENBURGH.

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

Mr. Van Valkenburgh to the ministers of foreign affairs,

No. 72.]

LEGATION OF THE UNITED STATES,
Yedo, August 20, 1867.

It is the express desire of my government that I shall in no manner interfere with the internal regulations of Japan, and that I shall carefully guard against even suspicion of doing so; yet I cannot fail to state to your excellencies that the President will learn with regret the recent action of the governor of Nagasaki in causing the arrest of native Christians at that port for no crime or misdemeanor, other than the profusion of their faith and on the plea of their infringement of an ancient law which, if these people were at all aware of its existence, is, at all events, now obsolete and in entire disaccord with the enlightened policy inaugurated by his present Majesty the Tycoon.

The absolute religious freedom of which the United States has set the example to the world and the entire independence of all religious belief from the interference and control of government, have in a great measure contributed to the unexampled prosperity and power at which my country has arrived. Intolerance in regard to religious matters would at this moment be regarded in a very serious light by the Christian world, and perhaps be followed to a greater or less extent by the withdrawal of the sympathy of the great western powers, of which the government of the Tycoon stands so much in need.

My remonstrances with the governor of Nagasaki have no doubt had for result what instructions for the release of the native Christians have ere this been issued.

The governor of Nagasaki acted in this unfortunate matter on his own responsibility, and while I now call your excellencies' attention to the danger to which an ill-considered act of an agent, with only very limited authority, may lead, I have the honor to request your excellencies to inform me officially that these native Christians have been released; that their property has been restored to them, and that an absolute forgetfulness of the past may be considered as a guarantee against similar ill-advised acts for the future.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States.

Their Excellencies the MINISTERS FOR FOREIGN AFFAIRS, &c., &c., &c., *Yedo.*

Minutes of an interview had this day with Noshe Osumi No Kami and Tokuraga Iwami No Kami, governors of Nagasaki.

Minister. Am sorry to learn that, by the governor's orders, a number of native Christians have been arrested and imprisoned.

Governor. Am deeply sorry for this matter. These people have announced publicly that they are Christians. I am obliged by laws to arrest them, though sorry to do so.

Minister. I had hoped that the Japanese had become more-enlightened in regard to these matters. In all countries, especially in America, we can worship God as we choose.

Governor. According to Japanese law, for a long time past, foreign religion is prohibited. When that law is repealed we will not arrest any one because of his religion.

Minister. I have a copy of that law translated from the Japanese, and will do all I can to have the Gōrōgie repeal it. The whole world will be astonished to hear that the governor has arrested these people because they do not use the same form of worship with himself. I understand the governor must carry out the law, but hope he will treat these prisoners well until they can be released by the proper tribunal.

Governor. Have taken care that these prisoners are treated properly, better than ordinary ones. Have written to the Gōrōgie about these matters, but not yet received an answer. About 63 have been arrested. Impossible for me to release them without instructions from the Gōrōgie. Had no instructions from the Gōrōgie to arrest them.

Minister. Am sorry it has happened; it will injure Japan in the eyes of all nations, and at the time when the Tycoon wants their sympathy and support.

Governor. The number of Christians in Japan is daily increasing, and we fear it will lead to internal troubles.

Minister. Governor should not meddle with religion. That is the only true way to avoid trouble.

2d Governor. Have just left the capital. Tycoon's mind is quite different from what it was formerly. Laws have been changed greatly. Think this law will be changed also, but the Tycoon has not yet had time.

Minister. I speak as a friend of the Tycoon and of Japan. Believe the Tycoon to be a true, earnest, and most intelligent man. My government will greatly regret this occurrence, and I hope the law will soon be repealed. Does the governor allow any one to visit these prisoners, and will he allow me?

Governor. Common people are prohibited from seeing them; only the officers in charge can see them. Japanese high officials do not like to see prisoners unless in court. You are of higher rank than myself and would not like you to see them; but if you wish to go, will accompany you.

Minister. Have these prisoners been beaten or tortured, and have they plenty to eat?

Governor. They have not been beaten or tortured, and they have plenty to eat. Will not arrest any more before I get the Tycoon's opinion. Their families are well taken care of, an officer having been appointed for that purpose. A great many complaints have been made relative to the increase of Christianity in Japan, obliged to arrest these people according to law; it is my duty. Will submit the matter to the opinion of the Tycoon and must abide by his decision.

NAGASAKI, July 29, 1867.

Memoranda of interview held August 8, 1867, with the governors of Nagasaki.

Minister. Sorry to hear that since last interview more Christians have been arrested.

Governor. They were not arrested by my order nor because they were Christians, but by an officer because they disobeyed an order of this government. They were not put in prison.

Minister. How many were there of them?

Governor. Two, only.

Minister. Are they women?

Governor. Yes.

Minister. They disobeyed some order of the government?

Governor. They are confined for that.

Minister. Not because they are Christians, but because they disobeyed an order?

Governor. Yes.

Minister. How many Christians are confined and in prison?

2d Governor. They were arrested during my absence. Do you wish to speak to the Gorogio about it?

Minister. Yes.

2d Governor. Sixty-five. Have spoken to the Gorogio, at Miako. Cannot release them on my own responsibility.

Minister. I understand. I want all the information that I may be able to lay the matter before the Gorogio. Have any Christians been arrested in any other part of this island?

Governor. Do not know. Of what country are they; what Daimio's province?

Minister. I do not know. Have heard that some of them have been arrested.

Governor. I have heard nothing of it.

Minister. Have any Christians died since their confinement?

Governor. No, not as yet.

Mr. Van Valkenburgh to Mr. Seward.

No. 45.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, August 23, 1867.

SIR: I have the honor to inform you that the Ono Tomogoro and Matmoto Judayu, the commissioners recently visiting the United States, and their suite, have returned safely to their country, expressing themselves as well pleased with the manner of their reception and their entire trip.

So far as I can learn, the government is also pleased with the result of their journey, and I have no doubt it will strengthen their regards for the United States and have a lasting beneficial effect.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Van Valkenburgh.

No. 27.]

DEPARTMENT OF STATE,

Washington, September 9, 1867.

SIR: I transmit herewith a copy of a memorial signed by Bishop Potter and others, and dated the 13th November, 1866, and a copy of my reply thereto, dated the 23d November, 1866, upon the subject of establishing Christian houses of worship in the empire of Japan. You are requested to inquire into the matter, and if you shall find the prospect at all favorable at the present time, to cooperate with her Britannic Majesty's representative, if, as has been intimated, that gentleman has been instructed by his government to endeavor to have the disabilities against Christians in Japan removed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, &c., &c., &c.

P. S.—I also enclose a copy of a letter from Mr. Isaac Ferris, of the 4th ultimo, and a copy of my reply thereto of the 7th instant, upon the same subject.

Andrew Johnson, President of the United States:

The undersigned, the foreign committee of the Protestant Episcopal church of the United States of America, respectfully represent that, by the public law of the empire of Japan, between which nation and the people of the United States treaties of amity and commerce exist and diplomatic relations are maintained, any native of that country embracing the Christian religion is rendered liable to punishment by death, together with all the members of his family.

That for the better enforcement of such law, large rewards in money are provided to be paid to informers who shall betray to the public authorities any persons professing the Christian faith, and the penalty of death is also declared against all persons who shall, in any way, harbor, assist, or conceal any member of the so-called "sect of Christians."

That these provisions of law are embraced in the general penal laws of the said empire relating to incendiaries, counterfeiters, robbers, and other criminals, among whom the afore-said "sect of Christians" are thus publicly classed.

That in the year —, the Hon. William L. Marcy, then Secretary of State, instructed Mr. Townsend Harris, our minister to Japan, "to do his best, by all judicious measures and kind influence, to obtain the full toleration of the Christian religion in Japan, and protection for all missionaries and others who should go there to propagate it."

That strenuous efforts were then made by Mr. Harris, pursuant to such instructions, to cause the insertion of a clause granting religious toleration into the treaty by him negotiated between the said empire and this country, but without success.

That the undersigned are now credibly informed and believe that representations have been made to induce the government of Great Britain to obtain a modification of such laws by the rulers of the said empire.

That the undersigned are advised by competent authority that if efforts were now renewed by the people of the United States to effect a change in the said laws, the present position of political affairs in Japan, and the greater confidence and friendship of the people existing at this time, would operate largely in favor of such effort and would hold out reasonable prospects of success.

Wherefore the undersigned respectfully ask, in the name and behalf of the Protestant Episcopal church of the United States of America which they represent herein, that the instructions given by the Hon. William L. Marcy to our former representative in Japan may be now renewed to our present minister, and that such other and further measures be taken by the President as may seem best adapted to secure full and free religious toleration in the empire of Japan.

Respectfully submitted, this 13th day of November, 1863.

HORATIO POTTER,
Bishop of New York, and Chairman.
STEWART BROWN.
LEWIS CURTIS.
F. S. WINSTON.
JARS ASPINWALL.
LEWIS COFFIN.

ALEX. H. VINTON.
M. A. DE WOLFE HOWE.
H. DYER.
H. H. MORRELL.
SAML. P. DENISON.

DEPARTMENT OF STATE,
Washington, November 23, 1866.

SIR: The President has referred to this department the memorial of the 13th instant, over your signature and that of other clergymen of your denomination, asking a renewal of supposed instructions of my predecessor, William L. Marcy, to the United States representatives in Japan, for the purpose of inducing the government of that empire to repeal the laws which make the profession of Christianity penal. In reply, I have to state that the only passage in the instructions to Mr. Townsend Harris upon the subject is the following, contained in a letter of Mr. Marcy to him, of the 13th of September, 1856. The intolerance of the Japanese in regard to the Christian religion forbids us to hope that they would consent to any stipulation by which missionaries would be allowed to enter that empire, or Christian worship according to the form of any sect would be permitted. Hence, it appears that you are under misapprehension in regard to the instructions referred to. It is evident from Mr. Marcy's language that he was familiar with the antecedents of Christianity in Japan. You yourselves are no doubt aware that our religion was in a flourishing state there about two centuries ago; that large numbers of Japanese had become converted to it; that consequently the priests of other religions became alarmed at its progress, when, owing to the imprudence, or, as some suppose, the arrogance of the Christian divines, the Japanese rulers, lay and clerical, caused them and their converts to be attacked and massacred, whereby Christianity was at once, as it were, extirpated. The same penal laws against it to which you refer were then enacted, and remain in force to this day. The occasion and the policy which dictated them may be presumed to be still fresh in the memories of the many cultivated people in that quarter. Some of their prejudices against Christians may have been softened by the intercourse with them which has taken place since that country was reopened by us to foreign trade. It is to be feared, however, that any attempt to induce them to change their policy in respect to our religion would be premature. Still, this department will instruct Mr. Van Valkenburgh, the United States minister in Japan, to make inquiries upon the subject, and if he should find the prospect at all favorable at the present time, to co-operate with her Britannic Majesty's representative if, as you intimate, that functionary should also be instructed to endeavor to have the disabilities against Christians in Japan removed.

I am, right reverend sir, your very obedient servant,

WILLIAM H. SEWARD.

Right Reverend HORATIO POTTER,

*Bishop of New York, Chairman of the Foreign Committee
of the Episcopal Church of the United States of America.*

AUGUST 4, 1867.

DEAR SIR: Several months since the Evangelical Alliance of this country, composed of various evangelical bodies, appointed a committee to solicit the influence of our government to secure a melioration, and, if possible, the abrogation of the law of Japan on the subject of the adoption and profession of the Christian religion. Your absence and health at the time, and the want of documents (which have now been obtained,) caused a postponement of our letter. In the mean time the subject has become more important and urgent, as the schools, or rather classes, taught by our missionaries are making their impression, and their young men are coming to our country and will, in their education, imbibe, and, we hope, be moulded by our views of the Christian religion. Just in proportion as these results follow, even though the youth come for our arts, they are placed in jeopardy. The enclosed documents will show how the rule stands in Japan. Our missionary, Dr. Brown, has prepared the larger one, and the shorter is furnished by the Presbyterian missionary.

It has been said that Mr. Van Valkenburgh has been instructed to act in union with the representatives of other powers on the subject. It is so momentous that our anxiety is that it may not be allowed to sleep. Already some remarkable conversions to Christianity have occurred, and some of them in high place. It is at once apparent that some shield should be thrown around these first fruits of a true Christianity. I would be greatly obliged by learning if any progress has been made, and what may be the present state of the matter, and what hope there may be for the future. The Evangelical Alliance will meet this fall, and will expect a report from their committee. This committee I give on the next page.

With great respect and pleasant remembrances of former years, I am yours, &c.,

ISAAC FERRIS.

Hon. WILLIAM H. SEWARD,

Secretary of State.

The committee are Rev. Dr. Holdich, of the Methodist Episcopal; Rev. Dr. Dyer, of the Protestant Episcopal; Rev. Dr. Paxton, of the Presbyterian; and myself, of the Reformed Dutch Church, as chairman.

DEPARTMENT OF STATE,
Washington, September 7, 1867.

DEAR SIR: I have received your letter of the 4th instant relative to a repeal of the law of Japan prohibiting the adoption or profession of the Christian religion. Nothing has yet been heard from General Van Valkenburgh on that subject. This department will, however, transmit to him a copy of your letter, with an instruction which, it is hoped, will lead him to take steps for the object adverted to, if the state of public affairs in Japan should, in his opinion, warrant such a proceeding.

I am, dear sir, your very obedient servant,

WILLIAM H. SEWARD,
Secretary of State.

ISAAC FERRIS, Esq., *New York.*

Mr. Van Valkenburgh to Mr. Seward.

No. 50.]

LEGATION OF THE UNITED STATES,
Yedo, October 3, 1867.

SIR: In the year 1866 the Japanese government sent an embassy to Russia for the purpose of settling with that government the questions existing as to the possession and government of the island of Saghalien.

The embassy returned in August last, having failed in the object of their mission, but having concluded a convention for the temporary joint occupation of the island.

I enclosed (No. 1) a copy of a communication upon this subject from his excellency, Ogasawara Iki No Kami, the minister for foreign affairs; also (No. 2) the enclosure referred to in his excellency's letter, being the proposition made by the Russian government, and the final arrangement entered into by the two governments.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H SEWARD,

Secretary of State, Washington, D. C.

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America:

I have the honor to bring to your excellency's notice, enclosing a copy of the regulations, that respecting the frontier on the island Karafu, (Saghalien,) between Russia and Japan.

Kaide Yamato No Kami, governor for foreign affairs, who has been sent last year as envoy to the capital of Russia on the conference upon the subject with M. Strémoonkhow, plenipotentiary and director of the Asiatic department in the same country, has exchanged the regulations, of which Yamato No Kami, on his return, has stated to the government.

With respect and esteem,

OGASAWARA IKI NO KAMI.

Keio 3d year, 26th day of 7th month, (*August 26, 1867.*)

English translation of the regulations of the island Sakhalin.

The envoys of his Majesty the Tycoon of Japan, arrived at St. Petersburg, communicated to the ministry of foreign affairs that their government, feeling misunderstandings which may arise on the island Saghalien in consequence of the common possession of this island, and in order to strengthen the friendship now existing between Russia and Japan, desires to determinate the frontier lines, admitting as such any natural boundary, mountain, or river.

In the conferences which took place on this subject, the Private Counsellor Strémoonkhow, director of the Asiatic department, declared that the Russian government could not accept the proposals to draw the line on the island itself, for the reasons which were fully explained to the envoys of his Majesty the Tycoon. At the same time the Russian government, desirous

of a mutual and friendly understanding on Sakhalin question, made the following proposals:

1. To consider the maritime straits bearing the name of Laperouse as the frontier between Japan and Russia, these straits being the natural boundary between the two states under the condition of appropriating the whole island of Saghalien to Russia.

2. All the fisheries now belonging to the Japanese on the island of Saghalien will in the future remain in their enjoyment.

3. To concede to Japan complete and indisputable possession of the island of Uroop, now belonging to Russia, with three neighboring small islets called Tcherpry, Brother of Tcherpry, and Broton.

4. In case an understanding concerning the former articles should prove impossible, the island of Saghalien will remain as before, in common possession.

Both parties not having come to an understanding on this subject, the island of Saghalien is left as before, in common possession, and the following temporary regulations are agreed upon in order to promote peace and good intelligence between the subjects of both states:

ARTICLE I. Russians and Japanese on the island of Saghalien shall maintain peaceful and friendly relations. The settlement of any disputes and misunderstandings arising, intrusted to the local authorities. If these local authorities cannot settle the dispute, it shall be submitted to the nearest Russian and Japanese governors.

ART. 2. In consequence of common possession, Russian and Japanese are at liberty to circulate upon the whole island, to make settlements, and to erect buildings in all localities not yet occupied by buildings, industrial establishments, or gardens.

ART. 3. The indigenes of the island have the full and free enjoyment of their personal rights, as well as of their properties. They can, by their own agreement, be hired by Russians or Japanese. Indigenes having contracted debts or cash or goods, or being in debt at the present moment towards Russians or Japanese, are allowed to cancel them by work or services, for any term previously determined, if they are willing.

ART. 4. If the Japanese government should, in the course of time, agree with above-mentioned proposals of the Russian government, the nearest local governors will be appointed to negotiate a final treaty.

ART. 5. The above-mentioned regulations are to be applied from the moment of their reception on the island of Sakhalin by the local authorities—*i. e.*, no later than six months after their signature.

All other less important questions not mentioned in the present regulations shall be resolved by the local authorities of both states in the same manner as before.

In witness whereof the plenipotentiaries of both parties have signed these temporary regulations, and caused their seals to be affixed.

An English translation is joined to the present, duly signed by the interpreters of both parties.

KORDE YAMATO NO KAMI.
ISAKAWA SUMGA NO KAMI.
STREMOONKHOW.

ST. PETERSBURG, *March* 18, 1867, (corresponding with *Keto* 3d year *Hiuoto*, on the 25th day of the 2d month.)

Mr. Seward to Mr. Van Valkenburgh.

No. 29.]

DEPARTMENT OF STATE,

Washington, October 7, 1867.

SIR: I have to acknowledge the receipt of your despatch of the 22d of August.

It is an occasion of satisfaction that so perfect an understanding as you have described exists between the representatives of the treaty powers at Yedo.

The contemplated arrangement for the opening of Yedo to foreigners, and of a quarter to be assigned to foreigners in the centre of the city, seems to be just, and I have no reason to doubt that if carried into effect on your part, will be entirely approved by the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Seward to Mr. Van Valkenburgh.

No. 30.]

DEPARTMENT OF STATE,

Washington, October 7, 1867.

SIR: Your despatch of the 17th of August, No. 38, has been received. It communicates the painful intelligence that George Bunkers, a seaman, belonging to the American bark Valetta, was murdered on the 14th of June in the public streets of Nagasaki.

Your own diligent efforts and those of the consul to stimulate the Japanese authorities to discover and punish the assassins are especially approved and commended. I reserve a more definite instruction with the hope that in later despatches you may have been able to throw some more light upon that painful transaction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Seward to Mr. Van Valkenburgh.

No. 32.]

DEPARTMENT OF STATE,

Washington, October 7, 1867.

SIR: I have to acknowledge the receipt of your despatch of the 23d of August, No. 44, with its accompaniment. In these papers you have given me an account of the arrest and imprisonment at Nagasaki of sixty-three persons, men, women, and children, native Christian Japanese, under an old and, as was supposed, an obsolete law which prohibits the Christian religion in the Japanese empire.

You have also mentioned a subsequent imprisonment of two other persons, as was understood under the same law, but in which case the governor of Nagasaki assigns different grounds for the imprisonment.

You have properly remonstrated with the governor of Nagasaki and have obtained stipulations for a discontinuance of that practice, and for the safety, support, and comfort of the prisoners. You have also, with commendable promptness and urgency, appealed to the Gorogio for the release of the prisoners and their restoration to freedom. It is gratifying to know that although you have received no official answer, it was nevertheless understood at Yedo that orders were promptly issued for the discharge of the accused from imprisonment.

You will prosecute these measures, if it shall be found necessary, so as to secure the release of the unfortunate persons concerned, and to prevent any renewal of religious persecution at Nagasaki.

I have only to add, by way of instruction, that the transaction furnishes what seems to me to be a suitable occasion for appeal by the representatives of all the treaty powers to the Japanese government to repeal and abrogate the law which prohibits Christianity throughout the empire. You will therefore diligently confer with those representatives, and while treating the Japanese government and authorities with perfect respect and conciliation, you will, with the concurrence of your colleagues, which is confidently anticipated, press the application, if possible, to a successful conclusion. Such a result would greatly contribute to the harmony existing between Japan and the western nations, while it would immediately redound to the welfare and greatness of the Japanese empire.

A copy of this instruction is communicated for information to each of the other western treaty powers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Van Valkenburgh to Mr. Seward.

No. 52.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, October 7, 1867.

SIR: In my No. 45, under date of August 3d, 1867, I announced to you the safe arrival of Ono Tomogoro and Matsmoto Judayu. I enclose, No. 1, copy translation of a communication received by me from the Gorogio, expressing their gratitude for the manner in which their commissioners had been received by our government, and their entire satisfaction at the success of the mission.

They have probably announced their intention, on the arrival of the Stone-wall, of making up their accounts and paying the remainder due on her purchase.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.]

FIRST 9TH MONTH IN THE YEAR KAION, (*September 28, 1867.*)

His Excellency R. B. VAN VALKENBURGH,

Minister Resident of the United States of America :

When Ono Tomogoro and Matsmoto Judayu were recently sent to your country for the purpose of purchasing vessels of war, their application was readily accepted by their excellencies William H. Seward and Gideon Welles, Secretaries of State and of the Navy.

They succeeded in their mission, and were also successful in satisfactorily settling with Mr. Robert H. Pruyn, all of which was owing to your advice and assistance to us. We understand that the steamer they purchased will arrive in our country before long.

We feel grateful for your kindness and that shown to our commissioners by your government, and request you to write to your government of it properly.

We write this to express our thankfulness.

With highest consideration and respect,

OGASAWARI IKI NO KAMI.
ENIABA HIOBU TAYER.

Mr. Seward to Mr. Van Valkenburgh.

No. 32½.]

DEPARTMENT OF STATE,

Washington, October 10, 1867.

SIR: Your despatch of the 21st of August last, No. 41, has been received.

No objection is perceived to the terms of your despatch of which you enclose a copy addressed to Mr. Stahel, our consul at Kanagawa.

The deed of the lot on the bluffs at Yokohama, reserved on behalf of the United States for hospital purposes, should, however, be a lease to Dr. Vedder, by the United States, reciting that he holds the possession as tenant at sufferance for the purpose of maintaining thereon a hospital, dispensary, or other establishment for the medical treatment and relief of seamen, and with the stipulation that he pay ground rent, taxes, and assessments, and that he will surrender possession of the property on demand.

I am, sir, your obedient servant,

F. W. SEWARD,

Acting Secretary.

R. B. VAN VALKENBURGH, Esq., &c., &c., &c.

Mr. Van Valkenburgh to Mr. Seward.

No. 54.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, October 21, 1867.

SIR: Large quantities of raw silk and silk-worm eggs are annually exported from this country to Europe. The Japanese, by rude processes, manufacture some, but for the want of machinery and the knowledge of the use of colors they cannot compete with the French and Italians. Believing that the interests of both the governments of the United States and Japan would be materially benefited by the introduction of the necessary machinery and knowledge and the manufacture of those fabrics in this country, I addressed a note upon the subject to his excellency the minister for foreign affairs, a copy of which is enclosed, marked No. 1.

In answer to this note I received a communication from the minister Ogasawari Iki No Kami, a copy of the translation of which I enclose, marked No. 2.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

No. 83.]

LEGATION OF THE UNITED STATES,
Yedo, September 23, 1867.

SIR: Your excellency is no doubt acquainted with the peculiar circumstances rendering agricultural and mining pursuits so profitable in the United States as to necessitate, to a great extent, the importation from Europe of cotton, woollen, and silk manufactures.

With the aid of skilled labor, such as is only to be found in France, silk goods, suitable for the American trade, could be manufactured in Japan at remunerative rates, thereby giving profitable employment to thousands of poor people who now have only very limited means of support, if any, and strengthen, most effectually, the friendly relations between the United States and this country. That it is to the interest of Japan to benefit by the experience of other nations, and to learn the arts and sciences by which they have arrived at powerful prosperity, is so self-evident, that it is quite unnecessary for me, in this connection of silk manufactures, to point out the advantage of your people, themselves large consumers of silk goods, becoming familiar with all the improvements now known, which have already enabled foreigners, to a limited extent as yet, to undersell the native manufactures in this country.

I consider the subject of silk manufactures in this country of such importance, both to the United States and Japan, that I do not hesitate to request you to take it into due consideration and to inform me of the result of your deliberations at your earliest convenience.

With respect and esteem,

R. B. VAN VALKENBURGH,
Minister Resident of the United States.

His Excellency the MINISTER FOR FOREIGN AFFAIRS, &c., &c., *Yedo.*

[Translation.]

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America:

I have the honor to acknowledge the receipt of your communication of the 23d of September, in which your excellency gave me some advice relative to the silk fabric in this country, stating that if the manufacture be perfected by adopting the French method, it will not only be an advantage to the commerce with your country, but it will greatly serve the people of Japan.

I have fully understood the statement of your excellency on the subject, and am very grateful to you for the kind advice you have occasionally given me, as silk is the chief product of this country. Among the other articles of export, when its manufacture is perfected, it will be a great benefit to our commerce, and therefore I am anxious to introduce the European method, but there is no one who will undertake the great work of constructing machinery at present.

I hope, however, that the time will soon come when the kind advice of your excellency can be acted upon, as the improvement of the people is much increased by the daily growth of our intercourse with the friendly powers with whom treaties have already been made.

I always feel gratitude for the kind advice of your excellency.

I respectfully request of your excellency to accept my highest consideration.

OGASAWARA IKI NO KAMI.

OCTOBER 19, 1867.

Mr. Van Valkenburgh to Mr. Seward.

No. 56.]

LEGATION OF THE UNITED STATES,

Yedo, October 22, 1867.

SIR: I have not yet received from the Japanese government the agreement and regulations they propose for the foreign settlement in this city. In my No. 43, of August 22d, I informed you that the site had been selected and that a hotel was in process of construction. The work is going on rapidly and the ground is being prepared previous to its occupation by foreigners. My colleagues and myself having had several interviews, have unanimously agreed to accept certain regulations, if proposed by the Japanese government, and that government has also assented to them, so we await now only their reception officially to approve of them. Enclosure No. 1 is a copy of the regulations in about the form they will be sent to us. I have not been able to procure the map referred to in the enclosure, but will forward one with the agreement when it shall have been concluded.

The port to be opened upon the west coast has not yet been fixed upon. The English and French ministers both strongly favor Neeëgata with an open harbor on the island of Sado, thirty-five miles distant. The Tycoon owns both this island and the city of Neeëgata, while the other harbors on the west coast are all owned by princes or Daimios. The Japanese government urge the opening of Neeëgata not only as a matter of convenience to them, but to avoid difficulties with the Daimios, which would occur were they compelled to wrest a port from them for the benefit of foreigners. Upon the island of Sado are the gold mines of Japan, and should Neeëgata and a harbor on this island both be opened with steam communication between the two, more trade, of course, would be the result, especially as Neeëgata is the largest and most prosperous city on that sea-coast.

I am impressed with the importance of having some port opened by the 1st of January, not so much on account of trade, but to keep up the spirit of progress which is evidently abroad in this land. Therefore, rather than not to succeed in the opening of a port by the time indicated in the treaty, I may consent to Neeëgata, upon the condition that the harbor in Sado shall also be opened, a foreign settlement designated at both places with steam communication between them.

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

R. B. VAN VALKENBURGH.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Arrangements for the settlement of foreigners at Yedo.

1. Within the limits colored red in the annexed plan foreigners of all nations having treaties with Japan may hire or purchase houses or lease building land from any Japanese owning said houses or land and willing to hire, sell, or lease the same. The said foreigners and Japanese may make between themselves such engagements as they may please for the

above purposes, without the interference of the Japanese officers; but all contracts for the hire or sale of houses, and all leases of land must be registered directly after they are made at the office of the Matsubujio in the Teppodru, and the consul of the nation to which the foreigner belongs.

2. Foreigners occupying houses or land within the said limits will pay land rent to the Japanese government, and will be liable to the same municipal charges as are paid by Japanese occupants within the said limits. The amount of such land rent and municipal charges will be formally notified by the Japanese government to the foreign representatives.

3. Before the 1st January, 1868, the Japanese government will clear the ground colored black and marked A A in the annexed plan, and will surround this site with a road not less than 40 feet in width. The ground in this site will be leased to foreigners in the manner provided in articles 6, 7, 8, and 9 of the arrangement for the establishment of foreign settlements at Hiogo and Osacca. In case more space should be required upon these terms, the Japanese government will extend this site by clearing and filling in the adjoining ground marked B B B on the annexed plan, which, in that case, will also be provided with a surrounding road of not less than 40 feet in width.

4. The Japanese government will see that the canals passing through the limits colored red in the annexed plan are thoroughly cleansed before the 1st January next, and are subsequently kept in good order.

5. The Japanese government undertake to erect on the ground marked C in the annexed plan a set of buildings adapted to the purposes of a foreign hotel. The buildings are to be constructed on a plan supplied by a foreign architect, and will be finished by the 1st January next. The management of the hotel will be in the hands of the Japanese.

6. The Japanese government will establish an office for the inspection of goods and a bonded warehouse at the point marked D on annexed plan, and will construct at the same point a convenient wharf, at which all merchandise belonging to foreigners must be landed or shipped. All import and export duties on goods landed or shipped at Yedo will be paid at Yokohama, and any attempt to evade payment of duties at the latter place will be dealt with in accordance with the treaty and regulations of trade. As Yedo is not an open port no merchant vessels of any nation will be allowed to anchor in Yedo bay.

7. On the opening of Yedo to trade, guards will not accompany foreigners when they go out; but as it would be unsafe for foreigners to pass beyond the limits colored red in the annexed plan after nightfall without a guard, the Japanese officers will furnish one in case of emergency, or on the written requisition of a diplomatic or consular authority.

8. In order to give due effect to the provisions of the treaties which relate to the residence of foreigners at Yedo, every foreigner coming to Yedo must be provided with a passport from the consular authority of his nation at Yokohama, which must be vised by the governor of Kanagawa, and must be produced when demanded by the Japanese officers at the Sogo river, or on landing at Yedo.

Mr. Van Valkenburgh to Mr. Seward.

No. 62.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, November 7, 1867.

SIR: I have the honor to transmit herewith, No. 1, copy of a letter from the minister for foreign affairs, covering copy of a proclamation issued at Miako, (Kioto,) relative to the assumption by his Majesty the Tycoon of the title of Kubosama (Shongung.)

In this capacity he is now formally recognized as commander-in-chief of the military and naval forces of Japan, and in time of war as dictator in all matters, civil as well as military.

Ever since Stotobasi assumed the government of this country there existed great reluctance in conferring this title upon him; a change in the constitutional customs, which in this country take the place of fundamental law, being desired by some powerful Diamios, in so far as placing the then vacant shongungship in further abeyance.

The habitual reticence of this government precludes the granting of so much confidence as would enable me fully to comprehend the importance of the event of which the present proclamation is the announcement. It sufficiently indicates, however, that no radical change in the constitution of this government is contemplated.

It is, also, beyond doubt that the assumption of this ancient title, and of the important functions appertaining thereto, by Stotobasi, who, in fact, only represents the junior branch of the Sokugawa dynasty, is more than the mere result of a family arrangement, but that it has a much broader bearing, as it may be presumed on good ground that promises and pledges have been entered into on this occasion.

This political move is unquestionably in the direction of homogeneity and consolidation, and as there is at present abundant evidence of an earnest intention to carry out the treaties with foreign powers in good faith, I am inclined to accept the present proclamation as a favorable omen for the continued improvement of our political and commercial relations with Japan.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States :

I have the honor to transmit herewith for your excellency's information a copy of a proclamation made known in every part of this empire relative to the title of his Majesty the Tycoon.

With respect and consideration,

OGASAWARA IKI NO KAMI.

The 2d day of the 10th month of the 3d year of K. U, (October 28, 1867.)

Proclamation issued at Miako, (Kioto,) on the 20th day of the 9th month of the 3d year of K. U., (October 18, 1867.)

From this day the Wugesana (Tycoon) assumes the title of Kubo Sama, (Shongung,) and the Gorenche Sama (Tycoon's consort) assumes the title of Medai Sama, (Shongung's consort.)

Mr. Van Valkenburgh to Mr. Seward.

No. 63.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, November 12, 1867.

SIR: I have the honor to acknowledge the receipt of your despatch No. 27, of the 9th September, covering copy of your correspondence with Bishop Potter and others representing the Protestant Episcopal church, and also with the Reverend Isaac Ferris and others representing the Evangelical Alliance of the United States.

I transmit herewith, No. 1, copy of a letter addressed to me by the Catholic Bishop Petitjean, covering copy of an account of the recent action of the Japanese authorities at Nagasaki, relative to native Christians in that vicinity, from which you will perceive that the present moment would be ill chosen to urge upon this government, in the earnest and energetic manner which the importance of the subject demands, the removal of such Christian disabilities as may still exist, more or less, in several provinces of this empire.

With deep anxiety I have watched the progress of missionary labor in this country, and I beg to assure you that if a fitting opportunity presented itself for promoting an object of such immense importance as the extension of the blessings of Christianity to this interesting people, I would not hesitate to take prompt

action, even in anticipation of instructions, provided, of course, that by so doing no doubt could possibly be entertained of a further improvement in our political relations with the country being attained at the same time.

My letter to the minister for foreign affairs, copy of which formed enclosure No. 1 of my despatch No. 44, of the 23d August last, informed you of the action I then took, of which I trust you have been pleased to approve.

In conclusion, I can only say, in further reply to your despatch No. 27, now under acknowledgment, that her Britannic Majesty's minister has not received any instructions from his government on this subject.

I have the honor to be, sir, very respectfully, your most obedient servant,
R. B. VAN VALKENBURGH.

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

YOKOHAMA, October 14, 1867.

SIR: I should wish very much to present verbally to your excellency the new expression of our gratitude for all you have kindly done in behalf of our unhappy prisoners, but being unable to go to Yedo, I am obliged to desist of that desire of mine. However, before I return to Nagasaki, I make amends by taking the liberty of addressing your excellency with this note a succinct account of matters referring to the prosecution against the Christians of Urakame. Accept, sir, this relation and this note also as a testimony of the respectful thankfulness of all the Catholic missionaries in Japan, and particularly of him who has the honor to be,

Yours, respectfully,

B. PETITJEAN,
Vicaire Apostolique of Japan.

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States in Japan.

An account of the persecution of the Christians in Japan, in July, 1867, by the Abbé S. M. Girard.

The blood of martyrs is everywhere the seed of the church, but nowhere, perhaps, shall it have been more fertile than in Japan, where the church of Christ has been found living after two centuries of such persecutions, as no one is ignorant of.

The first Christians who made themselves known, and, indeed, were the first to come to us for instruction, live in a valley called Urakame, near the town of Nagasaki. About 700 families—that is, 4,000 persons—are there gathered together. For about two years all of them have been busy for the salvation of their souls, and the number of those who have been admitted to the sacraments exceeds 1,200.

Nevertheless, up to the day on which the Japanese government determined to strike such a blow as to cause a sensation, everything went on very smoothly, and to many a European resident of Nagasaki the first news of these existing native Christians near them was the news of their arrest. However, the Japanese officers had for a considerable length of time been aware, and their government informed by them, of all that was passing, and their silence might lead one to hope for tolerance at their hands in a short period of time. But it was nothing but dissimulation and disguise on their part, for the persecutors were only calculating their steps and waiting for some pretext which the natural order of things and the laws of conscience were forcibly to raise soon. They availed themselves of it and at once the persecution began.

The law of the country obliges each head of a family who happens to lose any person of his kindred to go first and inform the civil officers, whose duty it is to come and verify the decease and then to send for some of the bonzes to perform religious ceremonies over the deceased. Accustomed as they had been for a long time to content themselves with an inward faith, our Christians had not understood at first all that which the law of God required of them, but as they got better instructed they saw they had necessarily to choose between a complete Christianity and apostasy. For many of them there was no doubt or hesitation thought possible about the choice, and in fact, assisted by the grace of God, they have proved it since.

One of them happened to die in April last. His relations went to report the case to the officers, and informed them at the same time that they could no more call for the bonze. Then it was that the governor ordered at once the names of all those who, for the future,

would profess Christianity and do without the bonzes. From that moment all things passed on quietly down to the day on which arrests were made upon orders sent from Yedo or Osacca, where the Tycoon is now residing.

The arrests took place in the night of the 14th of July last, when low officers of the police, accompanied by their servants and by executioners, went to arrest 65 Christians, whom they bound up with cords and chains and dragged into the prison. They aimed at capturing the principal leaders of the movement, in hopes of being able thus to stop it at once, and as they were led by a traitor, who, like Judas, betrayed his brothers, they could not miss their aim. As they entered the houses pointed out to them beforehand, they tied up their victims, who offered no resistance, then went on plundering the houses with such haste and violence as to arrest persons who had not been denounced to them. So, for example, it is asserted that a Pagan who had come to the place for the sake of trade and was taking his rest by the side of the Christians was actually arrested and taken to prison with them.

For a few months a missionary was accustomed to go from time to time and conceal himself among the Christians, in order to administer the sacraments of the church to elderly people of both sexes, who could not of a night come near us for spiritual attendance.

On the day the arrests took place he thought it prudent to take flight, for the sake of not exposing his hosts to an increase of vexations.

Many an object belonging to him has fallen into the hands of those depredators, but he has been in no danger of life, all subjects of the treaty powers being permitted freely to move about within the limit of 30 miles in the territory directly submitted to the imperial sway.

When the prisoners were led through the town marks of sympathy were shown them by the Pagans themselves, and as soon as the news reached the European residents it raised among them a general cry of indignation.

The governor never expected such a demonstration; perhaps he was astounded and frightened by the officious protests of the most part of the consuls; but he had gone too far to retire at once, and notwithstanding all the interest which our Christians had excited, not longer than two days after were they cast into a prison hurriedly constructed for them. There they are even now, and God only knows when and how they shall come out of it.

"I have punished the Christians," said at first the governor, "because they do not observe the law; but now my power does not extend further, and in order to release them, I must have orders from my government." Nobody was deceived by that assertion of his punishing only disobedience, and the governor himself had understood that it would not be accepted as a sufficient justification of his conduct, for whilst some of his officers were effecting the arrests, some others were secretly endeavoring to excite the Christians to resist the executioners and to repulse them by force, under the pretext that they had come to seize them, without due orders and authority.

God did not permit that any one should fall into the snare so perversely laid for them, so that, to his great displeasure, the governor had to imprison Christians and no rebels.

However, as it was to be feared lest anxiety and grief should impel those into some imprudent step who were free yet, he whom the sovereign pontiff has intrusted with the care of those souls beloved of God thought it his duty to write them a letter, in order to exhort them to submit in all things to the ever adorable designs of Divine Providence; to obey their officers in all whatsoever would not be contrary to the law of God, and to commit everything to His mercy. They, on their part, addressed a petition to the governor, giving a solemn assurance of their fidelity, and declaring how sincerely they regretted that there were circumstances in which conscience compelled them unwillingly to displease him for the sake of saving their souls.

A few days after the jailers imposed a fine of about \$10, that they might be fed, and at the same time it was notified to their relatives that they would be permitted to bring them any aliment they would choose to prepare for them.

Then the children of the victims came near us to look for parents to replace those that had been taken away from them. The mission gladly received the sons of the confessors of the faith, happy to go to any expense and ready to make any sacrifice in their behalf. She sets now every hope in them; they are studying to become her supporters and, God permitting, her glory. God protect them!

Scarcely a few days had elapsed when his excellency the minister resident of the United States, who was then at Nagasaki, kindly using his influence in behalf of our Christians, went and asked their release from the governor. His excellency did not obtain that which his generous initiative truly deserved, and had to wait until he would return to Yedo to entertain more directly the imperial government on a subject which had to so high a point won his sympathy.

The only thing which his excellency could obtain from the governor of Nagasaki was, that the promise already given to the consuls of France and Portugal, viz: that new arrests would not be made, was most explicitly renewed to him. But the Japanese government never shrinks from any promise when they think it will remove any difficulty, though it be for a time.

A few days after, a Christian woman, whose mother had just died, was summoned to the bar of the officers, in order to justify herself for not calling for the bonze. "It was, of course, through forgetfulness, was it?" suggested they to her. "Merely do say and confess that it

was through forgetfulness that you omitted to comply with the law." "No," answered she, "but it was both to obey my mother's last will and to save my own soul." Immediately she was sent to prison. As she left the village, bidding farewell to her friends, "We shall see each other no more," said she, "for I am going to prison; but I am glad of it; and I will tell all the other prisoners that his lordship the bishop, and all the fathers, and all the Europeans are interested in us and are much afflicted on our account."

But alas! neither she nor the other prisoners had the mutual consolation of meeting in the same prison. She was sent to a separate one. On being requested to explain how it was that he had not dealt with her as he had made her expect, he answered that Clara Iake was not in prison; that she had only undergone an examination, but no penalty. But the fact is, that since that time she has not been heard of; and such is the case with several other persons also.

Here we have an example of the politics of the Japanese government, and the measure of the dignity which they bring in their relations with the representatives of foreign powers. They boast of going to them for the sake of studying true civilization, of copying their industry, &c., &c., and, in a word, they apply to them for light, and they persecute their faith. They apply to their missionaries for the instruction of their interpreters, and they send to prison those who come to them for religious instruction.

In the mean time the Prince of Omura having heard what was going on at Nagasaki, wished in his turn to show what he could do against the Christians, who were found in his dominions principally in the two villages of Coba and Kitamura. The heads of the families are first summoned and commanded to sign with their blood a formula of apostasy laid before them, and then drink of a water over which a bonze had said superstitious prayers. The Christians of Coba refused to comply with the injunction, and consequently were immediately sent to prison. Those of Kitamura, on the contrary, mistaken about the significance of the act which was demanded of them, obeyed at first, unconscious of its import; but as soon as they heard of what had taken place at Coba their doubts vanished, and then deeming it necessary to make a reparation for their apparent failing, they spontaneously went and energetically protested, saying that the officers had surprised their simplicity, and that they never meant to abandon the Christian religion, to which they would adhere still, though it would cost them their lives. Their courage was immediately rewarded by being sent to prison, which they occupied with their brothers at Coba.

There remained yet the women and children under 15 years of age, whom the Christians of Urakame were taking care of during the absence of their husbands and parents who were in prison. But as they were no less Christians than the others, neither their sex nor age could justify them of the same guilt, so they were soon put together to confess Christ conjointly. There are found amongst them sucking children, whose mothers are suffering from hunger.

In the town of Nagasaki a tender child had been sent at first to prison with its mother; but soon after, the officers, seeing him on the point of death, sent him back to the other members of his family, keeping the mother in prison still.

The prisoners of Omura shall not have the same resource, for they have no more members of their family out of prison, where those confessors of the faith are stowed away very close together to the number of 110 persons.

Our hearts felt wearied in the presence of such griefs, incessantly renewed, and of anxieties daily increasing. We nevertheless entertained hopes of seeing better days.

The representative of France had been duly informed by us, from the very beginning, of what was going on, and his excellency's sympathy for our holy cause, his formal promises, and high influence with the Japanese authorities, were to us a guarantee that he would not shrink from making the necessary representations to those authorities, and that his generous efforts could not fail to be crowned with full success. And indeed on the 14th of August we received from his excellency a letter in which we read as follows:

"It has proved an easy task to me to obtain the complete and immediate release of the prisoners, together with the forgetting (*l'oublie*) of the past. The official orders which are to guarantee the fulfilment of these promises will soon reach Nagasaki, and I entertain not the least doubt but they shall be faithfully put into execution."

After such a declaration from the pen of his excellency, no more doubt could appear possible; and indeed France would have been happy to hear the tidings of the delivery prayed for, as an homage offered her from the Japanese authorities on the day of her national fête.

Vain expectation! Four weeks have elapsed since, and the prisoners have not been released yet. In the meantime, death having visited several of our Christians, caused the loss of their liberty to the heads of their families, who preferred the prison before forfeiting their faith by calling for the priests of idols. That was not all; instead of taking steps towards releasing the captives, as it was generally believed in the town, the governor was on the contrary devising a plan calculated to compel all the Christians to make a general apostacy. This is the regard he pretends to show to their liberty of conscience.

On the 27th of August a tribunal was erected in the midst of them, and deputies from each village were summoned to be tried and to answer in the name of all. Everything had been combined and calculated in order to obtain an easy success. Those whom the Christians had selected themselves to represent them were refused by the officers, who purposely chose

those who, being less instructed than the others and rather hesitating in their faith, seemed incapable of showing any courage. But God is sometimes pleased to baffle the projects and machinations of men. The persecutors only succeeded in provoking a new and more solemn manifestation of Christian faith, and they had to retire, convinced that they would never be able to destroy a religion which teaches and enables its adherents rather to suffer anything than to repudiate it. Should the persecution succeed in deceiving and frightening the ignorant and weak, Divine grace can in an instant enlighten and strengthen them, as it was seen in Omura.

Whilst these things were going on at Urakame, five of the prisoners were taken to the palace of the governor, undoubtedly to be commanded to renounce their religion, both in their own name and in the name of their companions. It is to be supposed that none of them has apostatized; for they were all afterwards taken back to the prison in their chains. Some Christians met them on the way; they saluted one another; one of the prisoners responded with a merry smile, and we cannot help doing this justice to the Japanese authorities, of stating that the prisoners' faces did not then bear any mark of excessive privations.

The same scene has been renewed several times, and then the pagans who saw these Christians walk in chains could not conceal their admiration at seeing their noble and firm, yet modest, countenances.

Amongst them some women have been conducted so through the streets, and, contrary to what is practiced with the greatest female criminals, their hands were tied behind their backs in the same way as the men; and their bonds were not even concealed under their dress.

What is most afflicting for us is that the arrests continue to take place as often as any death occurs. The governor was saying lately to one who declined to call for the bonze in such a case, "Will you obstinately disobey the law of our country? Do you believe that if our bonzes went to France to preach a foreign creed, those who would listen to them should not be punished? Why, then, what would be done elsewhere should not be done here likewise?"

A short time after arrived at Nagasaki a high officer sent from Yedo to replace the two governors there. Then our consul, at the request of the lord bishop, availed himself of the first opportunity to visit him and ask him to procure the fulfilment of the promises which were made to the minister of France. He was answered that they had not been fulfilled yet, because the Tycoon had not yet notified them that his excellency the minister of France, having seen his Majesty the Tycoon at Osacca, would not be long writing to Nagasaki, after which only the matter could be discussed. As for the immediate release, said the governor *ad interim*, I can only grant it, if the prisoners only declare their repentance for having embraced the Christian religion, and if an assurance is given me that the French missionaries will go no more amongst them.

A few hours after arrived new statements confirming the first. Then the consul wrote, protesting against the obstinacy which the authorities showed in keeping 47 of the prisoners cruelly stowed in together on the narrow space of four mats, *i. e.*, twelve feet long and six feet wide, in spite of the promise made to himself. From thence the governor ordered the number of those unfortunate persons to be reduced to 33, which is still excessive, but makes us hope their lives will not be so much endangered, although they must have to suffer greatly from such close confinement. Now we hear that 50 more are to be tried.

But what is there going on in the interior of the governor's palace? That is a secret which remains to be unveiled in the future. Thus far things went on down to this date.

What will the governor do with those who refused to renounce their religion? What will he do even with those whom fear caused to recoil or hesitate? What will the minister of France do at the sight of the evident ill will which the Japanese government show in complying with the solemn promises it made him?

Our cause is the cause of God. We know that it must triumph, but we do not know how long will our trials last. His holy will be done on earth as it is in heaven. However, we fully expect that what is now taking place at Nagasaki can but be the omen of a religious tolerance, which events must bring on sooner or later. Persons who, wholly dedicated to other concerns, judge not religious matters from a right point of view, will perhaps be astounded at and dread a movement which they expected not and may deem dangerous. They will wonder at the interests shown to our Christians and perhaps blame it; here is not the place of defending ourselves; but to those who in the firmness of those good people would pretend to see anything else than a religious conviction, we must say once for all, that they are mistaken. The Christians have declared it both by word of mouth and in writing, and they are ready to prove it on all occasions. If they can only be allowed a little liberty in following up the dictates of their conscience, in everything else they will be the faithful observers of the law. The Japanese government may try again, as in the first days, to turn them into rebels and to punish them as such. With the grace of God they will never allow themselves to be led astray from their duty. But should the Japanese authorities deceive for a time their people and Europe, sooner or later truth will triumph, things will appear in their proper light, and then admiration will abide by those who shall have the courage of showing themselves Christians in the midst of the most serious difficulties, whilst craftiness, wile, and base cowardice will gain nothing else but due contempt.

NAGASAKI, September 16, 1867.

Mr. Van Valkenburgh to Mr. Seward.

No. 64.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, November 16, 1867.

SIR: I have the honor to transmit herewith, No. 1, copy of an arrangement providing for municipal government at Yokohama, (Kanagawa,) which was unani- mously adopted and agreed to by the foreign representatives and the Japanese government.

You will perceive that the principle of extritoriality has been carefully pre- served, and that the citizens of the United States are in all cases of offence amenable only to the jurisdiction of our own authorities.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Arrangements for the establishment of a Japanese municipal office for the foreign settlement of Yokohama.

1. That an office, to be called the municipal office, be formed under the Japanese govern- ment at Yokohama, and placed in the charge of a foreign director, who will be subordinate to the governor of Kanagawa.

2. That the said director, acting under the authority of the governor of Kanagawa, shall see to the repair, cleanliness, and efficiency of all the streets and drains in the foreign settle- ment of Yokohama. He shall be authorized to receive such complaints relative to police or the state of drains and thoroughfares as may properly be addressed by foreigners to the local government direct, and in the name of the governor of Kanagawa will prosecute foreigners before their own authorities for nuisances or any infringement of police order.

3. The said director, acting under the authority of the governor of Kanagawa, will have the charge and direction of all foreigners who may be employed as police for the maintain- ance of security and order within the foreign settlement of Yokohama, or for the repression of disorderly conduct on the part of foreigners within the port of Kanagawa.

Whenever a subject or citizen of a treaty power is arrested in the commission of an offence by the said director, or any foreigner or Japanese acting under his orders or the orders of the governor of Kanagawa, the person so arrested must be conveyed at once to the consul of his nation, who will take steps for the detention of the offender until he can be prosecuted.

4. The governor of Kanagawa, acting with the advice and assistance of the said director, and with such advice as he may obtain from foreign consuls, will exercise jurisdiction both criminal and civil over the subjects of China and the subjects and citizens of other non- treaty powers residing within the said settlement, or within the port of Kanagawa.

5. The land rents, payable by foreigners, will be collected by the said director, as soon as they become due, for and on account of the governor of Kanagawa, and the said director, acting in the name of the governor of Kanagawa, will be empowered to sue foreigners for default of payment before their own authorities.

6. The foreign consuls will confine within the narrowest limits compatible with public convenience the number of licenses issued by them to their respective subjects or citizens, as sellers of foreign spirits or liquors, or as keepers of houses of entertainment within the foreign settlement, or within the port of Kanagawa.

A copy of every license will be furnished by the consul as soon as it is issued to the gov- ernor of Kanagawa, and the said director will inform against any person who sells liquors or keeps a house of entertainments without the license of his authorities.

7. The Japanese government will make arrangements for the safe storage, at reasonable rates, of gunpowder or other explosive substances imported into the port of Kanagawa, and the necessary steps will be taken to prevent foreigners from using any other place for the storage of these dangerous substances.

Mr. Van Valkenburgh to Mr. Seward.

No. 65.]

LEGATION OF THE UNITED STATES,

Yedo, November 18, 1867.

SIR: Since the establishment by the Pacific Mail Steamship Company of a line of steamers between San Francisco and Hong Kong, touching at Yokohama,

and the adoption by the Japanese government of a system of passports by which its subjects are permitted to migrate to foreign countries, many of them have gone to the United States, and the number so travelling is rapidly increasing.

Believing it to be, under the circumstances, for the interest of our own as well as of this government, that a Japanese consul should be appointed at San Francisco, on the 16th of September last I addressed a note upon that subject to the Gorogio, a copy of which I enclose, (No. 1.)

After taking the matter into consideration, they agreed with me in the opinion that such appointment was necessary, and asked me to name an American citizen upon whom they should confer that position. I named to them several, either of whom, I assured them, was competent to perform the duties, and among them Charles Walcott Brooks, esq. This gentleman has been, for the past few years, acting as Japanese commercial agent at that city, had taken charge of some wrecked Japanese sailors and returned them to this country, and had received and attended upon the late Japanese embassy to the United States, while in that city, and had been employed by them in procuring for this government many articles, arms, and ammunition which they desired. They, therefore, knew him favorably, and at once concluded to give to him that appointment.

I know Mr. Brooks to be competent and worthy of the position.

Enclosed (No 2) I send a copy translation of the commission issued to Mr. Brooks, the original of which, by request of Ogasawara Iki No Kami, the minister for foreign affairs, I send by this mail, to him direct, at San Francisco.

Enclosed (No. 3) I send copy translation of a letter from the minister for foreign affairs, directed to me, and accompanying the commission, in which he desires that I shall inform you of the proceedings, and ask that Mr. Brooks may be properly recognized as consul.

This is the first consul ever appointed by the Japanese government, and I believe it is the first commission ever issued to a foreigner.

I trust my action in this matter will meet with the approval of the President and yourself.

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

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State Washington, D. C.

No. 80.]

LEGATION OF THE UNITED STATES,

Yedo, September 16, 1867.

Since the establishment of the line of steamers between San Francisco and Yokohama, which, in a short time will put those ports in monthly communication, and since the adoption by the Japanese government of the system of passports, by which the Japanese are more freely permitted to travel abroad, it would seem that some measure of protection should be afforded to the citizens of Japan in the United States, especially at San Francisco. Your excellency is aware that your government has a commercial agent, who, for nine years, without any compensation, has taken care of the interests of this government at that port. In consideration of the increase of trade and travel through that city, I would respectfully suggest to your excellency that the appointment of a consul to reside at San Francisco would be gratifying to the government I represent, and redound to the benefit of the Japanese government.

With respect and esteem,

R. B. VAN VALKENBURGH,

Minister Resident of the United States.

His Excellency the MINISTER FOR FOREIGN AFFAIRS, &c., &c.

His Excellency R. B. VAN VALKENBURGH,

Minister Resident of the United States :

I have the honor to communicate to your excellency the following : You were kind enough to advise me through Edzure Kanga no Kami, governor for foreign affairs, and again in

your letter No. 80, of September 16, of the benefit and convenience to our two countries which would accrue by the appointment of a consul for Japan, to reside at San Francisco, and to mention Mr. Charles Walcott Brooks as an honest man, and one competent to fill that position.

I am aware of the services which Mr. Brooks has rendered the Japanese government for some years past, and for which we are much obliged to him.

As the United States was the first to conclude a treaty with Japan and to open the country to foreign trade, and since the establishment of the mail steamers between San Francisco and Yokohama will increase the trade and friendship between the two powers, and largely augment the travel of Japanese to America, we have judged best to appoint a consul at San Francisco, and according to your advice the government has appointed Mr. Brooks to that position. I have the honor to enclose herewith his commission, which I beg that you will forward to him. I also send a translation of the same for your information.

Whenever our government shall order any articles through him, he will be paid a commission of five per cent. of their value; and when his consular duties shall take him away from his business, a proper compensation will be paid to him.

I beg that your excellency will communicate this to your government and procure Mr. Brooks's recognition as consul.

Although the governors for foreign affairs have written to Mr. Brooks, yet I beg to request that you will write him more particularly upon this subject.

I take this opportunity to express my thanks for your many kindnesses toward us.

With respect and consideration,

OGASAWARA IKI NO KAMI.

28th day of 9th month of Keio, 3d year, (*October 25, 1867.*)

Having heard of the abilities and honest character of Charles Walcott Brooks, residing at San Francisco, in the United States, on the advice of H. E. R. B. Van Valkenburgh, minister resident of the United States, in Japan, the said Charles Walcott Brooks is appointed consul of Japan at San Francisco, and he is ordered as far as possible to respect the Japanese laws and transact all his consular business according to them.

The crew of all Japanese merchant vessels, and all of our people visiting San Francisco, shall follow the instructions which he may give them. Also officers of the Japanese men of war shall confer with him.

It is requested that the government of the United States of America will please to permit the said Charles Walcott Brooks to exercise his duty, and will afford him all proper countenance and assistance.

In witness whereof, this letter has been given him, and the seal of the government hereunto affixed.

[SEAL.]

OGASAWARA IKI NO KAMI,

Japanese Minister for Foreign Affairs.

Keio, 3d year, 9th month, (*October, 1867.*)

Mr. Van Valkenburgh to Mr. Seward.

No. 66.]

LEGATION OF THE UNITED STATES,

Yedo, November 20, 1867.

SIR: Your No. 23, under date of July 23d, "concerning the purpose of sending by the Japanese government of envoys to Corea, with the object of preventing for the future such a wrong as is represented to have been committed during a recent war in that country upon American citizens, was received by me on the sixth day of the present month. Soon after that I took occasion to call upon the minister for foreign affairs in person, and according to your instructions to return to him suitable thanks for this friendly proceeding upon the part of this government, and to assure him that the laudable efforts of the Tycoon to promote peace in this part of the world were highly appreciated by the President. I also added that should no satisfactory explanation be made, or apology furnished by Corea, the government of the United States would undoubtedly feel obliged to take into consideration the proper means to obtain a reparation for the injury and to maintain its honor.

Hingama Desho No Kami, a member of the second council, was appointed by the Tycoon in May last as his envoy to Corea, and the management of all the matters connected with the embassy was intrusted to him, and from him I learn the following facts: Tso No Tushema No Kami is a Japanese Daimio residing upon and owning the little island of Tsusima, or Tsu, near the coast of Corea. This Daimio has a small settlement on that coast, and through his retainers at that settlement this government has for many years been kept informed of the action of the Coreans.

They have had no diplomatic relations, and, so far as I can learn, no authorized agent of this government has ever been recognized in Corea. Immediately on the appointment of this envoy he sent a messenger to Tso No Tsusima No Kami, and requested him, through his retainers, to procure permission for him to visit Corea, and a promise of his recognition by the government. The answer of the Corean government, returned through Tso No Tsusima No Kami, was that the proposition was a new and strange one, and that the government would take it into consideration, and after a determination had been arrived at the Japanese government should be informed.

This government has again sent messengers to Tsusima, urging the importance of the mission, and of their recognition by the Corean government, and asking for an early reply.

I am of the opinion that the Japanese envoy will not be received. Should any new facts become known to me I will not delay in informing you of them.

I have the honor to be, your most obedient servant,

R. B. VAN VALKENBURGH.

Hon. WILLIAM H. SEWARD,

Secretary of State Washington, D. C.

Mr. Van Valkenburgh to Mr. Seward.

No. 68.]

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, December 2, 1867.

SIR: Since my No. 62, under date of November 7th, in which I informed you of the investiture of the Tycoon with the title of Kubosama, at Kioto, on the 18th day of October last, strange and important events have transpired in this empire.

In that communication I said that "since Stotobasi assumed the government of this country there existed great reluctance in conferring this title upon him; a change in the constitutional customs, which in this country take the place of fundamental law, being desired by some powerful Daimios, in so far as placing the then vacant Shogunship in further abeyance." I further informed you that the conferring of this title of Kubosama (Shongung) sufficiently indicated that no radical change in the constitution of this government is contemplated.

This opinion seems not to have been well founded, although the facts then warranted it.

On the afternoon of the 16th of November, Sacai Tsoosima No Kami, one of the governors for foreign affairs, called upon me with instructions from the Gorogio to make the following startling announcement, which he read from a written paper:

The Tycoon has hereafter no authority to confer or make arrangements with reference to any of the internal affairs of Japan.

He knew nothing more; was sent simply to make that announcement to me, and, although I endeavored faithfully, in a conversation of more than half an hour, to obtain some further information upon the subject, was compelled to per-

mit him to depart without it. I immediately called upon the English minister, the only one of my colleagues then in Yedo, and found that no such notice had then been given to him, although he received it late the same evening.

On the next morning, the 17th November, I received a visit from He Vi Zama Desho No Kami, a member of the second council, and Edzura Kanga No Kami, governor for foreign affairs, who gave me the following facts :

Since Stotobasi was appointed Tycoon he has met with strong opposition from six of the 18 powerful Daimios of this country, in consequence of his liberality towards foreigners. One of these Daimios (Choshu) has been in open rebellion against the government. Satsuma, Tosa, Inshu, Gashu, and Owayema were Choshu's friends, and undoubtedly secretly assisted him. These six powerful Daimios were opposed to the opening of the new ports and cities, unless they could participate in the advantages by way of revenues derived therefrom by the general government. They took, it is said, every opportunity to prejudice the Mikado against the Tycoon, and have eventually made it so disagreeable for him that he has surrendered all his power and authority into the hands of the Mikado. The Tycoon, however, is still charged with the execution of the treaties with foreign nations, and will so continue to be until some further arrangements are made by the Mikado, with the advice of his grand council, consisting of the 18 great Daimios, the Tycoon, and some of the members of the Tokugawa family, from which the Tycoon has always been selected. The Mikado is hardly 17 years of age, but his government is carried on by a council of three, the first one named being his guardian, the other two advising and assisting in the control of affairs.

Their titles are as follows : Dijo Digin, Sad Digin, O'o Digin. The personal guardian, or first one of the three, has the prefix of Setsho Combago, and is therefore officially called Setsho Combago Dijo Digin. I asked for an interview with Ogasawari Iki No Kami, the minister for foreign affairs, and had an audience with him on the 20th November. I received from him only a confirmation of the facts I had previously learned, that the Tycoon has surrendered all his authority to the Mikado, but is still generalissimo, and is charged for the time with the carrying out the treaties with the foreign nations.

There was much excitement, not only among the official class, but among the common people also ; and a movement of soldiers and munitions of war towards Kioto, where both the Mikado and Tycoon now are. This excitement has, however, in some measure abated, and I am told that the ports shall be opened pursuant to treaty stipulations. There are rumors of the assassination of the Tycoon and some of his ministers at Kioto, but I am assured they are without foundation.

In view of this great change in the government, and a fear of what may possibly occur, I, in connection with my colleagues, the representatives of the treaty powers now here, intend being at Osacca and Biogo before the first of January. expecting to find there Rear-Admiral Bell with four or five of the vessels of his squadron, to protect American interests. He has kindly directed Commodore Goldsborough to afford me a passage in the Shenandoah. I am informed that quite a number of English and French men-of-war will also be present. I believe those ports will be opened quietly and without trouble, but that it is better to be prepared for any emergency, where such a revolution is taking place among a people like the Japanese.

Enclosed herewith I send, No. 1, a copy translation of the document transmitted by the Tycoon to the Mikado, announcing his resignation.

There is no date attached to this paper, but I am informed it was sent to the Mikado on the 3d day of November. Enclosure No. 2 is a copy of the answer of the Mikado to the Tycoon, accepting the resignation, and is dated on the 5th day of November. Enclosure No. 3 is a copy of a proclamation issued to the Daimios and officials by the Mikado at the same time of the acceptance of he

Tycoon's resignation. Enclosure No. 4 is a copy of a communication subsequently sent by the Tycoon to the Mikado, and enclosure No. 5 is the Mikado's answer thereto. There are no dates attached to either of these latter papers.

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

R. B. VAN VALKENBURGH.

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

[Translation.]

A retrospect of the various changes through which the empire has passed, shows us that after the decadence of the monarchical authority, power passed into the hands of the minister of state; that by the wars of 1156 to 1159, the governmental power came into the hands of the military class. My ancestor received greater marks of confidence than any before him, and his descendants have succeeded him for more than two hundred years. Though I perform the same duties, the objects of government and the penal laws have been missed, and it is with feelings of the greatest humiliation that I find myself obliged to acknowledge my own want of virtue as the cause of the present state of things. Moreover, our intercourse with foreign powers becomes daily more extensive, and our foreign policy cannot be pursued unless directed by the whole power of the country.

If, therefore, the old regime be changed and the governmental authority be restored to the imperial court; if the counsels of the whole empire be collected, and the wise decisions received, and if we unite with all our heart, and with all our strength, to protect and maintain the empire, it will be able to range itself with the nations of the earth. This comprises our whole duty towards our country.

However, if you have any particular ideas on the subject, you may state them without the slightest reserve.

[Translation.]

Plenipotentiary authority has been delegated to you since your ancestors' time, and you have been fully relied on. The memorial presented by you, after consideration of the present state of the empire, is approved and consented to. Unite therefore, with the country, with all your heart and all your strength; preserve the empire and give tranquillity to the imperial bosom.

[Translation.]

Important matters and foreign questions should be discussed in council. In addition to this, the questions referred to the daimios for their opinion, will be attended to by the two officers of the imperial court. Other affairs will be settled when the daimios shall be called together at Kioto. Until that time, however, the government of the territories and towns will be carried on as up to the present. Further orders will be issued afterwards.

[Translation.]

It having been decided that the government shall be in the hands of the sovereign, when the daimios who have been summoned shall have arrived, they will discuss fully, and the constitution will be finally established.

The administration of foreign affairs is, however, of the greatest importance, and it is impossible to predict that some unexpected proposal may not emanate from the foreign powers. If this should happen, difficulties would naturally arise, unless the matter was properly attended to. There are also other matters which call imperatively for discussion and decision, and I venture to think that it would be well to summon the daimios and clansmen at present here, (at Kioto,) to hold a council on these points. I hold myself in readiness to attend at the palace on receipt of your majesty's orders.

NOVEMBER.

[Translation.]

Rescript from the Palace.

Matters shall be settled when the daimios who have been summoned assemble at Kioto. In case any matter should arise before their arrival at Kioto, you will consult with the two or three clans acquainted with the foreign (disposition or foreign matters,) and arrange a postponement.

Mr. Van Valkenburgh to Mr. Seward.

No. 69.]

LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, December 3, 1867.

SIR : With reference to the opening of the city of Yedo on the 1st day of January next, I have the honor to enclose, No. 1, copy of a communication from the minister for foreign affairs, received by me on the 27th November, asking a postponement of such opening until the 1st day of April next. Such a delay in the opening of this city had been previously considered by my colleagues and myself, the representatives of France, Great Britain, and Prussia, (the representative of Holland being absent from Yedo,) and we had unanimously agreed that it was prudent to assent to it, provided the Japanese government should ask it, as it seemed probable it would.

The principal reasons which induced this unanimous conclusion among ourselves, were as follows :

1. The great change which the form of government of this Empire is now undergoing renders the officials and the people uneasy and suspicious. The affairs of the nation are quite unsettled, and we are all uncertain whether war or peace is to be the order.
2. The impossibility of protecting our citizens at Osacca, Hiogo, and Yedo, if all these ports and cities were to be opened upon the same day.
3. The preparations making by the Japanese government for the occupation of the site set apart for foreigners, although in a state of forwardness, cannot be completed by the 1st of January, and the opening on that day would result in putting our countrymen to much trouble and many discomforts, aside from the personal danger to which they would be subject.

I enclose, No. 2, copy of the "Arrangements for the settlement of foreigners at Yedo;" also a copy of the "Regulations for the establishment of a tow-boat, lighter, and passage-boat service between Yedo and Yokohama," both of which having been discussed in several meetings of my colleagues and myself, together with commissioners appointed by the Japanese government for that purpose, were finally agreed upon on the 26th day of November.

I also enclose, No. 3, copy of a notice I deemed best to issue on this subject.

I trust my action in this matter will meet with the approval of the President and yourself.

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

R. B. VAN VALKENBURGH.

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

[Translation.]

2D DAY OF THE 11TH MONTH OF THE 3D YEAR OF KEIO,
(November 27, 1867.)

I have the honor to make the following communication to your excellency :

I have to-day transmitted to you two copies of the regulations as agreed upon, under which the city of Yedo was to be thrown open to foreigners for purposes of trade only, on the 7th day of the 12th month, (January 1, 1868,) according to the treaties. In those regulations it is agreed that the hotel for foreigners shall be built and the ground set apart for their use shall be prepared by the day above named. I regret that it is not possible to do all these things before the 1st day of January.

I do not think that in the present state of affairs, and under the circumstances, it would be expedient to open Yedo and Osacca at the same time, and I therefore suggest that the opening of the city of Yedo be postponed until the 1st of April, 1868, at which time all the preparations can be completed, and to accomplish this the Japanese government will use every means in its power.

Should you agree to this proposal I will issue to the people a proclamation of which I enclose a copy.

With respect and consideration,

OGASAWARA IKI NO KAMI.

His Excellency R. B. VAN VALKENBURGH,
Minister Resident of the United States of America.

[Translation.]

PROCLAMATION.

We have proclaimed that the city of Yedo would be opened for trade with foreigners on the 7th day of 12th month, (January 1, 1863,) but as this will not be expedient, we have agreed with the ministers of foreign powers to postpone it until the 9th day of the 3d month of next year, (April 1, 1863.)

ARRANGEMENTS FOR THE SETTLEMENT OF FOREIGNERS AT YEDO.

ARTICLE 1. Within the limits colored red in the annexed plan foreigners of nations having treaties with Japan may hire houses and reside for purposes of trade. But no Japanese shall be compelled to rent any buildings to foreigners within the said limits against his will. Moreover, as the Japanese government are willing that foreigners of those nations having treaties with Japan should enjoy at Yedo the same facilities for leasing ground and building houses that are secured to them by treaty at the ports, the Japanese government are prepared to lease to foreigners for building purposes that portion of land on the same plan which is colored blue.

ART. 2. Whenever the above named building ground shall have been occupied by foreigners, and more space is required for their use, the Japanese government will prepare the adjoining space, marked A A on the same plan, which in that case will be provided with a surrounding road of not less than forty feet in width. Should more land be subsequently required, the above named building ground will be further extended, as may from time to time be desirable, within the limits colored red.

ART. 3. Before the opening of the city to foreign trade the Japanese government will clear the ground colored blue in the same plan, and will surround it with a road, which shall be properly drained, of not less than 40 feet in width. The ground within this site not required for roads will be leased to foreigners in the manner provided in articles 6, 7, 8, and 9 of the arrangements for the formation of foreign settlements at Hiogo and Osacca.

ART. 4. The Japanese government will see that the canals passing through the limits colored red are cleared before the opening of the city to foreign trade, and are subsequently kept in good order. All expenses connected with the cleansing of these canals will be borne by the Japanese government.

ART. 5. The Japanese government engage to push on with all the expedition possible the foreign hotel which is being built on the site marked B in the same plan, with a view to its being completed before the opening of the city to foreign trade. The management of the hotel will be in the hands of Japanese.

ART. 6. The Japanese government will construct at the point marked C a convenient landing place, to be provided with suitable sheds, at which all goods belonging to foreigners must be landed or shipped. As Yedo, however, is not an open port, no foreign merchant vessel can anchor there, and all goods belonging to foreigners must be entered at the custom house at Yokohama, according to the regulation of trade attached to the treaties, and must pay duty there, or at some other open port, before they can be imported into Yedo. For the present, also, and until it shall be found convenient to collect export duties on foreign trade at Yedo, all goods exported from that city by foreigners must be cleared from and pay duty at the custom house at Yokohama, before they can be shipped on board any foreign vessel at that port.

ART. 7. Lighters, tow-boats, and passage-boats, propelled by steam or sails, and belonging to foreigners, may ply between Yedo and Yokohama for the conveyance of cargo and passengers, under the regulations annexed to this agreement, and subject to the provisions of the regulations of trade attached to the treaties.

ART. 8. In order to give due effect to the provisions of the treaties which relate to the residence of foreigners at Yedo, every foreigner coming to Yedo, unless he be an officer of a foreign government, and in uniform, must be furnished with a passport from the consular authority of his nation at Yokohama, which must be viséd by the governor of Kanagawa. Persons coming from Yokohama by land will be required to show their passports at the ferry at Kawasaki, while those coming by sea will have to exhibit them on arriving off the forts at Yedo. Any person, other than an officer as above named, arriving at Yedo without a passport, may be arrested and conveyed before his consul.

ART. 9. Foreign lighters, tow-boats, and passage-boats, and all other foreign boats, with the exception of those belonging to vessels of war, will be required on arriving off Yedo to enter by the channel between the two forts marked with white beacons. Each boat must stop or heave to on passing between these forts, in order that it may be boarded by a Japanese officer. The master of each foreign boat must deliver to the boarding officer a list of all the passengers on board, and each foreign passenger must exhibit his passport to the boarding officer, if the latter requires him to do so.

ART. 10. The Japanese government undertake to lay down marks or buoys in the above named channel, from its entrance at the two said forts to the foreign settlement.

ART. 11. Foreigners living at Yedo shall be free to go where they please, within the following boundaries, namely:

The Shintonegawa, (Yedo gawa) from its mouth as far as the guard house at Kanawachi. From Kanawachi to Senji by the Mito road. From Senji along the course of the Funitagawa to Furuga no Kamigó. From the latter place a line drawn through the following villages:

Omuro, Takakura, Koyata, Ogiwara, Migodera, Ishibatake, Mitsugi, and Tauaka to Hino. From Hino to the mouth of the Tamagawa. No obstruction shall be opposed to the free circulation of foreigners, either by land or water, in every part of the city of Yedo open to the Japanese public.

REGULATIONS FOR THE ESTABLISHMENT OF A TOWBOAT, LIGHTER AND PASSAGE-BOAT SERVICE BETWEEN YEDO AND YOKOHAMA.

1st. No foreign lighter, towboat or passage-boat may ply between Yedo and Yokohama, unless furnished with a license by the Japanese authorities.

2d. Whenever application is made for a license, the governor of Kanagawa and the consul of the nation to which the boat belongs shall consider the application and determine whether a license shall be granted. Each license must be signed by the governor and countersigned by the consul, and must contain a full description of the boat, in their respective languages.

3d. Each license must be cancelled or renewed as the governor and consul may determine at the expiration of each year, and a fee of one ichibu per ton measurement, payable to the Japanese government, will be charged on the issue or renewal of each license.

4th. No license shall be issued to any foreign boat or vessel drawing more than six feet of water when loaded, and no boat or vessel thus licensed may discharge or take in cargo or passengers outside the forts at Yedo, except under unusual circumstances, and by special written permission from the Japanese authorities.

5th. The Japanese government may put custom-house officers on board any licensed boat, whenever they may think proper, or may appoint officers to accompany the said boats on the passage between Yedo and Yokohama.

6th. All goods taken on board a licensed boat at Yokohama must be accompanied by duty-paid or duty-free certificates, and all goods landed at Yedo without such certificates will be liable to seizure and confiscation.

7th. A licensed boat may only take in and discharge goods at Yedo and Yokohama at the wharves indicated by Japanese authorities, or by means of boats authorized for the purpose by the Japanese government.

8th. No licensed boat may be employed in any other way than for the conveyance of goods and passengers or the towage of licensed boats between Yedo and Yokohama, nor may they communicate with any other place, or with any native or foreign vessel, on the passage.

9th. The foreign crews of licensed boats or vessels, with the exception of the masters, will not be allowed to land at Yedo.

10th. Any breach of these regulations, or of any other regulations that may subsequently be made on this subject, may be punished by forfeiture of license in addition to such penalty as may be imposed by the consul of the nation to which the boat belongs, under the powers vested in him by his government for securing the observance of treaties and conventions by his countrymen.

LEGATION OF THE UNITED STATES IN JAPAN,

Yedo, November 27, 1867.

Citizens of the United States are informed that in conjunction with my colleagues, I have made arrangements with the Japanese government by which the city of Yedo, the town of Neegata on the west coast, and the harbor of Ebisuminato, on the island of Sado, will be opened to them for trade and residence, pursuant to treaty stipulations, on the first day of April next.

R. B. VAN VALKENBURGH,

Minister Resident of the United States in Japan.

EGYPT.

Mr. Hale to Mr. Seward.

No. 70.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, December 8, 1866.

SIR: Your telegram, in answer to mine of the 27th ultimo, was received last evening, the circuit of 12,000 miles having been completed in 10 days, notwithstanding the break in the wire between this place and Malta, which required my message to go thither by steamer, and delayed the prompt transmission thence of yours. The break was repaired yesterday.

Surratt remains in safe custody, and subject to no jurisdiction other than that of the United States.

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Hale to Mr. Seward.

[Extract.]

No. 72.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, December 27, 1866.

SIR: I have the honor to report that, on the 20th instant, the United States screw sloop-of-war Swatara, Commander William N. Jeffers, arrived at this port. The next day I delivered the prisoner Surratt into the custody of Commander Jeffers, on board the steamer. On the 22d, in the evening, a telegram was received from Mr. Winthrop, United States consul at Malta, conveying the orders of Rear-Admiral Goldsborough that the Swatara should proceed with the prisoner to Port Mahon; and accordingly, as soon as she had finished coaling, that is, yesterday, 26th, she left this for the port.

Meanwhile, I presented Commander Jeffers here to Zulfikar Pacha, governor of Alexandria, and at Cairo to his Highness the Pacha, who granted a special audience for the purpose at his palace of Ghazereh, and exhibited the most cordial courtesy in the reception.

No hint or objection to the arrest, detention, or delivery of Surratt was at any time made here, although I was careful to proceed in such manner as to prevent on the one hand any pretence that the Egyptian government was taken unawares, and on the other hand to avoid any embarrassment in my proceedings from unexpected objections.

Although the extradition was thus accepted here as a matter of course, I respectfully suggest that it may be well that I should be instructed to express to his Highness the acknowledgments of the President. Every assistance required was cordially afforded by the Egyptian government.

I ought to add that the course of the British authorities here was straightforward and loyal. Expecting a claim from Surratt to British protection, I took care to inform Mr. Francis, her Britannic Majesty's legal vice-consul and

judge, that the man was in the custody of this consulate general, which would not admit his right to any other jurisdiction, but that meanwhile he might be freely visited by her Britannic Majesty's authorities to hear any claims or pretensions he might choose to put forward. Mr. Francis, however, found no occasion for any proceedings, and, in point of fact, Surratt never claimed British protection here.

I am glad to find by the newspapers received by this week's mails that my telegram announcing the arrest of Surratt reached you promptly and without mistake.

* * * * *

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Seward to Mr. Hale.

No. 29.]

DEPARTMENT OF STATE,
Washington, January 23, 1867.

SIR: Your despatch of December 27, No. 72, has been received and is approved. You will make known to the government of the Pacha that the President of the United States has been highly gratified by the considerate and friendly disposition which the Egyptian government has manifested in permitting and aiding the arrest and delivery of John H. Surratt, who is charged as an accomplice in the assassination of the late President Abraham Lincoln.

As a token of the satisfaction which I am thus authorized to communicate, the President has instructed me to procure a portrait of the deceased President, to be presented in the name of the United States to his highness the Pacha. This instruction will be promptly executed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES HALE, Esq., &c., &c., &c.

Mr. Hale to Mr. Seward.

[Extract.]

No. 79.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, March 26, 1867.

SIR: I have the honor to report that having selected the most favorable opportunity since the receipt of your instruction No. 29, under date of January 23, I communicated its substance on the 20th instant to his Highness the Pacha, at his summer palace of Mansourah. His Highness expressed much pleasure at hearing of the gratification of the President and the token by which it is proposed to illustrate it, and desired me to say that he always has great pleasure when he can be in any way useful to the United States of America.

I took occasion of the same audience to communicate the substance of your instruction No. 27, under date of January 25, expressive of your interest in the Egyptian Parliament, with which his highness was naturally much pleased.

During the present winter his Highness has been the recipient of distinguished marks of honor on the part of two foreign governments, Admiral Lord Clarence Paget having come to invest him with the order of the Bath on the part of the Queen of England, and the Count de Castiglioni having come to invest him

with the order of the Annonciade on the part of the King of Italy. His Highness had previously received the grand cordon of the French Legion of Honor, as well as the highest decorations conferred upon sovereigns from several other governments.

Although there has been much speculation here this winter on the subject of efforts understood to be making to render Egypt more completely independent of the Porte, or to render more conspicuous its relation of quasi independence, I have not heretofore alluded to the subject in my despatches, from want of information sufficiently certain to warrant its transmission. Recently, however, Nubar Pacha has been openly sent from Cairo to Constantinople to conduct the negotiation, and I am quite safe in saying that there are authentic advices which indicate the probable success of his mission. Among the demands of the Egyptian government is the right of accrediting diplomatic agents directly to foreign governments. * * * * *

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

CHARLES HALE.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Hale to Mr. Seward.

No. 88.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, June 8, 1867.

SIR: The Egyptian battalion of negroes, for service in Mexico, returned to Alexandria on the 27th of May, in a French transport from Toulon, after an absence of nearly four and a half years. During their passage through Paris recently the battalion was reviewed by the Emperor of the French, and on its arrival here it was reviewed by his Highness the Pacha.

An official report has been published of the history of the battalion, stating its strength on its starting and on its return. I enclose two printed copies of this report. The principal facts are the following:

The battalion embarked at Alexandria on the 8th day of January, 1863, when its total strength was 447, namely:

Commander of the battalion.....	1
Captain.....	1
Lieutenant.....	1
Rank and file.....	443
Interpreter.....	1
Total.....	447

This corresponds very nearly with the number reported by Mr. Thayer, in his despatch to you at the time.

The losses are thus reported:

	Officers.	Rank and file.
Killed in battle.....	..	20
Died from wounds.....	..	28
Died from disease.....	1	63
Missed in battle.....	..	2
Deserted.....	..	12
Total.....	1	125

Total losses, 126.

It will be observed that almost precisely one-half of the mortality was caused by disease. The ratio of mortality in four years' service appears to have been almost 28 in 100; equal to 7 in 100 per annum. One of the papers enclosed makes a comparison of this death-rate with that suffered by the French army in the Crimea, which the writer thinks, under the circumstances, it does not exceed.

The present strength of the battalion is made up as follows :

	Officers.	Rank and file.
Returned now to Alexandria	10	301
Lieutenant returned in 1866	1	..
Interpreter returned in 1863	1	..
Condemned to the galleys for murder	7
In hospital in Paris	1
Total.....	12	309

Total 321, which, with the losses, 126, completes the number at starting, 447, as above.

The pay of the commander of the battalion was about \$200 a month; of the captain, one-half this sum, and of the lieutenants about \$90. The private soldiers received 55 French centimes per day. To this pay, from the French government, the town of Vera Cruz added 32.5 centimes per diem to the private soldiers, and furnished lodgings for the officers. Including this augmentation, the pay of the private soldiers was a trifle more than \$5 a month. They received the same rations as the French soldiers, with the substitution of sugar and coffee in lieu of the allowance of wine and brandy, and they received no meat except of animals killed by themselves in the manner prescribed by the Moslem law.

During the stay of the battalion in Mexico it was chiefly charged with garrison duty at Vera Cruz, but it made frequent expeditions, and took part in 14 combats, which are described in the report.

On the arrival of the battalion in Mexico it was organized into four companies, each with a captain and two lieutenants, who were selected by promotion from the ranks. As many as 72 decorations, or special recompenses, were awarded in the battalion, besides which all the officers and soldiers have the French medal, commemorative of the Mexican campaign.

I have reason to believe that, notwithstanding the dislike with which this distant service was originally regarded, the private soldiers, as well as the officers, have returned well pleased with their military experiences, proud of their record, and gratified with the attentions which have been paid them. They have a great admiration of the French, and of French military administration; nearly all have learned to speak French, and have adopted the habits of soldiers of the French army. Should these men be scattered over Egypt, the influence of the French in the country will be largely augmented.

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Hale to Mr. Seward.

No. 89.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, June 10, 1867.

SIR: A telegram from Paris, on the afternoon of the 8th, brought the intelligence of the attempted assassination in that capital of the Emperor, Alexander

II, of Russia. The tidings were communicated by the Russian consul general, in a circular to his colleagues, announcing that a *Te Deum* would be sung at the church of the national faith here the next morning, in celebration of the miraculous escape of the Emperor. I made a reply in writing to this circular, and attended the solemnity of the *Te Deum* together with my vice-consul and first dragoon.

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Hale to Mr. Seward.

No. 90.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, June 11, 1867.

SIR: A salute of 21 guns from the fort in the harbor announced to the people of Alexandria, on the morning of Sunday, the 9th instant, that the ruler of Egypt has obtained from the Porte the right to bear a new title, which is described as nearly the equivalent of King. This intelligence was received by telegraph from Constantinople, and was communicated to me by his Highness the previous afternoon; but the firman has not yet come to hand. Meanwhile, however, his Highness took his departure yesterday, in his steamer *Mahroussa*, bound for Toulon, whence he will proceed to Paris, the day appointed for his arrival being the 15th instant. It is understood that he will be received by the Emperor of the French with royal honors; and after a visit of 10 or 12 days in Paris, he will perhaps proceed to England, but he will not visit other countries. His absence from Egypt, he informed me, will probably not be longer than 35 or 40 days.

In his absence, Chérif Pacha, minister of the interior, is charged with the administration of the government. Nubar Pacha, minister of foreign affairs, proceeds from Constantinople, where he has been conducting the negotiations, directly to Paris. Ragheb Pacha, minister of foreign affairs *ad interim*, accompanies his Highness, who will thus have with him in Paris two of his most trusted and most able counsellors.

His Highness is attended also by a numerous suite, and is accompanied in the *Mahroussa* by Mr. Outrey, the agent and consul-general of France, by Mr. Lavison, the vice-consul of Russia at Cairo, and by Mr. de Lessepo.

The exact particulars, of course, can only be given when the imperial firman is received and published; but, meanwhile, I believe that the following statement may be accepted as authentic. The new title of his Highness is *Hidewi*, sometimes spelled *Khadave*, which is described as nearly equivalent to King. The same title has been granted to Prince Charles of Roumania, and was formerly the title of the kings of Tartary. Its root is found in a Persian word. Together with this title, there are publicly accorded to his Highness the following prerogatives of sovereignty: He is to rule Egypt in all respects as he pleases, making such laws or decrees as he thinks proper. He may accredit diplomatic agents of his own to foreign countries, negotiate commercial treaties, and establish his own tariff of customs duties. He may confer decorations without previous authorization from the Porte; and the nominal limit heretofore established to the increase of his army is withdrawn. The control of his post office and navy, and the right of coining money, remain, as heretofore, with his Highness. The former annual tribute is abolished; but, in return for the new concessions, it is said that his Highness has agreed to assume the payment, within the next 12 years, of the Turkish consolidated—18,000,000 sterling, held in Great Britain;

6,000,000 sterling, held in France; besides a sum of 3,000,000 to the Sultan. There is room to suspect exaggeration in these figures.

Except that attributes of sovereignty, heretofore enjoyed without explicit license from his suzerain, are now put on a solid and recognized footing, the new arrangements gained by this heavy expenditure of money do not add a great deal to the substantial power of the Pacha of Egypt. His title, registered at Constantinople, has heretofore been only that of vali, or governor; but he has usually been called here "Viceroy." It is not yet known how the new title will be rendered in English or French. In conversation, his Highness says freely, "They have relieved my name from *vice*," a significant pleasantry; since, taking away "vice" from "vice-roi," leaves nothing else but "roi," or King.

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Hale to Mr. Seward.

No. 92.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, June 15, 1867.

SIR: I have the honor to enclose a printed copy, in the original Arabic, of the "rules and orders," as we should say, established for the organization and government of the assembly of representatives convened at Cairo last winter, which formed the subject of my despatch No. 67 and of your instruction No. 27.

I have annexed a translation, somewhat free, but preserving accurately the points of special interest.

I also enclose a translation of the address made at the close of the first session of the assembly by the president, Ragheb Pacha. This address is interesting, as it gives a summary of the results of the deliberations of the assembly.

The Arabic name given to this organization is "Meglis Shora el Nuab," of which phrase the exactly literal translation is "advisory assembly of representatives;" in brief, the title is "Meglis," or assembly. Its convocation has been made the subject of numberless witticisms in the European newspapers; but I have not observed that any of them have attempted seriously to criticise either its organization or proceedings, other than by repeating these two suggestions: First, that its powers are only advisory, so that it cannot absolutely control the hitherto unlimited powers of the Pacha; and, second, that it was probably instituted for the purpose of facilitating the collection of heavier taxes.

As regards the former objection, it may be met in two ways. In the first place, the assembly is declared advisory by its very title; so that it is scarcely fair to complain that it is not different from what is publicly declared. But, in the second place, in what European scheme of government are the powers of the legislative assembly made absolute? As regards the second objection, history shows the same reason always for the convening of parliaments by kings; namely, the necessity of supplies.

The measure adopted by the assembly, to which most importance is attached in this regard—namely, the abolition of the *ohdé*, or *farming* of the revenue—illustrates what may be done in such cases in the common interest of tax-payer and government.

The former system was substantially the following: A few individuals were held responsible to the Pacha for certain sums, to be collected from territorial districts. These individuals, in their turn, made others responsible for the sums

to be collected from provinces within their jurisdiction; and these, in their turn, made others responsible below them, until, in the end, the *shick* of every village was responsible for the tax of the village, and generally collected it from the inhabitants as best he might—often in an arbitrary manner. This system was one which has sometimes been commended for its quick and certain results, although obviously open to waste and injustice. The moneys collected were no doubt sweated by a handsome percentage at every stage of transfer, always at the expense of the tax-payer in the last resort, who was without means of protection against extortion.

Now, all this is to be changed; the taxes are to be paid directly to government collectors, who are to account for their collections at headquarters. Should the benefits confidently expected from this change be fully realized, there will be a considerable increase in the actual revenue of the State, accompanied by a considerable reduction in the burdens of the tax-payers; the saving being effected in reducing the gains, often enormous, of the series of middlemen who formerly stood between the tax-payer and the public treasury.

This reform certainly appears wise, feasible, and statesmanlike.

I think you will find much in the papers herewith submitted to justify your interest in the subject expressed in your instruction No. 27, and you will observe that your remark, that the model here chosen appears to have been that of the French nation, finds many incidental confirmations—as, for instance, in the division of the assembly into bureaux.

If we cannot yet pronounce an opinion of the utility of this institution as an assured fact, it is certain that we cannot yet, in fairness, either disparage or ridicule it. In the last rule of the series it is provided that at the seventh triennial election—that is, after 18 years—the members of the assembly must, in addition to other qualifications, be able to read and write, and at the 11th election—that is, after 30 years—the voters themselves must possess this qualification. When the materials from which to form a parliamentary government are at present so obviously defective, may not much be hoped from the intelligence of a monarch who, nevertheless, grapples so boldly with the inherent difficulties of the position?

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

[To accompany despatch No. 92.]

AGENCY AND CONSULATE GENERAL OF THE UNITED STATES OF AMERICA
AT ALEXANDRIA, EGYPT.

RULES AND ORDERS OF THE ASSEMBLY OF REPRESENTATIVES OF EGYPT.

[The original Arabic, with a translation.]

INTRODUCTION.

Among the grandeurs of this age, and perpetual benefits granted by his Highness the Pacha, bearing for our country the most noble fruits, let us mark the sublime idea conceived by his Highness of founding an Egyptian assembly of representatives, which will be of precious utility to the country.

Already the fundamental rules which fix the election of representatives have been decreed, and also the rules which fix the limits, functions and proceedings of the said assembly have been adopted in due form by the privy council convogued under the presidency of his Highness.

Decree addressed by his Highness the Pacha to his excellency the president of the assembly of representatives.

STR: Already the privy council has been assembled under my presidency to deliberate on the manner of electing the members to compose the assembly of representatives which I

have decided to establish and open in our country, and which is under the kind protection of God, and this has been done in the hope of acquiring the sublime utilities and the progress which naturally should flow from such an institution, as well as the developments of the circle of civilization and prosperity.

The fundamental rules of this institution, after mature deliberation, have been already decreed.

By the terms of article fifteenth of said rules, it is made necessary to decree the rules which shall determine the limits, functions and proceedings of the said assembly of representatives. Accordingly, after mature deliberation, in my privy council, convogued for the purpose under my presidency, the rules for the latter purpose have been established in the manner judged most fitting.

Here are copies of the said rules and statutes, the former series composed of 18 articles, the second series composed of 61 articles.

You are instructed by these presents to take into consideration these rules and statutes and to put them in execution, praying God the All-Powerful not only for the success of this institution but to put us upon the straightest road for its success.

First series.—Organic rules.

1. The assembly will have for its object to deliberate on the internal interests of the country, and also on the plans which the government may wish to submit to it, upon which it will give its opinion to be submitted for the approbation of his Highness.

2. Every individual, not less than 25 years, will be eligible as a member, provided he is honest, loyal and recognized by the government as born in the country.

3. Prohibits the election of bankrupts or insolvents, individuals without known means of existence, paupers or those condemned of infamous crimes or discharged dishonorably from military service.

4. The electors will be chosen from among those inhabitants not bankrupt or insolvent, not convicted of infamous crime or discharged dishonorably from military service, and not at the time in actual service in the army.

5. Prohibits the election of persons in the service of the government, such as notables and chiefs of villages, or persons in the employ of other persons, or who are in the military service, whether active or reserved; but persons who have honorably quitted the service, civil or military, of the government, or those whose time of military service has expired, may be elected if they possess the other necessary qualifications.

6. The number or members being apportioned to the provinces according to the population, every district will elect one or two persons according to the number of its inhabitants; but in Cairo three, Alexandria two, and Damietta one only.

7. Since already the inhabitants of every village meet to elect the shieks, (chiefs of village,) the shieks naturally will have the right to elect in the name of their constituencies, provided they possess the prescribed qualifications. The shieks will assemble at the town hall; each will write on a ballot which must be kept secret and closed the name of the person for whom he thinks fit to vote, and he will deposit this ballot in the ballot-box of the district.

8. The counting of the votes, after the shieks have voted, will take place in the presence of the *mondir*, (major,) of his *vekil*, (deputy,) of the chief of the bureau of controversies, and of the *cadi* (judge) of the district. The candidate who has received the majority of votes will be declared the representative of the district; in case of a tie, resort will be had to the drawing of lots in the presence of the candidates; he whom the lot favors will be declared the representative. In both cases the shieks present must sign a certificate declaring the result of the election. In the towns of Cairo, Damietta and Alexandria, the election of representatives will be decided by the majority of the votes of the notables of those three towns.

9. The term of a representative expiring at the end of three years, at the end of that time new elections will be held, according to articles 7 and 8.

10. The number of the assembly shall not exceed seventy-five.

11. The presence of two-thirds of the members is necessary in order that the assembly may sit for deliberation. In case any of the members cannot attend for some serious reason, he must, one month before the meeting, notify the President; and if the assembly does not decide the reason sufficient, it will notify the member accordingly. If the member persists in his absence, another will be chosen by the constituency, in the same manner as is prescribed for an original election.

12. The members must attend in person, and cannot in any case attend by proxy.

13. As soon as the assembly is met, a committee of members will be appointed which will proceed to verify the elections, and ascertain that all the conditions have been observed; those ascertained to have been elected conformably to the conditions will be definitively recognized; the others will be replaced by new members chosen in the same constituencies, according to the prescribed rules.

14. After this verification the committee will decide the validity of the election of each of its own members, and will then make its report to the president, who will submit it to his Highness, in order that each representative may receive immediately a personal decree declaring his quality as representative for three years.

15. Rules fixing the limits of the powers as well as rules to be observed in the deliberations will be submitted to the assembly according to the usage in such cases.

16. The assembly will meet this year 10th of the month Hatour, (November 18th, 1866,) to sit until the 10th of the month Touba, (January 17, 1867;)* but in following years the session will open the 15th Kiahk, (December 23,) to finish the 15th Amchir, (February 21.)

17 His Highness the Pacha convokes, prorogues and dissolves the assembly. In case of dissolution, his Highness will make known the time for convoking a new assembly, within the term prescribed.

18. The members of the assembly must not in any case receive petitions.

Second series of rules.

POWERS AND RULES OF THE ASSEMBLY OF REPRESENTATIVES.

1. The seat of the assembly is at Cairo.

2. The functions of the assembly comprise the consideration of the internal affairs of the country and such subjects as the government may think fit to submit to the assembly, according to the first article of the organic rules. The matters relating to internal affairs which are to be considered in the assembly must be submitted by the president of the assembly to the privy council of his Highness, which will take them into consideration and report thereon to his Highness.

3. The president and vice-president of the assembly will be appointed by his Highness.

4. The assembly will be opened by his Highness in person, or by a commissioner in his behalf. If by his Highness in person, an address will be made to the assembly by some person appointed by him for that purpose; if by a commissioner, the address will be made by the commissioner, agreeably to the orders of his Highness.

5. After the opening of the assembly and the reading of the address, the members have a right to make a reply to the address within two days. This reply, made by courtesy only, must not prematurely discuss any of the affairs which are to form the subject of the deliberations of the assembly.

6. If the address is made by his Highness, the response of the assembly will be presented to his Highness by the president of the assembly, accompanied by two members of each of the bureaus into which the assembly is divided. These members will be elected by the representatives, and will present themselves in uniform.

7. As is prescribed in articles 2, 3, and 5 of the organic rules, the names and qualifications of the members must be submitted to the monfatich, (inspector general,) who will make a report thereon to the president.

8. After the opening of the assembly and the reading of the address, the members of the assembly will be divided into five bureaus, the chiefs of which bureaus will be elected by vote of the assembly. Each bureau will verify the elections of the representatives in the other bureaus, according to the provisions of article 14 of the organic rules. When the reports thereon are ready they will be submitted to the president of the assembly, who will submit them to his Highness, according to the provisions of article 14 of the organic rules.

9. After the verification of elections, the president of the assembly will report to his Highness the names of those members who are found to be duly qualified and elected, without waiting for the cases that may be controverted, and the assembly will begin its deliberations composed of those found to be duly qualified and elected, according to the provisions of article 11 of the organic rule.

10. The subjects proposed for deliberation will be numbered according to the direction of the president of the assembly, and a book will be kept in which all such subjects will be briefly entered, with the date and number, the course of proceedings, and the disposition made of such subjects.

11. When any of the high officers of state are sent to assist in the deliberations of the assembly, they may speak on receiving the permission of the assembly, without reference to the order prescribed for members.

12. The assembly may compel the attendance of its members, unless they have special reasons for absence, and may punish absentees. The chiefs of the five bureaus into which the assembly is divided must report every day the names of the members in their several bureaus attending or not attending.

13. If it happens that the assembly finds itself without the quorum provided in article 11 of the organic rules, the president must adjourn the question under discussion to another day, and so always, until a quorum is assembled.

14. If the assembly itself is without a quorum, nevertheless those bureaus which are complete, or of which two-thirds of the members are present, may attend to the business which has been referred to their bureaus respectively.

15. The president of the assembly will open and close each day's session, and at the end of each day's session he will agree with the assembly as to the time of the next session, and as to the questions to be then discussed. He will make a calendar (kimé) of these ques-

*It was afterwards appointed that the first session should open November 25, 1867, and it closed January 23, 1867.]

tions, to be posted on the walls of the chamber; he will also send a copy of this calendar to the divan of his Highness. The president must also communicate at all proper times to the same divan all necessary information of the proceedings of the assembly.

16. The bills proposed by the government will be read in the assembly by the person appointed for that purpose by the government.

17. After the reading of the bills mentioned in the preceding article, they will be printed and distributed among the several bureaus. Each bureau will elect a committee of five of its members, by secret ballot, which committee will examine the bills and report thereon.

18. If any member of the assembly, not being a member of the committee charged with the consideration of a bill proposed by the government, desires to express an opinion on such bill, (otherwise than is provided in article 23 of these rules,) such opinion will be received by the president of the assembly and referred to the committee; but no opinions or observations can be received after the committee has made its report. On the reading of the report in the assembly, the question will be open for debate, according to the provisions of articles 20 and 22.

19. Any representative who gives an opinion as provided in the preceding article, is entitled to be heard by the committee charged with the consideration of the subject.

20. When the report of the committee is presented, it must be read in the assembly, printed, and distributed to all the representatives, twenty-four hours at least before the debate thereon.

21. The debates on the report of the committees will take place at the times which may be appointed for that purpose, according to the arrangements made for the order of business in the assembly. The bill itself will first be read, and afterwards the reports of the several bureaus to which it may have been referred.

22. The report will be considered first in its several parts, and then the opinion of the assembly will be taken upon the report or measure as a whole.

23. If the committee charged with the consideration of a bill proposed by the government should report the same with amendments, the president must submit the report to the government before the reading of the report in the assembly.

24. The questions proposed to be debated in the assembly according to the calendar arranged as provided in article 15, must be submitted to the assembly for an opinion whether the subject proposed shall be considered or not, and the vote of the majority will decide accordingly whether the subject shall be considered or not.

25. When questions relating to the internal affairs of the country are proposed for discussion, according to the calendar, the opinion of the assembly will be taken whether the subject shall be considered on that day or postponed to another day.*

26. If two or three representatives desire to speak at the same time, the president will decide by lot which shall speak first, second, and third.

27. When the assembly is engaged in the discussion of a question, it is prohibited to discuss other questions.

28. When a representative is speaking on the subject before the assembly, no other representative shall speak until he has finished.

29. No representative shall speak more than once on the same subject, unless to give explanations or to answer questions proposed by another representative. The members of the committees, however, may speak as often as they like.

30. No representative may speak without the recognition of the president, and he must remain in his place while speaking.

31. If the president wishes to speak, the assembly must hear him.

32. The votes on all questions, as in elections, will be taken by secret ballot, and a majority of those voting will decide the question.

33. The box will be opened by the secretary, who will count the votes.

34. No vote can be taken unless a quorum is present, according to article 11 of the organic rules.

35. The assembly must respect the rights of the minority, and allow it to be heard in all questions.

36. If less than half the members have voted on any question, the president must call for the votes of the other members.

37. The president of the assembly has the powers of presiding officer only; he takes the votes of the representatives, but does not vote himself, except in case of an equal division. In such cases he may vote, but not in other cases; and he will not interfere with the course of debate.

38. When a matter has been finally decided by vote of the assembly, a fair copy of the measure agreed upon will be made and entered in a book to be kept for the purpose, to be sealed by the president and the representatives. A copy will also be made, signed by the secretary, sealed by the president, and communicated to his Highness.

39. The attendance of members will be regulated by the president in concert with them.

40. The representatives must attend the sessions of the assembly in becoming costume, and their demeanor must be respectful.

* This article appears to relate to matters proposed within the assembly under its general powers, while the sixteenth and following articles relate to specific subjects proposed to the assembly by the government.

41. No member may absent himself without permission in writing first obtained from the president; nor can the president grant such permission without consulting the assembly and obtaining its authority, except in cases of great urgency, which he must afterwards report to the assembly.

42. In the minutes made of each day's session will be noted the names of the members who take part in debate, and a brief statement of the opinions expressed by them.

43. The minutes mentioned in the preceding article must be recorded in a book kept for that purpose. The secretary will read the minutes for each day's session in the assembly at the next following day's session, and the president will sign the minutes for each day in the book.

44. Communications from his Highness respecting the convoking, proroguing, or dissolving the assembly, as mentioned in article 17 of the organic rules, must be read in the assembly as soon as received, and the assembly will conform to them.

45. The president alone has the right to call members to order for infraction of the rules.

46. If a member speaks of a matter other than that under consideration, the president must call him to order, and not allow different matters to be confused, and the decision of the president in such cases must not be questioned.

47. When a member is called to order for speaking on another matter than that under consideration, he will be heard to make his excuses and will be allowed to proceed in order, confining himself to the question under consideration.

48. If a member who has been called twice to order by the president, asks leave to continue his remarks out of order, the president will submit to the assembly the question whether the member shall continue, and this will be decided by the majority.

49. If a member who has been twice called to order by the president persists in continuing his remarks out of order, the president will submit to the assembly the question whether the member shall continue, and this will be decided by the majority.

50. If a member has been called to order for speaking out of his place, or for interrupting another member, he will not be allowed to speak during that day's session.

51. The representatives must abstain from unparliamentary language respecting each other, and from making signs of approbation or disapprobation.

52. If any member infringes any of the rules of the assembly, he must be called to order by the president. If he persists, the president will make note in writing of the calling to order in the minutes of that day's proceedings, and if the member still persists in infringing the rules, he may be excluded from the assembly, by its vote, at the request of the president; but no such exclusion shall be for a period longer than five days. The president will notify such exclusion to the constituency of the representative.

53. While the assembly is in session, no process can be served on any member for any cause except in cases of murder, in which of course the member will be expelled, and a new election held to fill the vacancy, according to article 13 of the organic rules.

54. The representatives are prohibited from printing their speeches, or any part of the debates of the assembly, without express authority of the president. In case of infringement of this rule, the member offending will be punished by the bureau to which he belongs.

55. If, during the period for which he has been elected, a member should lose the qualifications prescribed by articles 2, 3, and 5 of the organic rules, his membership will thereupon cease, and a new election will be held to fill the vacancy, according to article 13 of the organic rules.

56. While the assembly is in session, no resignation can be accepted from any of the members; but in the recess between the sessions, at least thirty days before the opening of the next session, a member may present his resignation to the president, who will notify the district to hold a new election according to article 13 of the organic rules.

57. It is the duty of the president to maintain in proper order the place provided for the meetings of the assembly.

58. The president may adjourn the assembly even when a quorum is present, according to article 11 of the organic rules; but no such adjournment shall be for a longer period than one day, and the president must report it to his Highness.

59. The necessary guards for the assembly will be provided by the government.

60. No person will be allowed admission to the assembly other than its members, officers, and persons sent by the government for matters concerning the business before the assembly. This rule will continue until his Highness shall authorize the admission of such persons as may hold cards given by the president.*

61. Besides the qualifications prescribed in articles 2, 3, 4, and 5 of the organic rules, persons elected representatives at the seventh election must be able to read and write, and this qualification will be added to the others; and at the eleventh election the voters must be able to read and write, besides the other qualifications prescribed.

*This authority was not given, and the rule of exclusion remained absolute during the whole session.

[Translation.]

Address of his excellency Ragheb Pacha, president, to the assembly of representatives at Cairo, at the close of the first session, January 23, 1867.

We have arrived, gentlemen, at the end of the labors with which we were charged at the opening of this session, and before separating we ought to address our prayers of sincere thankfulness to God, who has sustained us and enlightened us in the study of the great questions submitted to this chamber.

We have also, gentlemen, to thank his Highness the Pacha for the numerous benefits which he has showered upon our country since his accession, seeking to increase more and more its prosperity, allowing it to enjoy more largely the happy effects of civilization, and, finally, conferring upon this chamber, of which his Highness had the high initiative, the care of watching more closely the special interests of our constituents.

Allow me, gentlemen, to express to you, in my turn, all the pleasure I have experienced in the course of the duty his Highness was pleased to confer on me in designating me to preside over you. I have had the opportunity of observing, during your many sessions, the wisdom of your thoughts and the justice of all the measures you have proposed, as well as the remarkable aptitude you have so happily manifested in every circumstance.

The great questions presented to the chamber, and which of themselves comprehend the conditions of the happiness and civilization of a people, have been discussed by you with all the discretion and all the ability which the government could hope. These questions, of which you have well understood the bearing, are the following:

The establishment of schools in the great centres of the provinces.

A regulation concerning labor on the public works, dictated in the interest of agriculture. A new mode of collecting the duties on crops, fixing the times of year most favorable to cultivators.

The suppression of the farming of the revenue hitherto privileged, but which, thanks to the increasing wealth of Egypt, has no longer cause for existence.

The application of severe rules to protect taxpayers from abuses frequently committed by certain special collectors in the provinces.

Finally, the obligation of stamped paper for all contracts, whether private or commercial, with the object of making more solemn engagements heretofore undertaken with too great facility.

Already several times, gentlemen, from the high functionaries of state appointed to attend from time to time to assist your labors, you have heard congratulations in the name of his Highness for the zeal and superior intelligence which you have exhibited. They have testified to you the satisfaction which, in following your deliberations, all have experienced who have a part in the high direction of affairs; a new assurance, do not doubt it, that you have discharged faithfully your duty, and have well understood the generous wishes of his Highness.

The experience, thus happy, of this first session allows us to hope that those which will follow will be still more fruitful for the future of our country. The habits you have acquired of studying great thoughts and of partaking in debates of which the single object is the public interest, will bring you soon to know what is necessary to the true happiness of your constituencies, to which you will all have contributed, in sacrificing to it a portion of your time, in bringing to it the fruits of your long experience.

To conclude, gentlemen, our labors being to-day finished, we ought to ask of Him who can do all things, and to whom we all owe our being, to grant to our benefactor, his Highness Ismail Pacha, many and happy days, so that we can see within a short period the full accomplishment of the noble task which we have undertaken, and to which he and we have all devoted ourselves.

Mr. Hale to Mr. Seward.

No. 98.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, July 9, 1867.

SIR: I have the honor to report that on the 4th instant, his excellency Cherif Pacha, first minister of state, and charged with the administration of the government during the absence of his highness, called on me to express his felicitations at the recurrence of our national anniversary, and his best wishes for the continued prosperity of our country.

The news, now reported as certainly true, of the execution of Maximilian,

creates a profound impression here. Mr. Zogheb, who has acted as consul general of the so-called empire of Mexico since 1st November, 1865, continues, however, to display his flag.

The garrison of Alexandria now for more than a fortnight past has been exercised every morning by a parade through the principal streets of the city, infantry and artillery on alternate days, about five thousand men and twelve field-pieces. A small force of cavalry generally accompanies the column.

The remains of Ismaïl Pacha Faric, minister of war of the Egyptian government, and general-in-chief of the Egyptian troops on service in the island of Candia, were brought to Alexandria the 19th of June, and a public funeral was celebrated with great pomp. I believe that he died of disease in the island, but the most ridiculous reports were in circulation, to the effect that he had been beheaded by his half brother, a Candiote insurgent, and that the body was returned without a head. It is true that the late minister was a native of the island of Candia, and I believe it is also true that, by a singular coincident, after a long life abroad, he died in his native village.

The grand land caravan of pilgrims from Mecca made its formal entry into Cairo on the 6th instant; it numbered between three and four thousand persons. The health of the pilgrims has been excellent. The number of pilgrims returning by water to Suez has increased since my despatch No. 93, and is now reported as 6,877; making the total enumeration of this year's pilgrimage about 10,000.

On the 17th of June, the first symptom of the annual rise was observed in the waters of the Nile at Cairo. By the end of the month, a rise of about three inches had been attained; yesterday's report shows a rise altogether of one pic and eight kerats, equal to about 31 inches. The rise begins earlier by several days than last year or the year before, and the water is now fully two feet higher than at the same date in either of those years.

By an arrangement beginning with the present month, the Syrian coast steamers of the French Messageries Imperiales, to and from Alexandria, now call at Port Said in their voyages in each direction, making a direct communication each way three times a month, in close connection with the steamers from Marseilles to Alexandria.

It is publicly announced here to-day that a new company has been formed in London, under the title of the "Anglo-Indian Telegraph Company Limited," having for its object the laying of a telegraphic cable in the Red sea and Arabian gulf from Suez to Bombay, with possible future extension to China and Australia. I understand that this enterprise is in the hands of some of the parties who, under the name of the "Telegraph Construction and Maintenance Company," laid the Atlantic cables, and that they have the resolution and the means to press forward the work to a success. The former Red Sea line was a failure, and the present land lines of telegraphic communication with India are worked in a very unsatisfactory manner.

Accounts have been received of the arrival at Venice of Pini Bey, a Venetian long resident in Egypt, and a favorite of the present Pacha. He was sent to Venice in a government steamer, and it is said that he is charged with the negotiation with the Italian government of arrangements for the establishment of a line of steamers between Venice and Alexandria; four of the largest steamers of the Azezieh company being promised, it is said, for this service. Pini Bey has been received in Italy with marked attentions.

Halim Pacha came from Cairo to Alexandria on the 30th June, and proceeded the next day by the mail steamer to France. This amiable prince, actually a son of Mehmet Ali, until lately next but one in the line of succession to the vice-regal throne of Egypt, and living in the greatest state, has, by the change of succession, been so completely thrust into the position of a private person, that I am told he was required to pay his ticket on the government railway,

travelling in an ordinary train. At Alexandria he lodged at a public hotel, and he took the mail steamer for Marseilles. Such are the vicissitudes of oriental grandeur; special express trains, palaces, government yachts, are only for the worshippers of the risen sun.

Daily accounts are received here of royal honors paid to his Highness the ruler of Egypt, in France and England, and it is now reported that the visit will be protracted beyond the term originally fixed.

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Hale to Mr. Seward.

[Extract.]

No. 104.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, September 25, 1867.

SIR: * * * * *

His highness the viceroy had returned from Constantinople two days previously. I had an audience the day of my return, and on the 18th, in company with my colleagues, proceeded to Cairo, where on the 19th the firman was read with imposing oriental ceremonies in an apartment of the citadel fitted as a throne room for the occasion. I reserved for a later despatch an exact translation of the firman.

The removal of all the divans from Alexandria to Cairo took place at the same time and a change of ministry was announced. Cherif Pacha is remanded to the honorable retirement of the presidency of the grand council; Zoulfikar Pacha, late governor of Alexandria, assumes the portfolio of foreign affairs *ad interim*, in the continued absence of Nubar Pacha; and Ragheb Pacha is placed at the head of the combined departments of finance, interior and public works.

Ragheb Pacha has given great satisfaction upon his entrance upon the duties of his new position as minister of finance, by causing the immediate payment of the past due warrants and obligations of the government. I am told that no less a sum than one hundred and eighty thousand pounds sterling was thus paid out during the first two days of Ragheb's presence at his new office. The employes of the government, notwithstanding a reduction of 20 per cent. in their salaries, are pleased with the assurance that their pay shall not hereafter be allowed to fall more than three months in arrears, and the new minister asserts confidently that he has the means to provide for all financial necessities for the next six months.

Several officers of the British army are now in Egypt actively engaged in preparations for the war in Abyssinia. One of them has issued notices inviting tenders for forage for mules, and another advertises exchange on the British government at London, for sale for gold. It is proposed to establish a military depot at Alexandria for the mules and supplies in the course of transshipment. The Egyptian government has not been asked to furnish any assistance, except in giving facilities for transport, for which due payment is made according to the established tariff of the railway administration.

At the same time the previous arrangements for the transit through Egypt of British troops for service in India continue in force, and the first detachment from England is expected here shortly. The troops for service in Abyssinia are

expected to arrive from Bombay and to be disembarked at some port in the Red sea, as yet not determined.

* * * * *

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Hale to Mr. Seward.

No. 105.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, October 7, 1867.

SIR: Within three days eight Egyptian men-of-war have entered the harbor of Alexandria, bringing altogether 5,827 soldiers of the Egyptian army lately in service in Candia.

On the 5th arrived the Galiub, bringing 470 soldiers, and the Fayoum with 939.

On the 6th arrived the Masr with 911 soldiers; the Minieh with 730; the Mehemet Ali with 900; the Tautah with 475; the Gharbie with 800, and the Rhaminieh with 602.

The total of these figures is that stated in the first paragraph, 5,827. It is confidently stated that others will arrive shortly.

This withdrawal of the Egyptian contingent from service against the insurgents in Candia is a fact of which you will be able to appreciate the full significance by regarding it in connection with the information which you no doubt are receiving from other officers of our government at the island. I understand that the Swatara is at Candia.

It is said, I know not with how much truth, that the return of these soldiers to Egypt was vehemently opposed by the Turkish commander.

The returned soldiers do not make a favorable appearance. It would seem that they have had hard service and scant fare.

The transit of the British soldiers for India, more than 1,000 in number, has been successfully accomplished. They were taken through in one day from Alexandria to Suez, without stoppages except at one station in the desert beyond Cairo, for refreshment. No cases of illness or desertion are reported. On arrival at Suez they were immediately embarked.

The number of British officers arrived here in preparation for the expedition in Abyssinia has been considerably increased. But the soldiers for that service are expected to come from the east to some port in the Red sea.

The Quaker City, American pleasure boat, arrived in this harbor on the 2d instant, and will depart this day.

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Hale to Mr. Seward.

No. 107.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, November 4, 1867.

SIR: Yesterday the Egyptian war steamer Masr entered this port bringing 1,300 Egyptian soldiers from Crete; the same day arrived the Fayoum with

1,115; to-day arrived the Gharbie with 1,200 soldiers, and the Behera with 1,162. These numbers, with those reported in my despatch No. 105 as having returned the month previously, make a total of 10,604 of the Egyptian contingent returned from service in Crete, and it is stated that these are all. The transports will now be engaged in bringing back the baggage and war material.

Ratib Pacha and Hassan Pacha, two Egyptian functionaries of high rank, returned with the troops.

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

Mr. Hale to Mr. Seward.

No. 108.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, November 25, 1867.

SIR: In my despatch No. 95, under date of 27th June last, brief allusion was made to the reported ill treatment of some of the native Coptic converts of the American missionaries in Egypt, a matter which has engaged my serious attention during nearly the whole of the time left at my disposal during the last summer.

There have been two principal cases of complaint on this score. The former was that of a Coptic teacher named Besh-et-ly, who, it was alleged, had been forcibly expelled from the village of Ekmim, in the month of May last, at the instance of the Coptic Patriarch, supported, as was alleged, by the Egyptian government

Ragheb Pacha, at that time minister of foreign affairs, however, in several interviews, and finally in the written note under date of 5th June, of which a translation is hereto annexed, marked B, disavowed most emphatically the complicity of the government in these proceedings.

Besh-et-ly returned soon afterwards to the village of Ekmim, and has remained there pursuing his teaching of Protestant Christianity without molestation or hindrance on the part of any persons whatever.

Apprehensions, however, were entertained on the part of the missionaries of a repetition of annoyance to their converts among the native Coptic population of Egypt, and I accordingly continued to press the subject upon the attention of the government, in the hope of obtaining some result which should wholly remove all ground for such apprehension. Ragheb Pacha, having accompanied the viceroy in his excursion to Europe, was succeeded in the foreign office by Cherif Pacha, from whom I received on this subject, under date of the 17th of July, the note of which a translation is hereto annexed, marked C.

On the return of the viceroy to Egypt, Zoulfikar Pacha was named minister of foreign affairs; and shortly afterwards the second principal case of complaint arose, in the summary deportation, on or about 29th September, of an old man named Fam Stefanos, an early convert of the American missionaries, together with two of his relations, from their home near Ghous, in order to carry them, as it was believed, to the White Nile, where they would soon die. This was certainly done by officials of the Egyptian government, and, as was believed, at the instigation of the Coptic Patriarch.

Under the circumstances I felt myself justified, on the formal request of the American missionaries, in expressing myself in strong terms to Zoulfikar Pacha on this subject, first by telegram and afterwards in two notes, of which the

latter was despatched from Alexandria on the 10th October. No direct answer was returned to either of these communications; but on proceeding to Cairo for the purpose of asking explanations, I was gratified to receive, immediately on my arrival, 12th instant, from Mustafa Aga, United States consular agent at Luxor, a report of which a translation is hereto annexed, marked D, announcing the return of Fam Stefanos and his companions to their homes; this release from confinement having occurred about the 26th October.

In an interview with Zoulfikar Pacha, I found that minister not disposed to talk much of this particular case, with the circumstances of which he said Ragheb Pacha was more familiar, but he renewed with emphasis the expression of the wish of his government to adhere to its avowed policy of religious toleration, and to make good its welcome to the American missionaries; and he said he would take the orders of his Highness with regard to any proposition that might be made for the purpose of removing difficulties or complaints in the matter.

Before taking further steps, however, I have deemed it proper to make the present report. In the former case of Besh-et-ly, the missionaries, by their written note to me, of which a copy is annexed, marked A, proposed that five demands should be made to the Egyptian government. Referring to their letter itself for the exact detail, these five demands are here briefly recapitulated as follows: (1.) The return of Besh-et-ly to Ekmin. (2.) The punishment of 89 persons, being nearly the whole population of that village. (3.) The appointment of a joint commission to be composed of an equal number of members appointed by the Egyptian government and by the American consulate general, "with full authority to examine witnesses wherever found and issue judgment according to the merits of the case;" that is to say, a tribunal partly composed of a representative or representatives of the American government, to try native subjects of the Egyptian government for alleged offences against the principles of religious toleration proclaimed by the Egyptian government. (4.) A money indemnity to be paid by the Egyptian government equal to the expense of maintaining the American mission in Upper Egypt, 300 pounds sterling per month. (5.) The appointment, under certain circumstances, of an American consular agent "in every town in Egypt likely to be visited by American citizens, (that is, by the missionaries or any of them,) or in which there are American interests to be looked after;" that is, where there may reside one or more native converts of the American missionaries.

These proposals were regarded as unnecessarily severe in the case of Besh-et-ly, and, as has already been stated, that particular case was regarded as substantially finished when, the Egyptian government having disavowed all part in his expulsion from the village of Ekmin, he did, in point of fact, return to that village and resume his residence and teachings, without molestation. The same proposals, *mutatis mutandis*, are nevertheless now suggested by the missionaries as proper to be urged on the Egyptian government as a sequel to the case of Fam Stefanos, notwithstanding he has been returned to his home in consequence, as there is every reason to believe, of the representations made to the Egyptian government at the instance of the American missionaries.

The matter is respectfully submitted without further remark.

I have the honor to be, sir, very respectfully, your obedient servant,
CHARLES HALE.

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

A.

The American missionaries to Mr. Hale.

ALEXANDRIA, June 4, 1867.

Hon. CHARLES HALE,

United States Consul General for Egypt:

We send you the enclosed documents in duplicate English and Arabic, according to your request, for your convenience in referring it to the Foreign Office.

As we hear the Viceroy is to leave the country in a few days, and it is very desirable that his decision should be obtained in this case, and as the documents upon which the case are built are so voluminous that you will hardly have time fully to digest them before the Viceroy leaves, permit us respectfully to suggest that the following are what we think the facts of the case demand:

1st. That the government here immediately send to the Mudir of Ekimim an order permitting Besh-et-ly to return to his place of residence until such time as he shall be convicted of crimes justifying his banishment therefrom.

2d. That the 29 persons who signed the enclosed petition, and the two Sheikhs of Ekimim, who are guilty, on their own showing, of disorderly and seditious proceedings, be immediately sentenced to punishments suitable to their crimes.

3d. That a joint commission be appointed, consisting of an equal number of members appointed by the government and the consulate, with full authority to examine witnesses wherever found, and issue judgment according to the merits of the case, and that this commission have the use of a government steamer in order to visit Upper Egypt for this purpose.

4th. That as our schools in Upper Egypt have been stopped, and our work generally interfered with, the expenses of the Upper Egypt mission, amounting to £300 sterling per month, be paid us, this payment to begin with the date of our last communication, May 4, when the government by a telegram might at once have put a stop to the wrongs complained of, and to continue until such time as these interferences shall be removed—these damages to be collected from those parties who shall be found guilty by the commission of the interference complained of.

5th. That if it be the law of the land that an American citizen appearing before a native court with a complaint, and only asking that his case be judged according to the laws of the land, cannot be heard, the consulate receive authority to appoint consular agents in every town in Egypt likely to be visited by American citizens, or in which there are American interests to be looked after.

Hoping that these suggestions may meet with your approval, as they are founded upon right, we have the honor to remain, yours, &c.,

In the name of the Egyptian mission:

G. LANSING.

B. F. PINKERTON.

NOTE.—It will be understood that this communication from the missionaries was carefully considered, but it was not deemed advisable at the time to make of the Egyptian government the five demands therein proposed, although the subject was pressed on the government as one requiring attention.

The papers covered by the communication, being voluminous, are not forwarded with this copy.

C. H.

B.

[Translation. —The original is in Arabic.]

Ragheb Pacha to Mr. Hale.

MINISTRY OF FOREIGN AFFAIRS,

Alexandria, June 5, 1867.

I have taken into consideration your note of the month of May ultimo, concerning the complaint brought by certain persons against the Coptic Patriarch. In that note you say that the government of the Viceroy has generally shown by its acts that it allows religious toleration, and you think therefore that it cannot approve of the proceedings of the Coptic Patriarch.

It is true that the Egyptian government has allowed the toleration of all religions, like other civilized governments, and has given full and complete assistance to all religions in supplying their needs.

In view of the toleration which it thus accords, the government thinks it its duty not to

take any official part in the decision of religious questions; for it fears, in view of the great number of different religions in Egypt, to give rise to anarchy by its official interference.

Accordingly, I have the honor to reply to you unofficially, (or, in a friendly manner,) that I experience much regret in observing that these complaints address themselves to you, Mr. Consul General, in this matter, since they ought, by their very position in relation to the government, to address themselves always to the local authorities.

Nevertheless, out of respect for your person, I have written at once to the inspector general of provinces, to obtain all the information necessary regarding the circumstances which have been pointed out, and to prevent, on the part of those whose duty it is, anything that may stand in the way of the toleration already mentioned.

RAGHEB PACHA, [SEAL.]

C.

[Translation. —The original in French.]

Cherif Pacha to Mr. Hale.

MINISTRY OF FOREIGN AFFAIRS,

Alexandria, July 17, 1867.

SIR: You have lately expressed a desire to know what is the feeling of the government of his Highness the Viceroy with regard to the nature of the recent occurrences in which a Copt, converted to Protestantism by the American missionaries, was the principal actor, and which aroused the attention of the local authorities.

On this subject you are yourself aware that the government of his Highness practices religious tolerance to the fullest extent, and that in no other country freedom of worship is more respected than in Egypt.

Devoted to the ideas of civilization and of progress, his Highness the Viceroy, my august master, sanctions every day this principle of tolerance, and, placed under the safeguard of his generous inspirations, all creeds find the most easy access to the hospitable soil of Egypt, as well as the most constant support there.

And this support is not merely moral, for, you are also aware, the greater part of the religious communities established in the country, including the American missionaries, have received marks of the good-will of his Highness, whose liberal hand has often aided and contributed to their establishment and to their material well-being.

Accordingly nobody can doubt that the Egyptian government is as favorable as possible to the enjoyment of religious liberty, and I believe that, in the face of the facts which take place every day, no voice is raised to contest this truth. But side by side with the enjoyment there is the abuse; and to tolerate the abuse would be precisely to fail in the object which the government has always proposed—that of assuring the exercise of liberty within the largest limits, at the same time, of course, excluding license, which is always dangerous.

The government is willing to respect the religious convictions of all who inhabit its territory; it is willing that everybody should obey without restraint the inspirations of his conscience; but it thinks proper at the same time to look for the same respect for the convictions and the consciences of its own subjects.

To proceed in the way of an active and incessant propagandism, as the Copt you have mentioned to me, is evidently to fall into the abuse and stray from the limits which befit the enjoyment of a wise liberty; for this is to exercise upon the conscience of another a pressure which injures liberty and tends constantly to change it.

Thus the government raises itself with energy against such proceedings, and has quite decided to take all proper measures to repress propagandism, whether secret or public, whoever may be engaged in it, because it considers this entirely opposed to the liberty of conscience; that is, to the exercise of an inviolable right, to the perfect preservation of which an enlightened government owes all its solicitude and all its vigilance.

Such is moreover the sovereign influence of this right, such is the sentiment it inspires in all, without distinction, that in this particular case the Coptic population aroused itself in a body against these attempts at propagandism; and it required to calm this excitement the intervention, wholly conciliatory, wholly pacific, of the patriarch, who, by a happy chance, was making his periodical round of visits at the time, but to whom, nevertheless, the local authority, if it had been warned in due time, would not have allowed the initiative, in virtue precisely of this principle of religious liberty which it is bound to insist upon in all circumstances. Behold the truth.

These explanations will suffice, without doubt, to give you a clear understanding of the facts which have happened, as well as of the manner in which the government regards them, which you wished to know.

Accept, &c.,

CHERIF PACHA.

HON. CHARLES HALE,

Consul General of United States in Egypt.

D.

[Translation.—The original in Arabic.]

Mustafa Aga, United States consular agent at Lugsor, to Mr. Hale.

LUGSOR, October 29, 1867.

I have the honor to inform you that this day, Tuesday, 1st day of the month of Ragheb, year of the hegira 1284, (29th October, 1867,) there have been returned to Lugsor Stefanos, Abdul Melek, and Bifsadah, who had been sent as far as Esneh. In consequence of an order addressed by the inspector general of provinces to the local authorities of Esneh they were there set at liberty, and on their arrival here I received them, in company with the American missionary whose home is at Ghous, who had come up to meet them.

I found them cheerful and happy, very grateful for your kindness and good faith. Indeed, I myself am very happy, because great honor comes even to me in this matter, and great praise to our government, the subjects of whose care enjoy great honor and great reputation throughout the whole world, after what you have done in this affair; and we pray God to give you a long life of happy days.

MUSTAFA AGA,
American Consular Agent, Lugsor.

Mr. Hale to Mr. Seward.

No. 111.] AGENCY AND CONSULATE GENERAL U. S. OF AMERICA,
Alexandria, Egypt, December 16, 1867.

SIR: During the past summer Nubar Pacha, the Egyptian minister of foreign affairs, then in Paris, where in fact he is still stationed, prepared a project for a very considerable change in the administration of justice, both civil and criminal, in Egypt.

It is believed that the project originally contemplated the creation here of a single tribunal which should relieve the foreign consulates of all their judicial powers. The project was communicated originally to the governments which, at the close of the Crimean war, were parties to the treaty of Paris of 1856.

The consuls general for most of those powers being absent from Egypt during the summer, but little was known here of the plan or of its reception by the governments before which it was laid, but the impression of their representatives here was decidedly unfavorable to any change of the nature proposed in the existing arrangements.

Within the last few weeks my colleagues who were absent have returned, and I learn that the project has been generally accepted in principles but with the proposal of important modifications in details not yet definitively settled.

You will understand that no communication whatever on the part of the Egyptian government has been made to me on this subject. If a definitive arrangement should be agreed upon, which the governments of Austria, France, Great Britain, Italy, Prussia, and Russia, already addressed, would be willing to accept, this arrangement would then doubtless be submitted to the other governments in relation with Egypt, of course with a confident expectation that it would be accepted by them also.

If my information be correct of negotiations which have been exclusively conducted in Europe and not in Egypt, the original project has been so far modified that it is already settled that no change shall be made in the present exclusive jurisdiction of the consuls over the subjects of their respective governments in *criminal cases*. This exclusive jurisdiction is expressed in the treaty of 1830, between the United States and the Sublime Porte, in terms stronger, perhaps, than in any other treaty, so that in some of the discussions on the subject our own treaty has been referred to as securing their privilege in this respect, by other governments having "the most favored nation" clause in

their treaties. Although the Egyptian government is now seeking to make new arrangements with foreign powers, it is, of course, not denied that the existing treaties with the Porte are binding until altered by common consent of the parties thereto.

The proposed changes, then, would only concern civil cases, about which it must be admitted the language of all existing treaties, our own included, is less explicit than in criminal cases, and scarcely allows in strictness of interpretation the breadth of privilege hitherto enjoyed. I believe it is now proposed that a permanent tribunal might be established in Egypt, a bench of paid judges in which the European element should predominate, for the decision alike of all civil cases in which Franks should be parties, without regard to their nationality.

To a scheme of this sort I believe the home governments of France and England have signified with considerable cordiality their willingness to assent, and by the other governments to whom the proposition has been addressed it has been so far favorably entertained that it is believed that a conference of agents specially appointed on their part for its consideration will be assembled in Egypt during the present winter. Should such a conference take place I shall doubtless be able to give you information of its proceedings.

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

CHARLES HALE.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

TUNIS.

Mr. Perry to Mr. Seward.

No. 117.]

UNITED STATES CONSULATE,
Tunis, December 11, 1866.

SIR: A miserable copper currency was put in circulation last spring in this regency despite the earnest protestations and warnings of consuls and merchants. The desire for immediate gain prevailed over the fear of ultimate loss; or, perhaps, I should better say, that ignorance of the laws which prevail in monetary affairs was the grand cause of this change. The Bey supposed that his authority was sufficient to regulate the value of his coins, and with this belief he made a bold experiment, even imprisoning those who refused to accept his spurious metal in discharge of their debts. Foreigners at first withstood this change of copper coins, but were soon compelled to yield to the usages of the country or to have no further business transactions.

The intrinsic value of this new coin thus forced into use is, I am assured, only one-sixth of its assumed value. Its depreciation commenced on its introduction, despite the threats and violence of the government, and has continued, in disregard of all arbitrary rules, varying from 10 to 300 per cent. discount.

The consequent confusion, disorder and strife, have become fearfully great. Contracts which were made for grain, olive oil, and other products of the country, to be paid for, according to usage, in copper, have been disputed and brought before the courts for adjustment. Business is essentially injured, and embittered feelings are engendered on every hand. Those that have money fear to employ it in business lest they may be cheated out of it by some trick or indiscretion of the government. Laborers and poor people are reduced to a state of distress for the want of bread and oil, and I am assured that many cases of actual starvation have occurred and will continue to occur without some radical change of policy on the part of the government.

This spurious coin, in connection with the famine, the evils of which it aggravates, is causing some very deplorable results. Robberies and murders have commenced, as at the last breaking out of the rebellion in 1864, and a few days ago this city barely escaped a serious *émeute* planned by some cut-throats of Europe, combined with Moors, shouting for bread and oil. The Bey was visited by the consuls and steps were promptly taken for the sale of bread and oil, and a strong police force was established to maintain the peace of the city.

Now, the importance, if not the necessity, of getting rid of this copper coin, or of reducing its nominal to nearly its intrinsic value, is acknowledged by all. The only question is, *how* to do it? The government gained a million and a half dollars by its introduction, thus relieving for the time a pressure upon the treasury. But private speculators, it is said, have been as sharp as the government, coining this money, smuggling it into the country and making great profits; so that now the restoration of the currency to its normal state would incur a loss not alone of the million and a half dollars which the government put into the treasury, but of nearly as much more gained by enterprising speculators and smugglers. Thus has this pitiful measure to replenish the public

treasury by indirection resulted in a great loss and injury to the best interests of the government and country. And how the evils are to be obviated is still a problem not easy to be solved.

Very respectfully, your obedient servant,

AMOS PERRY.

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

Mr. Perry to Mr. Seward.

[Extract.]

No. 127.]

UNITED STATES CONSULATE,

Tunis, June 8, 1867.

SIR: I have to report that the cholera has broken out at Tunis and at several other points in the regency. It appeared several weeks ago in a mild form, and much doubt was entertained in regard to the nature of the disease. Physicians were apparently divided in opinion; some of them declaring the existence of the cholera, and others denying it. Whether these different representations arose from policy or from ignorance I am unable to say, but of late the distinctive features of the Asiatic have been daily manifested. Fear has come over the people lest the horrors of former years might be repeated here, and great numbers are hastening from the country, crowding the steamers to Italy, notwithstanding the quarantine of 15 days on their arrival there and of 21 days in Malta.

I am informed that many who are attacked by this disease recover; perhaps one-third of the number. Many die after five or six hours' illness, while others linger along two or three days. Mere fright has caused some horrible scenes to be enacted. Four days ago a Jewish girl dropped upon the floor and was supposed to be dead, when forthwith, according to the custom of the place, she was borne to the cemetery for interment; but just as the bearers were letting her body descend into the grave she recovered her consciousness, and finally succeeded in walking back to her home.

There is great misery in the country in consequence of the failure of the crops and the bad state of the finances of the Bey; and now this epidemic falls with crushing weight upon the people and government. The number of reported deaths per day has not yet exceeded 30, and there is reason to hope and believe that the country is not destined to be ravaged this year as when this disease made its last visit here 17 years ago.

* * * * *

Very respectfully, your obedient servant,

AMOS PERRY.

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

Mr. Perry to Mr. Seward.

[Extract.]

No. 128.]

UNITED STATES CONSULATE,

Tunis, June 28, 1867.

SIR: In my last despatch, I reported that in addition to the miseries occasioned here by the failure of the crops for two successive years, the cholera had come to add its terrible inflictions. Since writing that letter this epidemic has

extended over the regency and increased its force, taking the lives of many Europeans as well as natives of the country. Business has been of late, and is now to a considerable extent, suspended, and each person seems to be mainly solicitous in regard to his safety. Near me, one family of eight persons lost five of its members in three days; and another family of four persons was swept off in the course of five days. There is such a fear of the cholera as to invite its approach. The populace in their ignorance of sanitary rules often bring on death while trying to escape it. This morning I saw a robust Jew, 20 years of age, borne to his grave, who was only last evening boasting of his strength and fearlessness. There are several families in the city that encase themselves in their houses and treat everybody and thing outside as infected.

On the first appearance of the cholera the multitude crowded the steamers for Europe and flocked to the sea-shore, but the violence of the cholera on the sea-shore and in numerous villages soon drove back those who had resorted there for safety, and its appearance, attended with death, on board a crowded steamer bound for Leghorn, has checked the zeal to embark for Europe. The regular steamers have now for two weeks refused to take passengers, and it is only by chartering a special steamer that any one can get away.

* * * * *

Very respectfully, your obedient servant,

AMOS PERRY.

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

Mr. Perry to Mr. Seward.

[Extract.]

No. 129.]

UNITED STATES CONSULATE,
Tunis, July 6, 1867.

SIR: Since my last despatch the general health of this city has decidedly improved, though the accounts from the interior of the regency are far from being satisfactory. The cholera has appeared in very many villages, among some wandering tribes and in the army of the Bey, though it is by no means so destructive as in former years.

* * * * *

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

AMOS PERRY.

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

Mr. Perry to Mr. Seward.

[Extract.]

No. 130.]

UNITED STATES CONSULATE,
Tunis, July 13, 1867.

SIR: * * * * *

Since my last despatch the sanitary condition of this city has undergone several sudden changes, generally attributed to the direction of the wind. The desert wind, called *the sheely*, which is dry and hot, is regarded as healthy, and during its prevalence scarcely a case of the cholera is said to occur; while the cool and refreshing breezes whose presence ordinarily afford pleasure, bring on con-

tagion and death. As an illustration, last Tuesday was as cool as an April day, but over 200 deaths by the cholera were reported; while yesterday we had a scorching *sheely* and not a case of the cholera was reported.

My attention has been called to many cases of partial insanity, induced by the fear of the cholera. One official personage in this city was thus rendered incompetent to discharge his regular duties. His spirit was darkened, and his powers of mind and body partially paralyzed. This effect, however, is said to be oftenest seen among females who pass their time in brooding over imaginary troubles.

* * * * *

Very respectfully, your obedient servant,

AMOS PERRY.

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

Mr. Perry to Mr. Seward.

[Extract.]

No. 131.]

UNITED STATES CONSULATE,

Tunis, July 27, 1867.

SIR : * * * * *

The sanitary condition of the city and country is still unsatisfactory. It seems impossible to obtain reliable information in regard to the number of attacks and deaths by the cholera. The disease has been shorn of many of its terrors by prompt medical assistance and careful nursing. Very many of those now attacked recover. An approximation to the number of deaths is sometimes reached by stationing men at the gates of the city, and at the cemeteries within the walls, to count the dead carried out of the enclosure or buried within it. Suffice it to say that morning and night many persons are borne to their final abode, and grave-diggers and doctors are in constant demand. Several temporary hospitals have been established where many attacked with the cholera are speedily borne and receive every attention for their relief and recovery. The hand of charity has also been freely opened for the suffering poor. Bread and soup are given to the hungry and famishing, and the sick and distressed are nursed and counseled free of charge.

While the reports from other parts of the regency are generally improving, the rage of the pestilence is not at an end. I saw a telegraphic despatch received this week from Media, which read thus: "Wife and mother dead; two sons attacked." Many similar statements have come to my knowledge.

Off among the mountains in the interior of the regency, quite another scene has been recently presented. The Bey's troops under Generals Zarrouk and Hashem have had an encounter with the Bedouins, and blood had been shed on both sides. A statement of the facts in the case I am unable at this time to give.

Very respectfully, your obedient servant,

AMOS PERRY.

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

Mr. Perry to Mr. Seward.

[Extract.]

No. 134.]

UNITED STATES CONSULATE,
Tunis, August 28, 1867.

SIR : A small pamphlet of 88 pages has just been published, entitled "Notices Abregeés sur la Regence de Tunis, par Charle Cubisol," a copy of which, through the courtesy of the author, who is our vice-consul at the Goletta, I hereby forward by mail to your excellency, and I am also authorized to draw from its pages such statements as may be likely to prove of interest to the department. Though Mr. Cubisol enjoys superior facilities for collecting commercial and statistical information, he reminds us that, on account of the difficulty and sometimes impossibility of strict accuracy, some of his statements are to be received only as an approximation to the truth. The following statements are drawn from his book :

The city of Tunis contains 100,000 persons, of whom 70,000 are Mussulmen, 20,000 Jews, and 10,000 Christians. The principal branches of industry in this city are the manufacture of woollen coverlids, of silk shawls and scarfs, of silk and woollen burnouses, and of red caps. The average annual importation to this city, by way of the Goletta, amounts to \$3,600,000, and the exportation to \$3,200,000. The total population of the regency is 2,000,000, divided according to their religion thus : Mussulmen, 1,929,000 ; Catholics, 25,570 ; Protestants, 20 ; Greeks, 410 ; Jews, 45,000.

The regular army of the Bey consists of 5 regiments of infantry, 15,000 men ; 2 regiments of artillery, 6,000 men ; 1 squadron of cavalry, 500 men ; marines, 1,000 men ; total, 22,500 men.

The irregular army consists of Korouglis, (soldiers of Turkish origin,) 6,000 men ; Zouaves, 2,000 men ; Spahis, (light-armed for scouts,) 4,500 men ; total, 12,500 men.

Total regular and irregular army, 35,000 men. The annual cost of the regular army is \$1,000,000, and of the irregular army \$125,000.

The Tunisian navy consists of steamships as follows :

Built of wood.—Frigate Sadakia, screw, 300 horse-power, 16 cannon, 350 men ; advice boat Essed, screw, 160 horse-power, 6 cannon, 80 men ; advice boat Begi, wheel, 140 horse-power, 6 cannon, 75 men.

Iron framed.—Sloop Mansour, screw, 120 horse-power, 8 cannon, 95 men ; advice boat Chedlia, wheel, 180 horse-power, 6 cannon, 75 men ; advice boat Beché, screw, 180 horse-power, 4 cannon, 75 men ; gunboat Hares, screw, 50 horse-power, 4 cannon, 65 men ; gunboat Makersi, screw, 50 horse-power, 4 cannon, 65 men ; transport Bourni, wheel, 30 horse-power, 15 men ; transport Sef, wheel, 30 horse-power, 15 men ; pleasure boat Barak, screw, 6 horse-power, 8 men ; aggregate, 1,246 horse-power, 54 cannon, 918 men.

Four wooden sail ships lie in the docks in a state of decay.

The annual expense of the navy and arsenal is estimated to be \$375,000.

Telegraphic wires, which extend nearly 400 miles in different parts of the regency, belong to a French company. The Tunisian government supplies the needful ground and houses for the offices, and the company is responsible for all its expenses. This telegraph affords easy communication with Algeria and with Europe via Biserta and Marsala, in Sicily.

There is steamboat communication between Tunis and Marseilles via Philippeville and Bona, and 48,000 letters and 24,000 journals are annually received at the post office in the French consulate by this route. There is also a weekly steamer from Genoa, via Leghorn and Cagliari, which brought to the Italian post office, in the year 1866, 25,000 letters and 8,000 journals.

Annual income of the Tunisian government.

Nature of the collections.	Piastres.	Dollars.
Taxes on products of the country sold at various markets in the regency.....	9,207,000	1,150,875
Taxes collected on different rents.....	4,445,000	555,625
Custom-house revenue.....	1,442,000	180,250
Taxes upon date trees in the Greered, Gabes &c.....	2,500,000	312,500
Taxes upon the olive trees of the Sahel, S'fox, Gerba and Gabes.....	2,500,000	312,500
Dime tax upon the olive trees of Tunis, Solimon, Menzel Bizenta, Zowan, Zebourba, &c.....	1,625,000	203,125
Taxes upon the same for the throne.....	450,000	56,250
Tax for the inspection of the trees.....	300,000	37,500
Dime tax upon the wheat and barley.....	2,100,000	262,500
Poll tax of 36 piastres each, upon 36,000 men.....	10,800,000	1,350,000
Rent of government lands.....	800,000	100,000
Taxes for investiture of 24 caids and 36 sheiks.....	7,245,000	905,625
Total.....	43,414,000	5,426,750

Annual expenses of the Tunisian government.

What the expenses are for.	Piastres.	Dollars.
Army.....	8,800,000	1,000,000
Arsenal and navy.....	3,000,000	375,000
The Bey and his retinue.....	2,000,000	250,000
The princes of the royal family.....	1,000,000	125,000
The ministers.....	1,000,000	125,000
The irregular army.....	1,000,000	125,000
The investiture of caids and sheiks.....	500,000	62,500
Various other provisions.....	3,500,000	437,500
Interest on various loans.....	19,200,000	2,400,000
Total expenses.....	39,200,000	4,900,000
Total income.....	43,414,000	5,426,750
Annual balance in favor of government.....	4,214,000	526,750

* * * * *

Very respectfully, your obedient servant,

AMOS PERRY.

Hon. WILLIAM H. SEWARD,

*Secretary of State Washington, D. C.**Mr. Perry to Mr. Seward.*

[Extract.]

No. 135.]

UNITED STATES CONSULATE,

Tunis, September 3, 1867.

SIR: I have the honor to acknowledge the receipt of despatch No. 31, of July 25th, 1867.

The cholera seems to have completed its ravages in this regency. It began in the middle of March, in so mild a form as to be scarcely recognized till the middle of May. Its first appearance was in a village on the sea-shore, where

it was supposed to have been brought by Sicilian smugglers. The physicians sent to visit the sick and report upon the nature of the disease did not give a distinctive name to the epidemic. Only surmises and fears were entertained. Soon a strange disease appeared in the city, making isolated attacks, many of which proved fatal, especially among children. It continued till the middle of June, without a fixed name, when it was declared to be the Asiatic cholera. It then assumed considerable force, and continued its ravages, varying from day to day, and from week to week, until the middle of August, when it suddenly ceased to be an epidemic, and has since appeared only in isolated cases. The number of deaths from the cholera are variously estimated. The following figures may be regarded as an approximation to the truth: Deaths in Tunis, 6,000; in the cities along the coast, 12,000; in the cities and among the tribes in the interior of the regency, 20,000; total deaths, 38,000, and probably twice this number were attacked by the cholera.

The present sanitary condition of the city and country is pronounced to be good, and already some consuls have begun to issue clean bills of health, though no steamers have yet taken away any passengers, and 15 days' quarantine are imposed upon all who come from or go to Italy.

The rain fell copiously two days last week, cooling the air, enriching the ground, and encouraging the hope of a good crop of olives this season, and of grain the coming year. Several other causes combine to produce a cheerful public sentiment; the price of grain has greatly fallen within a few weeks; the restoration of good relations between the Bey and the Gebelli tribes gives great satisfaction, and the return of three steamboat loads of the wealthiest class of Tunisian residents, who fled to Europe at the breaking out of the cholera, affords pleasure to their friends and employment and succor to dependents.

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Very respectfully, your obedient servant,

AMOS PERRY.

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

ARGENTINE REPUBLIC.

Mr. Asboth to Mr. Seward.

No. 17]

LEGATION OF THE UNITED STATES,
Buenos Ayres, December 15, 1866.

SIR: I beg leave to report, in relation to the war between Paraguay and the allies, that since the sanguinary repulse of the allied armies on the 22d of September ultimo, at Curupaiti, near Humaitá, on the left bank of the river Paraguay, no engagement of any importance has marked the course of events.

The loss in that battle was over six thousand (6,000) on the part of the allies, while the loss of Lopez was not more than two hundred, (200.)

Lopez holds his position at Paso-Pucü, three miles in advance of Curupaiti, while the allies, separated from him by the swamps of the Estero Bellaco, are intrenched east and west of them at Curuzú and Tuyuti, at a circuitous distance of about ten (10) miles from each other, but only two and a half ($2\frac{1}{2}$) miles from the enemy's advanced position.

Enclosed, marked A, you will please find, relative to the seat of war, a topographical sketch published September 30th, in the *Nacion Argentina*.

The Paraguayans are as indefatigable as ever in fortifying their lines, and at the same time continually reduce the ranks of the allies by shelling and harassing them day and night. The allies suffer, also, a great deal from want of proper food and the insupportable heat, (120° Fahrenheit in the shade,) in their unhealthy marshy camps, and are losing large numbers in consequence of it from various diseases, especially from intermittent fever, (chucho or Paraguayan fever,) and from black small-pox.

Meanwhile active recruiting continues in all the countries concerned. The Argentine minister of war left in person for the interior provinces to raise a new contingent, but as the war is becoming daily more unpopular, it is a delusion to expect volunteers; neither will money induce the natives to join the decimated ranks of the army, and coercion seems to prove as inefficient, the papers reporting constantly armed resistance on the part of those apprehended by the recruiting parties.

Any impartial observer of the affairs here is forced to the conclusion that the Paraguayan war is ruinous in its effects, morally-as well as materially, causing mourning in thousands of families; no wonder, then, that there is a growing impatience for its speedy termination all over the Argentine Republic.

A revolution of a formidable type concocted in the four provinces of Cuyo, viz: Rioja, San Luis, Mendoza, and San Juan, for a simultaneous rising on the 22d of October, ultimo, was stifled by the timely information of Lieutenant Colonel Don Marcelino Quiroga, of San Juan, to Governor Rojo; nevertheless in Mendoza a bold and triumphant uprising occurred on the 9th of last November, the existing government was overthrown, and the governor, Don Milton Arrojo, fled for his life, while the resisting officers and citizens had fallen victims to their loyalty.

General Paunero was ordered from here against the insurgents, and is organizing adequate forces in Santa Fé and San Juan to subdue the rebel "federals," already three thousand (3,000) strong, under command of Colonel Videla, of veteran experience. He (General Paunero) succeeded in capturing a transport

of arms (800 muskets, 600 sabres, and 600 lances) intended for Mendoza, while the rebels intercepted most of the despatches of the government and are making a general levy of cattle, horses, and stores.

According to latest advices, there is also in Cordova a very bad feeling against the national government; while General Urquiza, the renowned and wealthy governor of Entre Rios, has ordered his contingent home, as he says, for the security of his own province.

The few Uruguayans still in the field are urging General Flores to recall them also, and their term of service having expired, the dictator will hardly be able to keep them longer from their homes.

Here in Buenos Ayres, as well as at Montevideo, bounty brokers are enlisting foreigners, mostly sailors, under false pretences, which, however, does not prove very successful, and is a great annoyance to all the representatives of foreign powers.

In Brazil recruiting is conducted with more practical result. The presidents of all the provinces are actively engaged in it; the bishops are inflaming patriotism by pastoral letters; the money aristocrats are paying large sums to volunteers, and all those of the middle class, who are in danger of being called upon to serve in the army, and who can raise the needful, buy up native blacks and mulattoes and give them their freedom on condition of serving as a substitute for the purchaser. Although this is a somewhat limited freedom given to the poor slaves, under the obligation to risk their lives in Paraguay, nevertheless it is the first step towards the abolition of slavery in Brazil.

Thus recruits are continually pouring to the seat of war; and besides, General Osorio is busily organizing an army of reserve in the province of Rio Grande, with the view of crossing the river Parana at Candelaria and attacking the Paraguayans at Villa Rica. In enclosure B you will please find an extract from to-day's standard, containing a very severe allusion of the Brazilian Constitutional of Ouro Preto to the draft of twelve hundred (1,200) more national guards from Minas.

A careful estimate of the losses in battle and in hospitals during this unfortunate war gives the following returns, viz:

Paraguayans	36,000
Brazilians	35,000
Argentines	10,000
Uruguayans	1,500
	<hr/>
Total loss	82,500
	<hr/> <hr/>

Eighty-two thousand five hundred men, which is certainly an enormous loss for those thinly populated states, and will greatly retard their progress in civilization and industry for the development of their natural wealth, as well as their advance in agriculture and commerce, the life and soul of young countries. They are all losing men, money, and credit; and, besides, the Argentine and Uruguayan republics are daily becoming more and more indebted to Brazil, the gold of which Empire is flowing in streams.

I have seen published the statement of a Brazilian senator, Señor Paranhos, made before congress in session, on the 24th of July ultimo, in the following words:

The army costs seventy-nine thousand (79,000) patacons per day, [a patacon being equal to a United States gold dollar.] As regards the cost of the navy there is nothing known; but taking the estimates of 1864, 1865, and 1866, I believe our navy costs the fifth part of the above, which is, say, sixteen thousand (16,000) patacons per day; added to the 79,000 patacons, makes ninety-five thousand (95,000) per diem, or 4,000 patacons per hour.

Since then expenses in regard to army and navy have considerably increased, (new iron-clads, new armies, &c.) and it is supposed the disbursement to-day of Brazil cannot be under 150,000 patacons per diem.

The exact amount of the Argentine disbursements I cannot say, since we have not men here in Congress who had the courage of the Brazilian senator; but it is believed \$1,000,000 currency per day, equal more or less to 45,000 patacons, must be near the mark; and if we add all these sums to the enormous amount already disbursed, we can judge what the treasury of the allies may have suffered in the present war, and especially what financial compromises must have been made to Brazil by the Argentine and Uruguay republics, which no doubt one of these days they will have to repay with interest, or treaties humiliating and disgraceful.

The present strength of the allied army is estimated as follows :

Brazilians	30,000
Argentines, including Paraguayan prisoners compelled to take up arms against their brothers	7,000
Uruguayans, or more correctly Paraguayan prisoners under command of Uruguayan officers	500
	<hr/>
Total strength	37,500
	<hr/> <hr/>

Thirty-seven thousand five hundred men, of which 25,000 are at Tuyuti.

The Paraguayan strength is estimated from 30,000 to 50,000 men, and taking into consideration that Lopez is on his own ground, with veteran volunteers, fresh from successes, and that he holds the most advantageous positions, strong by nature and well-fortified by art, while the allies, with soldiers merely by compulsion, and discouraged by recent defeats, have to fight far from their resources in the enemy's country, under a burning sun, it becomes evident that nothing will and can be attempted by the allies till largely re-enforced. However, the Emperor is firm in his determination, and his new commanders of army and navy being eager for glory, will no doubt be soon again ready to press forward.

The Marquis of Caxias is the new commander-in-chief of the Brazilian forces, and General Argollo has been ordered to Curuzú to take command of the army of the famous Baron Porto Alegre, who is on his way to Rio.

The steam transport *Isabella*, with the Brazilian Admiral Joaquin José Ignacio and 600 marines on board, has just arrived at this port. She brings also a great balloon to reconnoitre Lopez's quarters.

The new admiral will relieve the much-abused Viscount Tamardaré, and is expected to immediately attack Curupaiti and Humaita, without regard to additional losses of men, saying, as reported, "that if the honor of Brazil demands that they should perish, then down they shall all go."

Another Brazilian iron-clad, the *Silvado*, has also arrived at Montevideo, where the reserve naval squadron is being formed.

There are now in the Montevideo harbor two Brazilian iron-clads, two frigates, and several smaller men of war, seemingly with a view to protect, but at the same time to control Dictator Flores, who has postponed, by decree of November ultimo, the constitutional elections of the legislature, for one year to come.

It is suspected that the Brazilian squadron off Montevideo is meanwhile watching for an opportunity to occupy, under some pretext, the Argentine island Martin Garcia, which is the key to the navigation of the Plata and Uruguay rivers.

The Spanish squadron has also arrived at the river Plata, to look up the Chilean cruisers, which are now expected on these coasts.

President Mitre is expected to return to Buenos Ayres on account of ill health; neither can his position with the army at present be satisfactory to himself, the Marquis de Caxias being de facto the commander-in-chief.

Brazil having during the last two years organized a standing army, and having in the Paraguayan waters a powerful fleet of over 30 war steamers, including eight iron-clads, she seems now to be anxious to free herself of the Argentine alliance, feeling, as she does, strong enough to continue alone the war, and in case of success keep Paraguay and Uruguay, with a further desire for Entre Rios and Corrientes, in order to have the boundaries of Brazil in the south brought to the La Plata and Parana rivers, and at all events to become the controlling power in those waters, the mighty arteries of South American commerce, neither of the La Plata republics having any marine to oppose.

In anticipation of such possibilities the pacific republics of Chili, Bolivia, Peru, and Ecuador, after having protested in vain against the "triple alliance" and its secret treaty, as reported by Consul Helper under date of the 24th August ultimo, had also offered their mediation to the Argentine government; but after long delay they received last October only the reply "that the Argentine Confederation could neither decline nor accept the offer, she being allied to Brazil and Uruguay."

Thus the international affairs of the whole continent of South America are becoming daily more complicated, and especially in the La Plata republics a convulsive crisis is imminent.

Rumor says that England and France have determined lately to put an end to the Spanish as well as the Paraguayan war. European mediation, however, would hardly secure the true interests of the South American republics, and the only hope of their distressed people at large rests with the United States.

By next mail I expect to be able to forward a more detailed sketch of the present political troubles here, especially with reference to the overwhelming influence of Brazil and its intended bearing in future.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

The *Constitucional* of Ouro Preto, an organ of the opposition, writes thus respecting the draft of 1,200 more national guards from Minas:

"And you, poor people, prepare to re-enforce our decimated army. The government has obtained from your representatives permission to hunt you, notwithstanding the proximity of the elections. The settlers that are to start the game are already howling. You are going to pay very dear for the incapacity and criminal negligence of a corrupt government. Your sons, your brothers, your relations, your friends are about to be imprisoned, chained, handcuffed, and taken in lots to the slaughter, after a prolonged journey they will perform, ragged, hungry, thirsty, and beaten with the sticks and boards of their cruel conductors. The cattle that go to the slaughter go loose and at will, and the drovers seek the best pastures for them. You, however, who are conducted like cattle to the slaughter, don't they take you loose and at will like the cattle, and don't they procure good food for you? Oh, of course! After you get to the slaughter, if an enemy's ball do not charitably come to end the series of your sufferings; if perchance a badly-aimed ball, a disastrously managed sword tears your breast or severs a member without causing death, you are, after a day or two of abandonment and exposure, taken to the hospital, where no one cares for you, either through absence of a doctor, or for want of lint and medicines, or for want of charity. If, notwithstanding all these martyrdoms, you do not succumb, if you leave it lame or amputated, they give you dismissal, and your commander declares to you without equivocation that you can no longer be fed by the nation which has no more service to expect from you. Mutilated, ragged, farthingless, reduced to misery, you either die in a foreign land, far from the country you love so much, to which you send your last thought, for which you courageously shed your blood, or you go begging along the roads, enduring hunger, suffering now cold, now the rigors of a burning sun, sleeping in the open air, on the way to your country, where you are received by your own with tears of grief and despair."

Mr. Seward to Mr. Asboth.

No. 16.]

DEPARTMENT OF STATE,

Washington, December 20, 1866.

SIR: It is known to the belligerents that the war which has for some time been carried on between Paraguay on the one side, Brazil, the Argentine Republic, and Uruguay on the other side, is attended with deep concern to the people and government of the United States. On more than one occasion the President has called the attention of the belligerents to this interesting fact, and has tendered such good offices as seemed practicable with a view to bring about a pacification. These tenders have not hitherto been definitely accepted by the parties. The House of Representatives, concurring with the sentiments of the President, on the 17th of December instant, adopted the following resolution:

Whereas wars, destructive of commerce and injurious and prejudicial to republican institutions, have for some time been carried on between Spain and several of the South American states on the Pacific coast, and also between Paraguay and Brazil, Uruguay, and the Argentine Republic on the Atlantic coast: Now, therefore,

Resolved, That it be, and hereby is, recommended to the executive department of the government that the friendly offices of this government, if practicable, be offered for the promotion of peace and harmony in South America.

The President is thus called upon by the most numerous branch of the legislative department of the United States government to renew the efforts which he has heretofore made.

I have, therefore, the honor to submit, by means of this circular letter, to the several parties concerned the following proposition on the part of the United States:

1st. That a commission be held in the city of Washington, on such day convenient to all the belligerent parties as they shall appoint, to consist of plenipotentiaries of Paraguay, Brazil, the Argentine Republic, and Uruguay, authorized to treat of all matters in difference between the belligerent parties jointly and severally, and to consider and agree upon terms of a permanent peace, which shall be equal, just, and honorable to all the belligerents.

2d. That Paraguay shall appoint one of said plenipotentiaries and each of the allied belligerent powers before named shall appoint one; but each of the said allied belligerents may, if it choose, confer its powers upon a plenipotentiary who shall be named by any other of these belligerents, so that it shall be within the option of the allied states to appear either by one or more plenipotentiaries.

3d. That each of the plenipotentiaries may act under the direction of the government or governments by which he is appointed; that no resolution of the conference shall be effectual or obligatory for a determination or suspension of the war or the establishment of peace unless agreed to by all the members of the conference, and to be afterwards sanctioned and ratified by the governments of each and all the belligerent parties; and that in any protocol or other paper which the conference may think it expedient to submit to their respective governments or to the President of the United States, the representative of Paraguay may act on her part, and a majority of the plenipotentiaries of the other belligerent powers on their part.

4th. That the President of the United States will designate some person to attend and preside in such conference and use good offices in the forms of information and advice in facilitating the objects thereof, but he will have no power to vote therein, or to assume any obligation on the part of the United States.

5th. The President of the United States will, in case of disagreement of the plenipotentiaries, designate some state or sovereign, not the United States nor one of the belligerents, to be an umpire to decide all questions which shall be referred to him by the conference, and the decision of that umpire, he consenting

to act as such, shall be made upon the protocol and other documents and proceedings of the conference, and shall be conclusive and binding upon all the parties.

6th. The expenses of each plenipotentiary attending the conference will be defrayed by the state by which he is appointed. The conference will have accommodations, as to a place for transacting its business, furnished by the President of the United States.

7th. An armistice shall take place so soon as all the belligerent states shall have communicated to the government of the United States their acceptance of these propositions, and shall continue until the termination of the conference.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

No. 2.]

Mr. Asboth to Mr. Seward.

LEGATION OF THE UNITED STATES,
Buenos Ayres, January 7, 1867.

SIR: I have the honor to report that a new currency bill for the province of Buenos Ayres, having duly received the sanction of both legislative chambers, has been promulgated as law, on the 4th instant, by the provincial executive. It reads as follows:

ARTICLE 1. The Provincial bank is authorized to give 25 paper dollars for every patacon presented to be changed.

ART. 2. It is also authorized to give the amount of specie so received at one patacon for 25 paper dollars.

ART. 3. If paper money should go above 25 to the patacon, and that the bank have paid away all the specie received in exchange for the amount of the present emission, the bank shall still continue to give gold at 25 paper dollars to the patacon, as far as its reserve of specie will go.

ART. 4. Parties indebted to the bank or the state can satisfy their debts indifferently in gold or paper money at \$25 [moneda corriente] per patacon.

ART. 5. The Provincial bank may emit as much paper money as will be requisite for fulfillment of this law.

ART. 6. The executive is authorized to receive proposals for conversion of the paper currency, and submit same in the most convenient form for the consideration of the legislature.

Messrs. Madero and Camman have been named to take charge of the new exchange office, which will commence operations this day, at the Provincial bank.

This bill, intended to put an end to the ruinous fluctuation of the paper dollar, has met with a strenuous opposition from some of the interested parties, principally those whose means of livelihood depended on the purchase and sale of gold on commission, and speculators in the same, but seems to meet with the approval of a great majority of the merchants, and of the public at large. If the directors of the bank exercise with caution the powers vested in them by article 5 of the new law, the measure will be a great boon to the commerce of this city; but if by extreme emissions they flood the market with paper money, patacons will of course run up, and the fluctuation in the exchange of gold be worse than ever.

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

A. ASBOTH.

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

Mr. Asboth to Mr. Seward.

[Extract.]

No. 4.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, January 11, 1867.

SIR: With reference to your despatch No. 12, Washington, October 15, 1866, declaring the willingness of the United States government to give their good offices, if asked for, towards the termination of the ravages of the Paraguayan war, I beg leave to inform you, in connection with my report No. 3, A. C., that having received on the 31st December ultimo, from Señor Dr. Don Rufino de Elizalde, the Argentine minister for foreign affairs, the assurance that the official despatches for the honorable Mr. Washburn had duly reached their destination, and having thus acquired the certainty that Mr. Washburn also was in possession of the views entertained by the United States government on this subject, I hastened to address on the following day a note to the Argentine minister for foreign affairs, the full contents of which I have the honor to give here, as follows:

LEGATION OF THE UNITED STATES,
Buenos Ayres, January 1, 1867.

SIR: The United States government, which I have the honor to represent, believes that its good offices might be acceptable towards bringing the war between the allies and Paraguay to a satisfactory termination. Although the United States have never been eager to interfere in controversies abroad which lead to wars, or in accepting the part of mediator for the purpose of arresting hostilities, they have a natural desire, as an American power, that peace should prevail in this hemisphere wherever it can be maintained consistently with the honor and interest of the countries, whatever may be the form of their government.

By indulging this desire so far as to aid in restoring tranquillity to the boundless region of the La Plata and Parana, so much favored by Providence, the United States would not, it is conceived, justly incur a charge of uncalled-for intermeddling; if, however, all or either of the contending parties shall ask for the good offices of the United States, they will be bestowed with a full appreciation of the delicacy and responsibility of the trust, and with a single desire to render impartial justice and to terminate the ravages of war.

I am instructed to make known these views to your excellency, and to inform the State Department at Washington of the manner in which they are received by the Argentine government.

Instructions to the same effect have been addressed to the United States ministers accredited respectively to the governments of Brazil and of Paraguay, and while trusting that your excellency will be pleased to receive the above sentiments as an additional proof of the sincere wishes of the United States for the lasting prosperity of the Argentine Republic, I beg leave to assure you that it would give me the utmost satisfaction to inform my government, in return, that its anxiety to assist in smoothing the troubled waters in South America was responded to by Argentine government, through your excellency, in the same conciliatory spirit as that evinced by the government of the United States.

The bonds of sympathy and common interests which so happily prevail between the United States and the Argentine Republic will be drawn still closer when all the American sister republics shall be at peace, and the United States government will certainly neglect nothing to secure permanently to both the American continents the mutual advantages of lasting friendship.

I seize the present occasion to offer to your excellency, personally, my renewed assurances of the high consideration with which

I have the honor to be your obedient servant,

A. ASBOTH.

His Excellency Señor Dr. DON RUFINO DE ELIZALDE,
Minister for Foreign Affairs.

Although no reply to this note has reached me up to this moment, owing as I believe to the desire of the Argentine government to secure beforehand the benefit of President Mitre's advice, who is still absent at the seat of war, as commander-in-chief of the allied armies; nevertheless, since the French mail steamer Carmel sails to-morrow, I have deemed it proper to forward by the present a preliminary report of the action already taken by me, in pursuance of the instructions received.

I have also advised General Webb, our minister in Rio de Janeiro, of my pro-

ceedings in this matter; nor have I neglected to inform in time the honorable Charles Washburn of the step I was about to take, as mentioned in my report No. 3, above alluded to.

From the tenor of Mr. Washburn's letter, dated 25th December ultimo, I judge that the Paraguayans, although not discouraged, but rather determined to hold out to the last, would welcome a mediation of the United States. In the Argentine Confederation, all the people, especially those in the interior provinces, are clamoring for peace. The Mendoza revolution, reported under No. 17, series 1866, is daily spreading and becoming more and more serious; the federal party, which publicly claims the countenance of the renowned General Urquiza, and is supported from Chili with war materials and money, has under arms, in the province of Cuyo, a numerical superiority of men to those which General Paunero, the commissioner of the national government, can oppose to them.

In the presence of such a state of affairs, the readiness of the United States to assist in restoring peace, having somehow found its way through the government officers to the daily press, the general satisfaction at the probability of such an event is only restrained from an open manifestation by the fear that the Argentine government, hampered, as it must be by the "secret treaty" and its many obligations to Brazil, may have some difficulty in arriving at a decision that will, without further clash of arms, lead to an honorable as well as satisfactory termination of this disastrous war. * * * * *

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Asbosh to Mr. Seward.

[Extract.]

No. 6.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, January 22, 1867.

SIR: In connection with my report, No. 17, last series, I have the honor to inform you that, since then, no change of any importance has taken place with regard to the Paraguayan war. However, Admiral Ignacio, the successor of Viscount Tamandaré, is actively engaged preparing to resume operations.

In anticipation of this, a naval reconnoissance was resolved upon. The four iron-clads, Bahia, Tamandaré, Barroso, and Colombo, ascended the river at dawn of the 5th instant, and opened fire on Curupaiti, whilst the Brazilian admiral himself, on board the Magé, attempted to enter Lake Piris with the gunboats Araguay and Iguatemy and the floating batteries Coimbra and Mercedes, but was baffled in his attempt, owing to obstacles in the mouth of Lake Piris.

The Paraguayans were at first withholding their fire, evidently awaiting for the evening's approach, but then they opened on both the fleet and the Brazilian land batteries, so effectually that Admiral Ignacio was compelled to signal his vessels to haul off and return to their previous anchorage.

One of the finest river steamers, the Eponina, used as a Brazilian floating hospital at Curuzu, was completely destroyed by fire. She had on board over 200 sick soldiers, just embarked for Corrientes, of which about 30 perished.

The much hoped for balloon, intended for reconnoitring Lopez's position, was burnt in the allied camp, and it is announced that its unfortunate constructor, a Frenchman, has been tried as a Paraguayan spy and convicted and sentenced to be shot. It appears that he passed from Paraguay to Rio, and contracted for £3,000 to make his balloon and reconnoitre the enemy's camp;

but the charge against him in reality is that he conspired to blow up the whole allied park of artillery, ammunition, &c., &c.

The land forces under General Mitre, whose health is improving, are still in their encampment at Tuyuti, and nightly skirmishes occur, in which both parties lose more or less men.

The sanitary condition of the allied troops continues to be bad, owing to the excessive heat and drought, and their losses by sickness, as well as by desertion, are considerable.

Meanwhile, recruits are continually arriving from Brazil, and General Osorio also is stated to be ready to leave Rio Grande with his new reserve for Candelaria, on the Parana.

In the Argentine Republic, however, recruiting, at no time easy, is becoming daily more difficult; only two small contingents from the interior have arrived lately in Rosario, on their way to the seat of war, barely amounting to 500 men altogether, and of these a portion mutinied and decamped, after sacking the police barracks of its arms.

In Montevideo the recruiting by force does not prove more efficacious, as all natives, liable to military service, try to escape; but many of the poor Paraguayan prisoners, taken at the surrender of Uruguayana more than a year ago, and who had been set at liberty on parole, are now laid hold of and obliged to swell the ranks of the allied army.

Besides, convicted criminals have, in all the countries that are parties to the "triple alliance," a fair chance of fighting for humanity. According to the Anglo-Brazilian Times and other Rio Janeiro papers, again 793 Brazilian convicts were released from prison, on the Fernando Noronha island, and enrolled in the army, to civilize Paraguay.

It is currently reported that Marquis de Caxias boasts he will be back in Rio de Janeiro next May, to give an account to his Emperor of the subjugation of Paraguay. I have not much faith in his military genius, neither do I expect that he will surpass Polidoro in vigor and dash; but it is beyond doubt that Brazil, with its ample means, can hold out longer than Paraguay, small as it is, comparatively, and isolated from all external resources; and that the latter, if not saved by the mediation of the United States, will fall through exhaustion. The anticipation given in my report above alluded to, as well as in a subsequent one, No. 4, that in the La Plata republics a convulsive crisis was imminent, and that General Paunero would have to contend, in the provinces of Cuyo, with a force superior in number to his own, were correct. The Mendoza revolution is spreading with fearful rapidity.

The federal party, availing itself of the manifest discontent that is prevalent in the interior provinces against the Paraguayan war—a war as inglorious for the future as it is barren of results in the present—has boldly raised the standard of a reactionary movement. The men who headed the revolt at first declared that their object was solely to change the local authorities, but they have now thrown off the mask, and openly proclaim their intention to overthrow the present national government, and their acts show that they are in earnest.

At the beginning of this month Don Carlos Juan Rodriguez, the revolutionary governor of Mendoza, with Colonel Videla, at the head of 2,000 men, invaded the neighboring province of San Juan, and on the 5th instant met, near the town of San Juan, at a place called Pocito, the united forces of the provinces of San Juan and Rioja, 1,500 strong, commanded by Colonel Campos, governor of the latter province, and, after exchanging a few shots, the majority of Campos' men passed over to the federals, and the governor himself, abandoning all his artillery, ammunition, &c., barely escaped with a few of his followers, and only, after an exhausting march of five days, succeeded in reaching General Paunero's force, at San Luis. Meanwhile, the revolutionary army made its trium-

phant entry into San Juan, and Governor Rojo, having already fled, also in the direction of San Luis, Don Ignacio Flores, a wealthy federalist, was appointed governor.

Rumors are current of a reactionary movement having also taken place in the northern province of Tucuman, accompanied by much effusion of blood. To meet the occasion, the national government has published two decrees, copies of which I beg herewith to enclose, marked A, the first proclaiming rebels and traitors to the nation all who had taken part and should aid or abet the revolution begun in Mendoza on the 9th November, ultimo, and the second calling out the national guard of the City of Buenos Ayres, and ordering their presenting themselves at their respective headquarters within three days from the publication of the decree, under penalty of being treated as deserters. In the same enclosure, A, you will please find, also, a circular of the national government to the provincial governors, calling upon them to co-operate in the suppression of the rebellion with all the means at their disposal. Simultaneously the editors of three local opposition papers, *La Palebra de Mayo*, *Union Americana*, and *Republica* (evening paper,) have been arrested and sent prisoners on board the guard-ship in the outer roads, and yesterday the above-named papers were suppressed by order of the national government. * * * * * Several other arrests have also been made of persons of standing and undoubted patriotism, but known to belong to the federal party, and whose disaffection to the present government and hatred of Brazil was public and notorious. No charge whatever has been brought against any of those arrested, and only the fact that the whole republic was declared by congress (although in violation of the constitution) in a state of siege, at the commencement of the Paraguayan war, can somewhat palliate this otherwise arbitrary proceeding.

It is authoritatively announced that President Mitre's own brother, General Emilio Mitre, will be at once sent from the army at Tuyuti with from 3,000 to 5,000 soldiers of the line, to co-operate with General Paunero in restoring order in the interior. This will reduce the Argentine contingent to an insignificant force, and, under these circumstances, it would seem that the wisest course the Argentine government could follow would be to accept at once the proffered, and by the public much longed for, mediation of the United States.

* * * I beg to forward extracts from the daily papers of Buenos Ayres, urging not only the advisability but the pressing necessity of making peace through the mediation of the United States, and beg more particularly to call your attention to extract No. 4, from the *Republica* (morning paper) of 17th instant, and No. 5, from the *Pueblo* of to-day. In fact, all the people of the Argentine Confederation, except those who supply the wants of the army, earnestly wish for peace with Paraguay.

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

A. ASBOTH.

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

P. S., January 24.—To-day's *Pueblo* * * * says that three steam transports with Brazilian troops, destined for the army, have been detained yesterday in Montevideo, with orders to disembark. This, in connection with the simultaneous arrival in this city of the Brazilian minister extraordinary, Dr. F. Octaviano, I consider as a precautionary measure on the part of Brazil for a safer control over the events that may arise out of the present critical state of political affairs here.

ASBOTH.

THE WAR OF THE ANDES—IMPORTANT DECREES OF THE NATIONAL GOVERNMENT—THE CITY NATIONAL GUARDS CALLED OUT.

MINISTRY OF INTERIOR, BUENOS AYRES,
January 19, 1867.

Whereas the national government has received official information to the effect—

1. That the rebels who overturned the government of Mendoza on the 9th of November have completely thrown off the national authority, committing every kind of outrage against the law; arming and equipping a considerable force even after they had official notification that the national government sent a special commissioner at the request of the fallen administration; preventing the exercise of federal law in that territory; violating and seizing the mail-bags; sending armed bands into the neighboring provinces; invading San Juan in great force; attacking the federal and provincial troops there stationed; upsetting the lawful authorities of the place; outraging all law and order, and abandoning to the most unbridled excesses the free and enlightened institutions of the country.

2. That a band of filibusters under Felipe Varela has invaded our western provinces, to stir up a rebellion, openly declaring the intention to overthrow the federal government, as the object of their criminal crusade.

3. That rebel bands have simultaneously sprung up in Rioja, and begun their career with the usual depredations, but assuming this time a political character in close connection with the aforesaid rebels.

Moreover seeing—

1. That these proceedings by the Mendoza rebels deprive the movement of a purely local character as at first supposed, while the combination of events already stated shows it to be a general rebellion and wide-laid plan to subvert the government and constitution.

2. That one of the objects of the rebellion is to draw off the attention and resources of the government from the war in Paraguay, and by this means lend efficacious aid to the foreign enemies of the republic.

3. That it behooves the government clearly to define the position of the rebels, and to at once restore the provinces and people to the enjoyment of peace under the protection of the national flag, using for this end all legal faculties and measures, and submitting the criminals to the rigor of the law:

The vice-president of the republic, in exercise of the executive, and by virtue of his faculties, hereby declares—

1. All individuals who may have taken part already, or shall hereafter do so, in the deeds of the Mendoza rebels, since the 9th November, 1866, as also those who accompany Felipe Varela, or shall hereafter join his band: the authors or accomplices of the revolt in Rioja, and all who in any part of the republic deliberately concur or aid in the present revolutionary movement, shall be considered as rebels and traitors to the republic, and brought before the federal tribunals to be dealt with in all the rigor of the law.

2. The respective ministers of state shall take the proper steps to enforce this decree, and communicate it for this purpose to the various governors of provinces.

PAZ.

WILLIAM RAWSON.

RUFINO DE ELIZALDE.

EDUARDO COSTA.

LUCAS GONZALES.

JULIAN MARTINEZ.

DECREE.

BUENOS AYRES, *January 19, 1867.*

In fulfilment of the above manifesto of the national government, the vice-president of the republic, in exercise of the executive, hereby ordains and decrees—

1. From the promulgation of this decree the national guards of the city of Buenos Ayres shall be put in barrack and placed under drill.

2. Any national guards not presenting themselves within the term of three days at their respective barracks, will be treated as deserters and punished as such.

3. Any national guards not actually enrolled may enrol themselves within that term; and failing to do so will be punished in like manner.

4. The minister of war and marine shall take the necessary steps to carry out this decree.

JULIAN MARTINEZ.

PAZ.

MANIFESTO OF THE NATIONAL GOVERNMENT—CIRCULAR TO THE PROVINCIAL GOVERNORS.

DEPARTMENT OF INTERIOR, BUENOS AYRES,
January 19, 1867.

In view of the events occurring in the province of Cuyo, the vice-president of the republic has issued the annexed declaration.

The turn of events shows clearly that it is not a local sedition merely calling for federal intervention, as we supposed when the fallen governor of Mendoza called for our aid, but a full-fledged rebellion in open hostilities, as appears from the acts and circumstances set forth in the vice-president's preamble. After desolating the province where the sedition arose, the rebels have audaciously invaded San Juan, fired on the national and provincial troops there upholding the national flag, expelled the lawful authorities, and delivered up to every kind of excess that unfortunate city which vainly confided in the protection of the constitution and of the national authorities.

We had reason to hope that those sad times were past and gone when the provinces were isolated from each other, and ferocious bands of marauders carried destruction and bloodshed in their path. We had confided in the reorganization of the republic under one common law and the direction of national authorities elected by the provinces themselves. We had trusted never again to see a repetition of those scenes of grief and desolation, when a band of lawless criminals trampled on towns and provinces, shedding the blood of the peaceful inhabitants, and destroying the fruits of the industry of generations.

But, unhappily, we are called on to witness these evils again. Some unnatural Argentines have formed the wicked design of upsetting the national institutions, and, counting on the necessary delay of the government in sending to chastise them, owing to their great distance from the seat of authority, have begun their plot with a local sedition, then spread terror and outrage far and wide, and finally broken down all barriers of law and order.

I have to call your excellency's attention to one special feature of this rebellion. The republic is at war with a foreign power that dared to insult our flag and profane our soil, and is now bound to come gloriously out of the struggle, not only for the vindication of our rights, but for the dignity of our nation, for the sake of the alliance into which the war has forced us, and for our good name among the nations of America and Europe, that are spectators of the war and friends to the progress of the republic.

The present rebellion has for its primary result to divert a portion of the nation's efforts from the sole purpose to which they should be devoted; the rebellion, therefore, lends the most efficacious help to the enemy, and does so avowedly. To combat the rebels amounts to the same as combating the Paraguayans within our own territory, and by putting down the rebels we destroy one of the most powerful aids of our common enemy.

The vice-president, by whose orders I pass you this note, desires that your government will use the utmost vigilance to prevent the rebels from finding a shadow of protection in your territory, and convince the inhabitants of their strict and solemn duties as citizens of the Argentine Republic. The vice-president does not fear that there exists in your province a single Argentine, of whatever political color, who will be an accomplice in this treasonable crime that the constitution hesitates even to name, but which is stamped with infamy by the legislative code. He trusts, however, that if a traitor be found in your province, your excellency will at once submit him to the penalties of the law.

Meantime the national government has taken measures to suppress the rebellion without delay, and free the unfortunate provinces from the horrible weight of calamities that now oppresses them.

Having now fulfilled the vice-president's orders, it only remains for me to assure you of my consideration and esteem.

WILLIAM RAWSON.

His Excellency the GOVERNOR of _____.

Mr. Asboth to Mr. Seward.

No. 7.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, January 27, 1867.

SIR: I had the honor to forward to your department in my report No. 4, of the 11th instant, the full contents of my New-year's day note to the Argentine minister for foreign affairs, relative to the willingness of the United States government to give its good offices, if asked for, towards the termination of the ravages of the Paraguayan war, and having received no official written reply, I

deemed it proper to address yesterday, on the same subject, a second note to Señor de Elizalde, the full contents of which I have the honor to append :

LEGATION OF THE UNITED STATES,
Buenos Ayres, January 26, 1867.

SIR: I beg leave herewith to enclose a duplicate of my note of the 1st instant, in which I had the honor to inform your excellency of the belief of the United States government that, by its friendly mediation, a pacific termination might be arrived at of the ravages of the war between the allies and Paraguay consistently with the honor and interests of the respective countries, whatever may be the form of their government; and that the United States government, though eager not justly to incur a charge of uncalled-for intermeddling, and certainly not, prematurely at least, to hazard an opinion upon the points of difference between the contending parties, could nevertheless, if all or either of them should ask for its good offices, bestow them with a full appreciation of the delicacy and responsibility of the trust, and with a single desire to render impartial justice.

At the same time, while manifesting to your excellency these sentiments of the United States government, I had the honor to acquaint you that I am under instructions to report to the State Department at Washington the manner in which its friendly offer was received by the Argentine government, and trusting that your excellency would be pleased to view the above sentiments as an additional proof of the sincere wishes of the United States for the lasting prosperity of the Argentine Republic, I took pleasure in expressing the assurance that it would give me personally the utmost satisfaction to inform my government in return that its anxiety to assist in smoothing the troubled waters in South America was responded to by the Argentine government, through your excellency, in the same conciliatory spirit as that evinced by the government of the United States.

I concluded by expressing the confident hope that the bonds of sympathy and common interests, which so happily prevail between the United States and the Argentine Republic, would be drawn still closer when all the American sister republics should be at peace, and that the United States government would certainly neglect nothing, on its part, to secure permanently to both the American continents the mutual advantage of lasting friendship.

A copy of this note I duly forwarded to Washington by the French mail steamer *Carmel*, on the 11th instant, with an explanation worded as follows:

“Although no reply to this note has reached me up to this moment, owing, as I believe, to the desire of the Argentine government to secure beforehand the benefit of President Mitre’s advice, who is still absent at the seat of war as the commander-in-chief of the allied army, nevertheless, since the French mail steamer *Carmel* sails to-morrow, I have deemed it proper to forward by the present a preliminary report of the action already taken by me in pursuance of the instructions received.”

To-day another mail steamer, the *Arno*, leaves for Rio de Janeiro, and being as yet without any reply from your excellency, it is still beyond my control fully to comply with my instructions.

I am well aware of the immense weight of care and responsibility which rests with your excellency at the present juncture. But convinced as I am of the high regard with which the people and the government of the Argentine Republic honor the United States, your excellency must not wonder at the anxiety that prompts me now to urge again that you will be pleased to inform me whether the Argentine government responds to the anticipations of the United States government as to the acceptability of its good office, offered with the single purpose of promoting and securing for the future the best interests of the Argentine nation. And I may, in conclusion, be permitted to add my own personal belief, that taking into consideration the past and present of the United States, with its bright and safe future, and its determined policy in support of humanity and freedom, of civilization and progress, its friendly mediation in the present momentous state of political affairs here would certainly attain results deeply beneficial to the La Plata republics.

With distinguished consideration, I have the honor to be, sir, very respectfully, your obedient servant,

A. ASBOTH.

His Excellency Sr. Dr. DON RUFINO DE ELIZALDE,
Minister for Foreign Affairs.

My endeavor to account for the remissness of the Argentine government in sending a reply to an official note which expressed the humane views and most friendly offer of the United States government, has proved, I regret to say, a failure, as 25 days have given ample time, not only to obtain the advice of President Mitre on the subject, but also to receive, if required, instructions from Rio de Janeiro. Therefore, instead of further palliating this delay, I can but consider it now as a procrastination, too evidently dictated by B. azil, and certainly not calculated to support republican institutions.

As a proof of this, I beg to forward, in enclosure A, extracts from to-day's Tribuna and Republica, reproducing a leading article of the Montevideo Tribuna, a Brazilian organ, which treats extensively of the prospective mediation of the United States, and endeavors to distort it into an intervention. This article, of a monarchical hue, is the first and only one that has appeared in the local press hostile to the United States mediation, and may have been published in order to pave the way somewhat for an evasive answer from the government. Meantime the prevailing majority in the La Plata republics is, as stated in my previous reports and newspaper extracts accompanying them, decidedly disposed for peace, leaving those only to favor a continuation of the war whose interests are essentially Brazilian.

In conclusion, I beg to add that Brazil, while earnestly engaged in securing an alliance with Spain, is at the same time continuing its active preparations at Montevideo, both by land and sea, to meet effectively all eventualities. Her extensive hospitals at first established here are now removed to Montevideo, and her reserve squadron is becoming ready for immediate action, whilst transports are constantly arriving and disembarking troops originally intended for Paraguay, but now said to be detained in anticipation of the possible necessity for guarding the Uruguayan frontiers against Entre-Rios. It is even considered by some as not beyond possibility that we may ere long see the port of Buenos Ayres blockaded by Brazil. Such an emergency, however, I doubt not, will find our gallant Rear-Admiral Godon duly prepared to insure proper respect for republican institutions here, and especially to protect the interests of the United States citizens in the La Plata regions. As for myself, I have to regret that, owing to the defective mail service, it requires more than three months for a return reply from Washington with instructions for my guidance.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

P. S.—I have further the honor to enclose, marked B, copy of a note relative to the above subject, addressed by me on the 14th instant to General Webb, United States minister plenipotentiary at Rio de Janeiro. Since then I have received no communication from the general, neither have I any news from the Hon. Mr. Washburn later than those reported under No. 3, of the 10th instant. Rumor, however, asserts that Paraguay has asked for the mediation of the United States. I hope that the despatches from Asuncion are not detained, but if so, I will do all in my power to secure their safe and speedy delivery into my hands.

A. ASBOTH.

[Translated from La Republica of Buenos Ayres, January 27, 1867.]

MEDIATION CONFIRMED.

The Tribune of Montevideo gives us an article on mediation proposed by the United States to end the war with Paraguay. We give our readers some extracts from it, in confirmation of what we said yesterday, and for which we were complimented by the Nation.

The Tribune of Montevideo says:

"The note to which our Buenos Ayres correspondent refers in his letter of the 21st is a fixed fact, a fact well known to us, but which we concealed because the news was unpleasant and there was no remedy at hand. In unlucky days, like those just past, we did not want to furnish repeated reasons why the liberal party should incline to doubt the justice of Providence and the righteousness of the cause now contested by the allied armies and the forces of Paraguay.

"We will briefly and plainly touch upon this subject, for the sole purpose of fixing public policy, not attempting to divert the United States from its fixed resolutions, as they always interpret the law of nations after their own fashion.

"The great sister republic, feeling deep compassion for the condition of our countries, that have been destroying each other for more than a year, to the great grief of humanity in general, and the sorrow of the Washington cabinet in particular, to save a further effusion of blood and destruction of property, and moved by known motives, addressed letters to the governments of Brazil, the Argentine Republic, and Paraguay, (they did not condescend to notice us,) in substance as follows:

"North America offers mediation. If one of the three belligerents accepts it, (one will certainly accept it!) the others must accept; otherwise the mediation will become *intervention*."

"Now, suppose Paraguay only accepts the proposed mediation, (this is the cat in the bag,) and Brazil and the Argentine Republic reject it, what will the mediator do? Of course it will have to intervene or change its tactics, as in the Candia expedition. It will intervene with its iron-clads; it will come in an independent republican manner to impose its will upon two nations that cannot resist it; it will come with its patent fire-arms to give victory to Lopez, for any compromise is a victory to the Paraguay despot, in the present condition of affairs; it will come, in fine, to the banks of the Plata, to contradict a doctrine professed and sustained in its own country and in presence of the whole world.

"We do not absolutely deny the *right of intervention*, but it must have fixed limits and determined causes. In alluding to the war against Paraguay, we explained the doctrine upon which this right was based by the United States, and against which we now protest, in the name of history and the law of nations."

IMPORTANT REVELATIONS.

We take from the Tribune of Montevideo the article inserted below, containing important revelations in regard to the mediation proposed by the United States representative at this place. This is a serious business, if true. Until we get further information or hear from the government, we will merely copy the article of our Montevideo colleague, stating that we approve of his remarks on the American policy, if the reports are true, and we have no reason to doubt them.

In fact, the conduct of the United States in our country is in open opposition to the policy of its government as displayed in its own affairs.

The reader may judge for himself from this extract from the Tribune of Montevideo:

POLITICAL CONTRADICTIONS.

The report referred to by our Buenos Ayres correspondent, in his letter of the 21st, is strictly true.

Besides the new system of *manufacturing a majority*, which must be admitted as one of the strange inventions of that extraordinary country, we have the rare diplomatic doctrine which astonishes us in the note referred to.

We will call things by their right names, for we are not hypocrites. It is force, violence, ambition wrapped in rags of philanthropy, fraternity, solidarity, and such expressions, that delight political apprentices and constitute the material of occasional toasts and speeches at all republican meetings. These are the maxims so much detested and condemned in powerful absolute monarchies, only they are calculated for the meridian of republics. It is Brennus, who comes with his sword to regulate, pacify, and balance.

It is not many years ago since our northern brothers sustained a doctrine very different and contrary to the one advanced in the note we have quoted.

During the civil war that severed the Union, southerners implored the mediation of France and England to put an end to a useless war that was ruining the country. What was the reply of the North to the notes of the two European powers? What were the principles advanced on that occasion by Secretary Seward? They are known everywhere. The northern Secretary *denied the right of intervention*, alleging that each nation should attend to its own affairs, not calling in third parties, nor asking aid from any intermeddlers.

What is now the conduct of the United States towards the allies? Why repeal a principle so lately sustained? How many political weights and measures has the Washington cabinet adopted? How many different gospels do our northern brethren preach?

But let us go further. What kind of mediation is this, that has just been proposed? How is this respecting the law of the majority and the sovereign will of the people who took up arms to attain the same end that the North sought in its contest with the South?

Suppose Paraguay accepts the mediation, and Brazil and the Argentine Republic reject it, what will the mediator do? Of course it will have to intervene or change its tactics, as in the Candia expedition. It will intervene with its iron-clads; will come in an independent republican manner to impose its will upon two nations that are not able to resist it; it will come with its patent fire-arms to give victory to Lopez, for any compromise is a victory to the Paraguay despot, in the present state of affairs; it will come, in fine, to the banks of the Plata to overthrow a doctrine professed and sustained in its own country, and in presence of the whole world.

Can that country commit such a flagrant diplomatic inconsistency, such a bold and shame-

less political contradiction? Will it be believed that a republican country, the model republic, will try to outdo, in force and violence, the most absolute monarchies, that have respect for forms at least? Although the note referred to is a fact, yet we doubt if the cabinet at Washington will carry out its plan without some modification. We think it will confine itself to the part of simple mediator, if it does insist on meddling with our affairs.

We do not absolutely deny the *right of intervention*; but it must have fixed limits and determined causes. In alluding to the war against Paraguay we explained the doctrine upon which this right was based by the United States, and against which we now protest, in the name of history and the law of nations.

[Private correspondence from Montevideo, dated January 25, 1867.]

The Republic and the Courier published Mr. Asboth's note, offering the mediation of his government to put an end to the war with Paraguay.

The Tribune of to-day confirms the contents of the note, and complains of the threats of violence by the United States, if they ratify the proposal of their representative.

The editor of the Tribune could not have read the note to which it alludes, else it would have seen in it a proper justification of this new effort to restore peace.

Mr. Asboth to Mr. Webb.

LEGATION OF THE UNITED STATES,

Buenos Ayres, January 14, 1867.

SIR: I had the honor to acquaint you officially, by my letter of January 2d, that in pursuance of instructions received from the Department of State, I addressed on the 1st instant a note to the Argentine minister for foreign affairs relative to the willingness of the United States government to give their good offices towards the termination of the ravages of the Paraguayan war.

This day, however, I have received your private note of January 5th, and as it seems to indicate some apprehension on your part as to my correct interpretation of the views of our government on this subject, I beg leave to enclose hereby a full copy of my note above alluded to, anxious as I am for the existence of a proper harmony of action between the several representatives of the United States government to whom this delicate task has been simultaneously confided. In the hope that you will share this, my anxiety, and attaching due weight to your standing and well-matured experience, I beg to be favored, in return, with a copy of the note or notes you may have passed to the Brazilian government in reference to this matter. Such co-operation heartily continued would certainly obviate many difficulties and facilitate the realization of the humane wishes of our government for the benefit of all the contending parties.

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

A. ASBOTH.

His Excellency General J. WATSON WEBB,

Minister Plenipotentiary of the United States to Brazil.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 10.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, February 2, 1867.

SIR: I have the honor to enclose herewith for your information copies of a correspondence that has taken place between Consul Hollister and myself, viz:

1. My letter relative to Consul Hollister's refusal to give protection papers to United States citizens here, on the ground that all United States citizens in a foreign country lose, as such, their claim to the protection of the United States government, and in which I refer the consul to an act of Congress, (approved February 10, 1855,) whereby it is enacted that even the sons of United States citizens born abroad shall be considered citizens of the United States, and are entitled to all the rights as such, and most certainly to the protection of the United States government and its agents all over the world.

2. Consul Hollister's reply, explaining that he had refused "protection papers" to United States citizens residing in this country, because they sought such papers to protect themselves from military service here.

3. My reply, with a printed copy of the treaty between the United States and the Argentine Confederation, (July 27, 1853,) which expressly exempts United States citizens from compulsory military service in the Argentine Confederation. * * * * *

Confidently hoping that you will approve of the views taken by me on these subjects, in support of my fellow-citizens here, I have the honor to be, sir, very respectfully, your obedient servant,

A. ASBOTH.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Asboth to Mr. Hollister.

LEGATION OF THE UNITED STATES,

Buenos Ayres, January 29, 1867.

SIR: I have this day received from our fellow-citizen, Mr. Harry C. Albee, a communication, copy of which I beg herewith to enclose, marked A, complaining that you refuse to grant him a duplicate of his "protection paper," issued by your predecessor Mr. Helper, September 19, 1866, and recorded accordingly in your office, and that you disclaim any obligation on your part to protect United States citizens here, on the ground that all United States citizens voluntarily residing in a foreign country lose, as such, their claim to the protection of the United States government.

Mr. P. O. Gondon, also a citizen of the United States, and registered as such at your office under No. 990, has made a similar complaint this day, copy of which you will find enclosed, marked B.

Although I am inclined to believe that both these gentlemen are laboring under misapprehension as to your above decision, still I deem it necessary to ask your explanation upon this subject, referring you at the same time to the act of Congress approved February 10, 1855, Chap. 71 of the Laws of the United States, by which it is enacted that even the sons of United States citizens born abroad shall be considered and are declared citizens of the United States, and thereby entitled to all the rights as such, and most certainly to the protection of the United States government and its agents all over the world.

I therefore confidently hope that you will consider, in obedience to our laws, both the complaining gentlemen as citizens of the United States and give them all the protection to which they are entitled. You will also be pleased to give the same protection to all other citizens of the United States who in future may apply to you for it.

Respectfully, your obedient servant,

A. ASBOTH.

MADISON E. HOLLISTER, Esq.,

United States Consul.

Mr. Hollister to Mr. Asboth.

UNITED STATES CONSULATE,

Buenos Ayres, January 30, 1867.

SIR: I have the honor to acknowledge the receipt of your communication of the 29th instant, with the enclosure marked A, being a copy of a letter addressed to you by Mr. Harry C. Albee, an American citizen, in which you state that he complains that I refuse to grant him a duplicate of his protection papers, issued by my predecessor Mr. Helper, September 19, 1866, and recorded accordingly in this office, and that I disclaim any obligation on my part to protect United States citizens here on the ground that all United States citizens residing in a foreign country lose, as such, their claims to the protection of the United States government; and also that Mr. P. O. Gondon, a citizen of the United States, registered as such in this office under No. 990, has made a similar complaint by letter, a copy of which, marked B, is also enclosed. In this communication you do me the favor to express an inclination to believe that both these gentlemen are laboring under a misapprehension as to my decision, and ask for an explanation upon the subject from me, at the same time referring me to an act of Congress approved February 10, 1855, Chap. 71 of the Laws of the United States, by which it is enacted that even the sons of United States citizens born abroad shall

be considered and declared citizens of the United States, and which you state are thereby entitled to all the rights as such, and most certainly to the protection of the United States government and its agents all over the world. You also, in this communication, express the hope that I will, in obedience to our laws, consider both the complaining gentlemen as citizens of the United States and give to them the protection to which they are entitled, and that you (I) will be pleased to give the same protection to all other citizens of the United States who may in future apply to me for it.

In answer thereto I beg leave to state, that as far as I can at this time remember the conversation with these two gentlemen, they have stated it correctly, so far as it has been communicated to your excellency, but in order to a correct understanding of the question in its relation to all the facts and the law applicable thereto, it becomes necessary for me to observe that these two gentlemen, as they informed me, left the United States some years ago, (Mr. Albee, if I mistake not, five years,) leaving no families there, with no fixed intention of returning, and had made this country the place of their business and residence. It is important further to observe, that in some portions of the Argentine Confederation there had been a rising in rebellion against its authority, and that it was deemed necessary by the public authorities to order an enrolment of the national guards, with a view, if the public exigencies required it, of calling out the military to quell it. It becomes further important to state that martial law, as I have been informed, had been established to a certain extent in Buenos Ayres, and that in its execution the authorities had made arrests of persons suspected of hostile intentions towards the government, and of some also who had failed or refused to enroll their names in the national guards, among the latter of whom are found some who claimed to be citizens of the United States. That they had the right to do so, seems to be unquestionable, for it cannot be doubted that martial law "extends to all the inhabitants (whether civil or military) of the district where it is in force." (Halleck's Elements of International Law.)

To escape from arrest and to protect themselves from military service, "for the preservation of order, and the enforcement of the laws," these two gentlemen applied to me for the protection papers referred to. With this preliminary statement of facts, and the single allusion to the principle of law authorizing military arrests, I beg leave to state some further principles of law applicable to the question under consideration, and to refer you to the authorities which support them.

"In case of war between the country in which a person actually resides, with the intention of remaining, and any other country, he is obliged to defend it, in return for the protection it affords him, and the privileges which the laws bestow upon him as a subject. The property of such a person, equally with that of the native subject in his vicinity, is to be considered as the goods of the nation in regard to other states." (Wheaton's Elements of International Law, p. 404, part 4, chap. 1.)

The same author, on page 403, says, "having once acquired a national character by residence in a foreign country, he ought to be bound by all the consequences of it, until he has thrown it off either by an actual return to his native country or to that where he was naturalized, or by commencing his removal, *bona fide*, and without an intention of returning."

Halleck in his Elements of International Law, abridged edition, page 174, latter clause of section 7, asserts the doctrine that domiciled foreigners may be required to do duty in the militia, or the civic or national guards for the preservation of order and the enforcement of the laws within a reasonable distance of the place of their domicile. "It does not include," he adds, "service against a foreign enemy, nor general military service." In the works quoted, and to which I beg leave to refer your excellency, the law as to what constitutes a domicile so as to render a citizen of one country a subject of that in which he resides, with the consequences resulting therefrom, is well settled, and in my view applicable to the case of the two gentlemen to whose communications you refer.

Not having the act of Congress of 1855, to which I am referred, before me, I am unable to judge of its bearing upon the question under consideration.

There is, however, in my view, a clear distinction as to the rights of a citizen who continues to reside within the jurisdiction of his native or adopted country, and those of one who abandons his country, withdraws himself from its defence, withholds all aid in its support, and makes another the place of his personal domicile. In the one case he is not only a citizen but a subject also; in the other, though he may not cease to be altogether a citizen in the general acceptance of the term, he ceases to be a subject, and becomes by his own choice the subject of another, and a qualified citizen thereof. In the latter case he voluntarily puts himself under the jurisdiction of the government where he resides, enjoys the protection of its laws in his person and property, and owes obedience thereto. This distinction is shown, in my view, by the authorities to which I have referred you, and I have felt it my duty in these two cases to be governed by them, for the reason that they are brought within their general scope. In thus stating somewhat fully the reasons for my action in the premises, I avail myself of the opportunity which the occasion affords of frankly confessing the great reluctance with which I departed from what I am informed was the uniform usage of my predecessors, inasmuch as it was the cause of disappointment to citizens of our country, and implied a disregard of precedent, which, in all cases I shall feel under obligation to follow, unless I find it opposed to some well established rule of law.

I am happy to be relieved from further embarrassment of this character by your excellency's communication, and shall endeavor hereafter to follow the course indicated therein, in all cases of citizens of the United States who may apply at this consulate for protection. Before concluding this reply it may be of interest to state that I have acted in this question upon the presumption that there are no treaties existing between our government and that of the Argentine Confederation by which the operation of the laws of nations bearing upon it has been suspended or in any degree modified. If there are such they have not been brought to my notice.

In further explanation of my course, I beg leave to state that neither in Statutes of the United States nor the consular instructions have I found any authority conferred upon consuls to issue what are technically called "protection papers."

I am, with great respect, your obedient servant,

M. E. HOLLISTER,
United States Consul.

Major General A. ASBOTH,
United States Minister.

Mr. Asboth to Mr. Hollister.

LEGATION OF THE UNITED STATES,
Buenos Ayres, February 1, 1867.

SIR: On my receiving, on the 29th ultimo, complaints from Mr. Albee and Mr. Gordon, registered in your office as United States citizens, that you refused to give them respectively their proper protection papers, on the ground that all United States citizens in a foreign country lose, as such, their claim to the protection of the United States government, I deemed it proper to refer you to the act of Congress approved February 10, 1855, chap. 71, of the laws of the United States, by which even the sons of United States citizens born abroad are declared citizens of the United States, the wording of the law being as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That persons heretofore born, or hereafter to be born out of the limits and jurisdiction of the United States whose fathers were or shall be, at the time of their birth, citizens of the United States, shall be deemed and considered, and are hereby declared to be, citizens of the United States."

At the same time I expressed a hope that you would consider both the complaining gentlemen as United States citizens, and give them the protection to which they are entitled from the agents of the United States government all over the world. In your answer, dated 30th ultimo, which I only received yesterday, you admit the correctness of the statements made by the two gentlemen above mentioned as to the conversation that took place between you and them, but attributing their application for "protection papers" to a desire to escape military service here, you take the trouble to refer me at length to a series of problematical and general theories, in direct opposition not only to the *de facto* laws of the United States, but also to the existing treaties in force between the United States and the Argentine Confederation.

Without entering to discuss the merits of your authorities, I beg to give you as a supplement to my note of the 29th ultimo, article 10 of the treaty of friendship, commerce, and navigation between the United States and the Argentine Confederation, (July 27, 1853,) which reads as follows:

"The citizens of the United States residing in the Argentine Confederation, and the citizens of the Argentine Confederation residing in the United States, shall be exempted from all compulsory military service whatever, whether by sea or by land, and from all forced loans, requisitions, or military exactions."

Volume 10 of the United States Statutes at Large, containing the act of Congress above alluded to, kindly lent by you at my own request, is herewith returned with thanks, and I also send, for the use of your office, a copy of the collections of treaties of the Argentine Confederation with foreign nations, among which you will find in full, at page 236, the treaty between the United States and the Argentine Confederation, just quoted.

You conclude your above mentioned note by the statement that you are unable to find either in the Statutes of the United States or in the consular instructions any authority conferred upon consuls to issue what are called "protection papers," and I have therefore to refer you to the United States Consuls' Manual, page 255, chap. 30, on the "Duties of consuls general and consuls in relation to the granting of passports and certificates," more particularly to section 628 and section 630. It is true that, according to section 625, *ibid.*, in any country where there is a diplomatic representative, no consul is authorized, without special permission, to issue passports, except in the absence of such representative from the place of his legation; but as the duty of issuing such passports and certificates was transferred by my predecessors here to the consulate of this city, I see no cause for disturbing at present an arrangement which concentrates in one office the collection and accounting of fees.

I have entered thus fully into a reply to your note because the subject is one of such para-

mount importance that I have deemed it my duty to make you cognizant of the grounds of my decided opinion; but I would avail myself of this opportunity to suggest that, whenever you should feel a doubt upon any matter connected with the discharge of your duties, you might in future be pleased to confer personally with me—certain that you will ever find in me a frank and sincere desire to assist you in upholding the dignity of our government and securing the interests of our fellow-citizens.

Sincerely your obedient servant,

M. E. HOLLISTER, Esq.,
United States Consul.

A. ASBOTH.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 11.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, February 2, 1867.

SIR: In my report No. 7, of the 27th ultimo, containing a copy of my second note to the Argentine minister for foreign affairs, relative to the willingness of the United States government to give its good offices, if asked for, towards the termination of the ravages of the Paraguayan war, I expressed my belief that the article, hostile to the United States mediation, which appeared on the 25th ultimo in the Montevideo Tribuna, a Brazilian organ, might have been published in order to pave the way somewhat for an evasive answer from the Argentine government. This anticipation has proved correct, as is borne out by the note of Señor Dr. Don Rufino de Elizalde, of the 29th ultimo, a translation of which I have the honor to give, as follows:

No. 3.]

FOREIGN OFFICE, BUENOS AYRES, *January 29, 1867.*

M. LE. MINISTRE: The well-known sympathy of the Argentine people and government for the people and government of the United States of America give great value to the sentiments manifested by your excellency by order of your government in your note of the first instant, as well as in that of the 26th of the same, which I had the honor duly to receive.

The Argentine government is very sincerely grateful for this friendly step taken by the government of the United States of America, and should the occasion arrive it would be happy to avail itself of such benevolent dispositions.

I have to beg that your excellency, while transmitting to your government this reply of the Argentine government, will be pleased to offer the expression of its most sincere gratitude and the assurance that the Argentine republic, faithful to its traditions, shall never attempt, in the vindication of its honor and of its most vital rights and interests, to violate, in however small a degree, those great principles which free peoples cannot ignore without grave consequences.

I avail myself of this opportunity to renew to your excellency the expression of my highest consideration and regard.

RUFINO DE ELIZALDE.

His excellency General ALEXANDER ASBOTH,
Minister Resident of the United States of America.

I beg to enclose a full copy, marked A, of the Spanish original, which, I can have no doubt, was written under the influence of the Brazilian minister, Octavaino, who was here at the time, and who, as I am informed, was the bearer to the Argentine government of a copy of the reply of the imperial cabinet of Rio de Janeiro on the same subject to General Webb, the United States minister to Brazil.

The delay in the answer, as well as its evasive character and the circumstances connected with its issue, can but strengthen my former impression that the present government of the Argentine Confederation sees its policy in deferring entirely to Brazilian direction rather than in seeking, by the friendly mediation of the United States, to save from monarchical grasp the already imperilled republican institutions of the country, and I would respectfully request further instructions for my guidance. Meanwhile I have deemed it

proper to address this day, in acknowledgment, a note to Señor de Elizalde, the full contents of which I have the honor to append, viz :

No. 4.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, February 2, 1867.

SIR: I have the honor to acknowledge the receipt of the note of the 29th ultimo which your excellency has been pleased to address to me, in answer to my notes of the 1st and 26th ultimo, wherein I expressed the belief of the United States government that by its friendly mediation the ravages of the war between the allies and Paraguay might be brought to a pacific and honorable termination.

I shall have the satisfaction of forwarding to my government by the next mail a full copy of your excellency's note. Your excellency's warm confirmation, however, of the undoubted sympathy and friendly sentiments of the Argentine people and government for the people and government of the United States, will enable you to conceive how greatly that satisfaction would have been enhanced had the anticipation derived from the delay in your excellency's replying to my New-Year's day's note been realized, viz: that it would be my pleasing duty to report to my government that the Argentine government was willing to avail itself at once of the good offices of the United States government towards a restoration of peace, with all its blessings and future promises of increased prosperity for the peoples of the La Plata and Parana regions. And while duly appreciating the earnest assurances so eloquently expressed by your excellency in support of free principles and institutions, the United States government will but regret the apparently indefinite postponement of a pacific and safe consolidation of those very institutions in South America.

Meantime I can assure your excellency that the Argentine Republic may always and under all emergencies, continue to rely upon the sincere sympathy of the United States, and upon their ever regarding with sisterly affection the interests of the Argentine nation.

I have the honor to be, sir, with distinguished consideration, your obedient servant.

A. ASBOTH.

His Excellency Señor Don RUFINO DE ELIZALDE,
Minister for Foreign Affairs.

The Brazilians are continuing to settle themselves down at Montevideo. By decree 3,773 the fiscal department of the ministry of marine, at present established here, is also to be transferred to Montevideo. Besides portions of their army and navy, with generals and admirals, they have in Montevideo permanently stationed a minister plenipotentiary, a chargé d'affaires, a consul general, a vice consul, a superintendent general, a superintendent of the navy, a fiscal, and many other high functionaries of the empire, which is thus graciously evincing its paternal care for the protection of the distressed republic. Meanwhile no efforts are spared for the speedy civilization of Paraguay. Two hundred more convicts have received pardons remitting the remainder of their sentences, in order to swell the army in Paraguay. The offering of freedom to a few imperial black slaves, on condition of their entering the army, is also magnanimously continued with the humane view to enslave thousands of republican whites in Paraguay. Notwithstanding, however, these Christian efforts, the Emperor cannot raise quickly enough the 50,000 additional troops required (as his advisers believe) to crush Lopez at once. The total number of recruits sent down by Brazil since the memorable battle of the 22d September last is not more than 7,000; and General Osorio, although most actively engaged in recruiting, "by force," in Rio Grande, cannot organize the 3d corps of the Brazilian army intended to manœuvre in rear of the Paraguay intrenched camps.

President Mitre has been obliged to send several thousands of the Argentine troops down the river to Rosario, in order to re-enforce General Paunero against the reactionary provinces, three of which, Mendoza, San Juan, and San Luis, are already in open rebellion, while three others, Cordova, Rioja, and Santiago del Estero, are very lukewarm in their support of the national government. The allied army being thus not strong enough to risk at present a renewed attack upon Lopez's well-strengthened position, the Marquis de Caxias is attempting to reduce Curupaiti with his squadron, the strength of which is as follows:

Steamers, 21; guns, 134; horse power, 1,945; officers, 350; men, 1,918.

Iron clads, 9; guns, 47; horse power, 1,780; officers, 169; men, 1,179.

Gunboats, 2; guns, 6; horse power, 120; officers, 18; men, 77.

Sailing ships, 3; guns, 27; horse power, —; officers, 39; men, 197.

Despatch steamboats, 5; guns, 6; horse power, 1,300; officers, 95; men, 412.

Total: vessels, 40; guns, 220; horse power, 5,145; officers, 671; men, 3,783.

When a few months ago General Flores withdrew from the allied army and returned to Montevideo to wield in person his dictatorship over the Uruguay republic, he left a few hundred Orientals behind as a show for the continuation of the triple alliance. President Mitre, obliged, as above stated, to send several thousands of the Argentine soldiers against the insurrectionary provinces, will, I have little doubt, find it imperative to accompany them and take command in person of the national forces against the rebels. In doing so he will probably follow the example of General Flores, and have a few hundred Argentines at Tuyuti to represent the Argentine republic as an ally in the Paraguay war. Thus *de facto* Brazil will remain alone to continue the contest and endeavor to subdue Paraguay, if not at once by force of arms, at all events ere long by exhaustion, in this way securing for herself all the achievements of the long-protracted struggle, with not only a master's control over the La Plata and Parana republics, but also, through her command of the La Plata and Parana navigation, over the whole interior commerce of South America. Such a result would, I venture respectfully to intimate, be the death-blow to republican institutions in South America. And I may add that if the rumor that Chili and Bolivia are supporting the Mendoza reaction, which is hostile to Brazil, be confirmed, while there might be some excuse for this in the coquetting of the Triple Alliance with Spain, the deadly assailant of the Pacific republics, it would unmistakably indicate the anxiety of those republics in view of the possibility of Brazilian domination in the sister republics of the South Atlantic.

I cannot conceal from you the painful impression which is growing upon me that the gold of Brazil, with her aristocratic titles and flimsy decorations, seems to tempt some of the high officials of the La Plata republics to court imperial splendor and tinsel honors. Notwithstanding, the great mass of the South American people is truly democratic, and would hail with joy any more decisive steps of the United States to save their republics from monarchical intrusion.

The arrests and suppression of newspapers still continue, both here and in the interior; these acts, however, do not intimidate the people from openly advocating peace and an immediate acceptance of the United States mediation.

* * * * *

General Urquiza is the only man here whose preponderating weight can determine on which side the scale is to turn, whether for peace or for the continuance of the war, but as yet he has given no sign.

In conclusion I have only further to add for your information that, since I had last the honor of addressing you, I have received no communication from either Mr. Washburn or General Webb.

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

A. ASBOTH.

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

Mr. Asboth to Mr. Seward.

No. 12.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, February 8, 1867.

SIR: In connection with my report No. 11 of the 2d of this month, I have the honor to inform you that I received, on the 5th instant, your despatch No. 16, dated Washington, December 20, 1866, which contains the resolution adopted in the House of Representatives of the United States on the 17th of December

last, recommending to the President that the friendly offices of the United States government be offered for the promotion of peace and harmony in South America, with your propositions to the several belligerents on the part of the United States, based upon that resolution.

In conformity with the above despatch I hastened to address, on the following day, a note to the Argentine minister for foreign affairs, the full contents of which I have the honor to submit, namely :

No. 5.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, February 6, 1867.

SIR : It was only a few days ago that I deemed it my pleasing duty, in closing my official note No. 4, to assure your excellency that the Argentine Republic may always and under all emergencies continue to rely upon the sincere sympathy of the United States, and upon their ever regarding with sisterly affection the interests in general of the Argentine nation, and it is especially well known to the Argentine government that the war which is waging between Paraguay on the one side, and Brazil with the Argentine Republic and Uruguay on the other, is attended to with deep concern by the people and government of the United States.

On more than one occasion the President of the United States has called the attention of the belligerents to this fact, and tendered such good offices as seemed practicable with the view of bringing about a pacification.

As the representative of the United States near the Argentine government, I had myself the honor to treat upon this weighty question in my official notes Nos. 1 and 3, addressed to your excellency during the month of January last, under the strong belief that the friendly mediation of the United States in the present crisis of political affairs here would attain results deeply beneficial to the "La Plata republics."

Your excellency has informed me in your note of the 29th ultimo that the government of the Argentine Republic would avail itself of the friendly offices of the United States government, should the occasion arrive for entering upon negotiations for peace.

Meanwhile a despatch from Washington, which reached me yesterday, contains the information that the House of Representatives of the United States, concurring with the sentiments of the President, and indorsing the public opinion of the nation at large, adopted on the 17th of December, ultimo, the following resolution :

"Whereas wars destructive of commerce and injurious and prejudicial to republican institutions have for some time been carried on between Spain and several of the South American states on the Pacific coast, and also between Paraguay and Brazil, Uruguay, and the Argentine Republic on the Atlantic coast: Now, therefore,

"Resolved, That it be and hereby is recommended to the executive department of the government that the friendly offices of this government, if practicable, be offered for the promotion of peace and harmony in South America."

The President, thus called upon by the most numerous branch of the legislative department of the United States government to renew the efforts which he has heretofore made, deems it proper by a circular letter from the Department of State to submit to the several contending parties the following propositions :

"1st. That a conference be held at the city of Washington, on such day, convenient to all the belligerent parties, as they shall appoint, to consist of plenipotentiaries of Paraguay, Brazil, the Argentine Republic and Uruguay, authorized to treat of all matters in difference between the belligerent parties, jointly and severally, and to consider and agree upon terms of a permanent peace which shall be equal, just, and honorable to all the belligerents.

"2d. That Paraguay shall appoint one of said plenipotentiaries, and each of the allied belligerent powers, before named, shall appoint one; but each of the said allied belligerents may, if it choose, confer its powers upon a plenipotentiary, who shall be named by any other of those belligerents, so that it shall be within the option of the allied states to appear either by one or more plenipotentiaries.

"3d. That each of the plenipotentiaries may act under the direction of the government or governments by which he is appointed; that no resolution of the conference shall be effected or obligatory for a determination or suspension of the war or the establishment of peace, unless agreed to by all the members of the conference, and to be afterwards sanctioned and ratified by the governments of each and all the belligerent parties; and that in any protocol or other paper which the conference may think it expedient to submit to their respective governments or to the President of the United States, the representative of Paraguay may act on her part, and a majority of the plenipotentiaries of the other belligerent powers on their part.

"4th. That the President of the United States will designate some person to attend and preside in such conference and use good offices in the forms of information and advice in facilitating the objects thereof, but he will have no power to vote therein, or to assume any obligation on the part of the United States.

"5th. The President of the United States will, in case of disagreement of the plenipotentiaries, designate some state or sovereign, not the United States, nor one of the belligerents, to be an umpire to decide all questions which shall be referred to him by the conference, and

the decision of that umpire, he consenting to act as such, shall be made upon the protocol and other documents and proceedings of the conference, and shall be conclusive and binding upon all the parties.

"6th. The expenses of each plenipotentiary attending the conference will be defrayed by the state by which he is appointed. The conference will have accommodations, as to a place for transacting its business, furnished by the President of the United States.

"7th. An armistice shall take place so soon as all the belligerent states shall have communicated to the government of the United States their acceptance of these propositions, and shall continue until the termination of the conference."

Your excellency will perceive that the whole tenor of these propositions means assuredly not that intervention, into which some of the organs of the daily press here, and in Montevideo, have unfairly attempted to distort the tender of good offices of the United States, but that it indicates most decidedly a friendly mediation, by which alone the United States desire to see good faith and harmony restored among the peoples of South America. And I venture to assume that the wise government to which the destinies of the Argentine people are confided, and of which your excellency forms so conspicuous a member, must be satisfied that the long protracted bloody strife, with its many victims and untold sacrifices, has sufficiently vindicated the honor of the Argentine Republic and its allies, and that it is peace which is now so urgently needed to enable the national government to secure the full benefit of its enlightened and progressive policy.

Your excellency's extensive acquaintance with the past and experience of the present will have impressed upon you the great truth that in the life of nations, as well as in that of individuals, there are moments pregnant with the gravest consequences to their future. And I allow myself to indulge the confident hope, that the propositions of my government, embodying as they do the unanimous feeling of the people and the government of the United States, who are actuated in this instance not only by sincere good will, but also by the firm determination to uphold the dignity and interests of those who confide in them, will readily meet with the cordial assent of the Argentine government, and lead to an early armistice, the welcome precursor of lasting peace, equally honorable and beneficial to all republics of South America, who, belonging to the same race, speaking the same language, and professing the same religion, ought naturally to form one family whose members are emulous only to promote their mutual prosperity and happiness.

I have the honor to be, sir, with distinguished consideration, your obedient servant,

A. ASBOTH.

His Excellency Señor Dr. DON RUFINO DE ELIZALDE,
Minister for Foreign Affairs.

A duplicate of this note I transmitted yesterday to Rear-Admiral S. W. Godon, United States navy, off Montevideo, with a request (copy of which I beg to enclose, marked A) that he would be pleased to place it in the hands of the Uruguay minister for foreign affairs for the information and friendly consideration of the government of the Uruguay republic. I deemed it prudent to do this because the government of the United States has no representative near Uruguay, and in order that that republic, forming as it does part of the triple alliance, and having been specially named both in the resolution of the House of Representatives and in the proposition of your department, should have no pretext to ignore either the proffered mediation of the United States or the terms thereof.

I confidently hope that my action in this delicate matter, dictated by the desire to obviate as much as possible unnecessary delay in the prosecution of this important negotiation, will meet with your approval, and that you will be pleased to advise me how to act in future with regard to the Uruguay republic.

I had the honor of forwarding in my report No. 11, enclosure B, extracts from the Montevideo press expressive of regret that no United States minister was at present accredited to the Uruguay republic, attributing this state of affairs to the departure of the government of that republic from the principles of government of the United States, which nevertheless they professed to adopt and follow, and giving utterance to the wish that the day may not be far distant when a remedy will be applied to the present unsatisfactory state of the relations between the two governments. Under these circumstances, and in view of the existing political complications, I should be wanting in my duty were I not respectfully to call your attention to the great desirability of naming some agent to negotiate with the government of Uruguay on behalf of the United

States. Indeed I regard this as of such paramount importance at the present juncture, that I deem it right to add my opinion that it would be quite practicable, since Montevideo is so near to and connected with Buenos Ayres by an almost daily steam communication and by telegraph, to undertake for the time being, if such should be the pleasure of the government, the representation of the United States near the government of Uruguay in addition to my duties in Buenos Ayres. I flatter myself that in this suggestion you will recognize only my ardent desire to promote to the utmost of my poor ability the interests of my adopted country, and thus testify in some measure my high sense of the confidence already reposed in me.

Times are becoming more and more exciting here. In enclosure B I forward short memoranda of daily political events. The press informs us this moment that the national government prevented, in the course of last night, a revolutionary outbreak here pregnant with intended assassinations. Numerous arrests have been made to-day, and several prominent natives have on various pretexts applied to me for an asylum, which I of course declined, but I give full protection to all citizens of the United States.

In such a state of affairs it is probable that in the absence of the President as well as the Brazilian adviser, Señor Octaviano, the government will again delay its answer. Should this be so, and I remain still without news from our minister in Paraguay, the Hon. Mr. Washburn, I will request Admiral Godon to place a steamer at my disposal, and go up myself to exchange despatches, and confer with Mr. Washburn in person in order to further the carrying out as fully as possible your instructions, and the spirit of the resolution of the United States Congress in regard to the restoration of peace and harmony in the La Plata and Parana republics.

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

A. ASBOTH.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Asboth to Admiral Godon.

LEGATION OF THE UNITED STATES,

Buenos Ayres, February 7, 1867.

SIR: In obedience to instructions received from our government, I have addressed yesterday an official note to Señor Dr. Don Rufino de Elizalde, the Argentine minister for foreign affairs, relative to the good offices offered by the United States government towards the termination of the war which is waging between Paraguay on the one side, and Brazil with the Argentine Republic and Uruguay on the other, and as the government of the United States has no diplomatic representative near the government of the Uruguay republic, I beg herewith to enclose a duplicate of the note alluded to, with the request that you may be pleased to hand it to the Uruguay minister for foreign affairs, for the information and friendly consideration of the government of the Uruguay republic, a republic whose interests are regarded by the people and government of the United States with the same sisterly affection as those of the Argentine Confederation.

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

A. ASBOTH.

Rear-Admiral S. W. GODON, U. S. N.,

Commanding South Atlantic Squadron.

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATE.

February 1, 1867.—Baron Porto Alegre arrived in Montevideo the day before yesterday, on his way to the seat of war, to resume command of the 2d army corps at Curuzu. It is stated that Marshal Osorio finds great difficulty to raise his army of reserve, and cannot muster more than 600 men. Baron Tamandaré has been promoted to the rank of admiral, which does not appear to indicate that he has fallen into disgrace for not taking Humaita.

Colonel Arredondo with 1,200 men of the line from the Argentine army at Tuyuti arrived in Rosario on the 28th ultimo, and left on the 30th ultimo by railway for Trayle Muerto, from whence he will try to join General Paunero.

Señor Bilbao, one of the writers in *La Republica*, (morning paper,) withdraws from the press, saying in a letter to the editor that he cannot answer the calumnies of the *Nacion Argentina* without incurring the risk of being arrested. The political prisoners confined on board the guard-ship are expatriated to Bahia Blanca, Patgores, or Europe, according to their choice.

February 2.—The government of Montevideo promulgates three decrees. The first relates to all retired officers of the Blanco party, depriving them of any claim for pay if they fail to appear in ten days. The second orders the arrest of parties spreading alarming intelligence. The third calls on the national guards to give up their arms.

February 3.—Anniversary of the battle of Caseros (1852), in which Urquiza triumphed over Rosas. Urquiza celebrates the day by holding a great race meeting at which are invited all the Entre Rios officers and some from Comintes; the meeting is to last 15 days, and although its apparent object is amusement, people suspect that it has essentially a political meaning, and that Urquiza is aiming at something.

February 4.—Peru and Chili having protested against a violation of neutrality by Brazil and Uruguay in permitting Spanish men-of-war to obtain all kinds of provisions and supplies in Rio and Montevideo, threaten that they will be compelled to enter those ports and burn all Spanish men-of-war if neutrality is not more strictly observed. The Brazil government in a not very polite note has answered that it considers the protest unfounded, and that it will not in the least be influenced by the threat of the Peruvian and Chilian governments. This seems the precursor of a proximate rupture.

February 5.—Felipe Saa, a federal leader, at the head of one thousand men, attempted to cut off General Paunero's retreat from San Luis to Rio Cuarto, in the province of Cordova, but was defeated and his men dispersed.

Some political arrests have been made in Montevideo, and the prisoners sent to Rat island. The Spanish fleet, after taking in large supplies of fresh provisions, sailed from Montevideo on the 2d instant, in supposed quest of the Peruvian and Chilian iron-clads. Admiral Mendez Nunez was resolved to fight them anywhere and at all hazards.

The Entre Rios opposition papers, "El Porvenir," "El Ecode," "Entre Rios," "El Pueblo de Gualaguaychu," and "El Parana," have been suppressed by order of the provincial government at the request of the national government.

February 6.—Father Duarte, the Paraguayan priest, who was made prisoner of war nearly two years ago and paroled, was re-arrested to-day and sent on board the guard-ship.

February 7.—Marquis de Caxias has established his headquarters among the pestilential marshes at Tuyuti, determined to make another attack. The iron-clad gun and mortar boats are moored at Curuzu. The hospital at Guardia de Cerrito is quite full. The American transport *Julia* came down with 700 invalids. The river is high and continues to rise; at Itapiru schooners and other river craft are at anchor where two months since it was bare ground.

February 8.—It is pretended that an attempt at an insurrectionary movement in this city was frustrated last night. The chief of police discovered a meeting of suspicious individuals in a house in the suburbs, finding also a store of arms and ammunition deposited in the same house, with several copies of a printed revolutionary manifesto, calling upon the people of Buenos Ayres to upset both the national and provincial governments; all the persons present at the said meeting, about twenty in number, were arrested. To-day numerous additional arrests have taken place.

News not of an official character has come that the Brazilian fleet had begun to fire again on Curupaity on the 3d instant, and that two of the Brazilian iron-clads had suffered greatly from the fire of the Paraguayans, one of them, the "Herval," losing her commander, who was killed by a round shot.

A. ASBOTH.

Mr. Asboth to Mr. Seward.

No. 14.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, February 25, 1867.

SIR: In connection with my report of the 8th instant, marked No. 12, containing a copy of my note, No. 5, addressed February 6th, to the Argentine minister for foreign affairs, with the proposition submitted by you on the part of the United States, to each of the belligerents in the Paraguay war, for the re-establishment of peace, I have now the honor to inform you that Señor de Elizalde has sent me, on the 18th instant, another evasive answer, a full copy of

which, in the original Spanish, you will please find in enclosure A, whilst a literal translation of it I have the honor herewith to append, viz :

OFFICE OF FOREIGN RELATIONS,
Buenos Ayres, February 18, 1867.

M. LE MINISTRE: Pressing business of the public service has prevented the government from taking into consideration your excellency's note of the 16th instant, and from communicating to your excellency the resolution it has adopted of coming to an agreement with its allies as to the answer to that note, and whilst doing so to-day, I have to beg that your excellency will be pleased to excuse this delay.

I avail myself of this opportunity to renew to your excellency the expression of my highest consideration and regard.

RUFINO DE ELIZALDE.

His Excellency the Minister Resident of the United States of America,
General ALEXANDER ASBOTH.

Before the receipt of the above note, I deemed it proper to address, on the 16th instant, the following letter to Rear-Admiral Godon, United States navy, off Montevideo, viz :

LEGATION OF THE UNITED STATES,
Buenos Ayres, February 16, 1867.

SIR: On the 7th of this month I had the honor to transmit to you a duplicate of my official note, No. 5, addressed the previous day to the Argentine minister for foreign affairs, and requested that you would be pleased to place it in the hands of the Uruguy minister for foreign affairs, for the information and friendly consideration of his government.

From that note you will have perceived that the war, which has for some time been waging between Paraguay on the one side and Brazil, the Argentine Republic, and Uruguay on the other, is attended to with deep concern by the people and government of the United States, and that the President having been called upon by the House of Representatives to renew the efforts he had heretofore made for the promotion of peace and harmony in South America, has now submitted specific propositions to the several belligerents with a view to the speedy termination of the Paraguay war.

I therefore deem it of paramount importance that the diplomatic representative of the United States in Paraguay should not only be in full possession of the views and intentions of our government on the subject, but that he should also have the means of communicating with the least possible delay to the Department of State the manner in which the friendly offer of the United States mediation is received by the government to which he is accredited.

No information has reached me from the Hon. Mr. Washburn since the report of the 29th of December last, of his official letter dated the 25th of the same month, and I have in consequence thought it proper to state in my last report to our government of the 8th instant, marked No. 12, that should I remain longer without direct news from Mr. Washburn, I would request you, as the United States admiral on the station, to place a steamer at my disposal, and go myself up to Paraguay to exchange despatches and confer with Mr. Washburn in person, in order to further the carrying out as speedily and as fully as possible the instructions from our government and the spirit of the resolution of the United States Congress in regard to the restoration of peace and harmony in the La Plata and Parana republics.

The steamer which arrived yesterday from the seat of war failed again to bring me news from Mr. Washburn, and having received no reply whatever from the Argentine minister of foreign affairs to the propositions which I was instructed by the State Department to lay before the Argentine government, I have therefore the honor now to request, agreeably with my foregoing statement to our government, that you may be pleased to give your orders for my being conveyed by one of the United States steamers of your squadron, with as little delay as possible, to such a point up the river as will enable me to hold personal intercourse with Mr. Washburn.

Should the requirements of the service be compatible with your absence from Montevideo for a few days, I need scarcely add how much more agreeable would become to me the discharge of what I consider, in the actual complications of political affairs here, an imperative duty, if you would join the expedition and do me the honor to associate yourself with me in my endeavors to give prompt and full effect to the above views of our government, and in the prosecution of a negotiation as important as it is delicate.

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

A. ASBOTH.

Rear-Admiral S. W. GODON, U. S. N.,
Commanding South Atlantic Squadron.

Under enclosure B, I have the honor to forward in continuation to enclosure B, with my report No. 12, of 8th instant, my daily notes of political events in

the river Plata, from the 9th to the 24th of this month. And under enclosure C you will please find a series of well-written leading articles of the "Tribuna," advocating strongly the acceptance of the United States mediation towards the restoration of peace and the dissolution of the alliance with Brazil.

From these notes and extracts, as well as from the contents of my several former reports on the Paraguay war, you will perceive that while not only an overwhelming majority of the people in the Argentine and Uruguay republics, but also the great mass of the people in Brazil are tired of the war, and anxious for peace. The Emperor of Brazil with his army and navy is pushing on the war with the utmost vigor, and is determined to attempt as soon as possible another decisive blow to crush Paraguay; and also that it seems to be the established policy of the Argentine government to continue to afford, in spite of the internal struggle that is convulsing the republic, its moral support at least to Brazil in a war which the resolution of the United States House of Representatives styles "destructive of commerce and injurious and prejudicial to republican institutions."

In accordance with this policy, the Argentine government is manœuvring to procrastinate the actual taking into consideration the offered mediation of the United States until Brazil, now in reality the only combatant in the field against Paraguay, is allowed sufficient time to strike effectively the long-aimed fatal blow at a republic exhausted, as it must be, in her isolation by the long protracted war of the triple alliance, and thus, in the event of the ultimate subjugation of Paraguay, removing all occasion for the friendly mediation of the United States, consolidate undisturbed monarchical preponderance in the La Plata and Parana regions, with, moreover, full commercial control over the interior of South America.

Under these circumstances, and in view both of the reported anxiety of the blockaded republic of Paraguay to accept the mediation of the United States and of the difficulty of our minister at Asuncion to communicate with your department, I venture to express the confident hope that you will approve of my above letter to Rear-Admiral Godon as being the only course left to me by which I could further the humane views of the United States government in support of the common interests of the distressed South American people at large.

It was while influenced by these sentiments that I received, on the 22d instant, an official reply from Rear-Admiral Godon, stating that he has given the subject-matter of my letter proper consideration, and proposes to come to Buenos Ayres for a day or two in the Shamokin, with the view of meeting my wishes, if possible.

While enclosing, marked D, a copy of the note of Rear-Admiral Godon, I beg leave to report that I had the honor of a visit from the admiral the day before yesterday, (23d instant,) on which occasion he informed me verbally that he could not comply fully with my wishes, but would make such arrangements as might enable me to send through a messenger the despatches from your department to our minister in Paraguay, and bring in exchange his letters for you and myself. I requested that he would be pleased to give me this answer officially in writing, but he deferred it to a future occasion. Yesterday I went to see him at his rooms, and requested again a written answer, so as to enable me to report to you on the subject by this mail. The admiral deemed it proper, however, to postpone once more his compliance with my request, on the ground of its being Sunday. I felt, I confess, greatly disappointed, believing as I do that each day's delay will increase the troubles of my colleague, Mr. Washburn, and lessen the chances of a friendly mediation—the prayer of millions of sorrowing people who consider it as the safest move not only to bring the Paraguay war to a satisfactory termination but also to quell effectively

civil war here and secure true internal peace and friendly harmony in South America for the speedy development of the untold wealth of its virgin soil.

The Nacion Argentina, (government organ,) in its number of the day before yesterday, (23d instant,) makes the following remark, which reads in English thus :

Persons thoroughly well informed confirm the version we gave yesterday concerning the negotiation of peace by the United States assuring us that the Imperial government has hastened to communicate to the Argentine and Oriental governments the pretensions of the United States, in order that the allied governments may concert the best manner of rejecting them. Indeed, the great reserve maintained with regard to the mediation leads to the belief that the allied governments are treating this matter very cautiously.

Admiral Godon told me yesterday of the assurance given to him by Señor Octaviano, in Montevideo, that if Brazil were to accept any mediation it would certainly be that of the United States, while the same high Brazilian functionary confidently asserted about the same time to Señor Don Benigno G. Vigil, the Peruvian chargé d'affaires at Montevideo, that if the allies should consent to a friendly mediation it would certainly not be to that of the United States, but to that of the Pacific republics, and this assertion was made after the representatives of the Pacific republics had simultaneously and solemnly protested against the provisioning of Spanish men-of-war in the ports of Rio de Janeiro and Montevideo.

I am authorized by Señor Blest Gana, the Chilian chargé d'affaires, and through him by Señor Vigil, to take, if thought proper, official notice of these conflicting assurances of Señor Octaviano, and as I do not consider it improbable that he may ere long represent the allies in Washington, I have deemed it incumbent upon me to inform you of the above circumstances.

Time, I venture to repeat, is what the allies are manœuvring to gain in order to enable Marshal Marquis Caxias to make another combined attack upon Curupaity, which, as rumor says, he will attempt on the 6th of March, with a force reckoned in a supplement to the Brazil and River Plate Mail of January 22d, and by the Standard of the 23d instant, respectively, as follows :

There is no news of special importance from Brazil. The following is a list of the naval forces of Brazil at present in the Platine waters, as published by the Diario de Rio :

Steamers, 21; guns, 133; horse-power, 1,920; officers, 348; men, 1,898. Iron-clads, 9; guns, 47; horse-power, 1,630; officers, 173; men, 1,079. Gun-boats, 2; guns, 6; horse-power, 120; officers, 18; men, 77. Sailing ships, 3; guns, 26; horse-power, —; officers, 39; men, 197. Despatch boats, 5; guns, 3; horse-power, 1,300; officers, 95; men, 412. Total vessels, 40; guns, 215; horse-power, 5,020; officers, 678; men, 3,663.

IMPERIAL FORCES IN PARAGUAY.

The Brazilian army in Paraguay is reckoned up at 35,000 men. The naval strength consists of the following vessels :

Steam gun-boats, 10; guns, 67; horse-power, 980; men, 1,144. Steamers, 7; guns, 17; horse-power, 265; men, 520. Iron-clads, 9; guns, 47; horse-power, 1,770; men, 978. Bombs, 2; guns, 6; horse-power, 120; men, 95. Sailing ships, 2; guns, 5; horse-power, —; men, 69. Despatch boats, 5; guns, 5; horse-power, 1,300; men, 507. Total vessels, 35; guns, 147; horse-power, 4,435; men, 3,313.

In such a critical state of affairs I can but regret that Admiral Godon should delay my communicating with Mr. Washburn, whilst he has a number of vessels at his disposal at Montevideo that can safely steam up the river at its present high-water mark.

In conclusion I beg to report relative to the revolution in the provinces of Cuyo that the attitude of Cordova, with its new inscrutable Governor Dr. Luque, is becoming daily more important; however, the cynosure of the eyes of the great mass of the people in San José, the home of the veteran General Urquiza, who remains still passive.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

P. S.—After closing my mail for the packet steamer Arno, I called at noon on Rear-Admiral Godon, by appointment to visit with him his excellency the vice-president, when he handed to me a second note in answer to my above request of 16th instant, for a steamer to enable me to communicate in person with the Hon. Mr. Washburn. In this note the admiral states that he cannot as yet reply in detail to my referred communication, but takes the occasion to inform me that as soon as he reaches Montevideo he will order the United States steamer Wasp to this place, with instructions to receive any despatches I may have to send to Mr. Washburn, and then proceeding to Tuyuti, the headquarters of the allied army, obtain permission for an officer to pass and deliver said despatches to Mr. Washburn, waiting a sufficient time for any return communications he may have to send either to the State Department or to myself.

Thus Rear-Admiral Godon seems to coincide with me in the propriety of sending a steamer for the exchange of official despatches with Mr. Washburn, but is not disposed to lend himself to make it the occasion of my simultaneously holding an interview with our minister in Paraguay; and while I have the honor to enclose, marked E, a full copy of Rear-Admiral Godon's note, I am really at a loss to account for this unwillingness on his part to assist in carrying out the double object I had in view, viz: the exchange of despatches and a personal conference with Mr. Washburn. So much the less can I understand his reluctance to facilitate my proposed interview with Mr. Washburn, since it would not have entailed upon him any additional risk, responsibility, or cost, whilst it would certainly have materially contributed to bring about an advantageous solution of the pending negotiation, more in conformity with the spirit both of your instructions and of the resolution of the United States Congress.

Although I feel well assured that the admiral is actuated, as I am, by the same sincere desire to promote the best interests of our government, nevertheless I deem it proper, while submitting without further comment our conflicting views to your decision, to request at the same time that you may be pleased to define for my future guidance the reciprocal duties and obligations incumbent upon ministers resident and admirals abroad under similar circumstances.

A. ASBOTH.

MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATE FROM THE 9TH TO THE 24TH
FEBRUARY, 1867.

February 9.—The police is actively engaged in making arrests in connection with the alleged revolutionary suppression of the night before last. The Tribuna states that little importance is to be attached to the affair, whilst the Nacion Argentina makes the most of it, and insists it was the intention of the revolutionaries to assassinate the ministers Elizalde and Rawson, and the Governor Alsina.

The Brazilian minister Octaviano presented yesterday to the government at Montevideo his letters of recall.

February 10.—An order is published by the chief of police directing all citizens of the Uruguay republic who had held military employment in the same, but reside now here, to present themselves within 48 hours to the respective commissary of police, and give their names, rank, and domicile, under penalty of a fine of 200 paper dollars, or six days' imprisonment.

Señor Octaviano, in presenting his letter of recall the day before yesterday, at Montevideo, expressed the high regard entertained by Brazil for the Uruguay republic, and alluded to the sincere desire of the former to see the latter prosperous and independent. General Flores, in reply, expressed his regret at the departure of the minister, who, by the efficient discharge of his duties, has helped so much to make closer the bonds that unite the two nations.

February 11.—Two battalions from the Argentine army at Tuyuti arrived on the 9th instant at Rosario, destined for the interior, in support of General Paunero. On the 8th instant there was a stormy debate in the provincial house of representatives of Entre Rios, on the subject of the suppression of newspapers by order of the national government.

February 12.—Advices from Rio de Janeiro are to the effect that the Emperor is determined to push on the war with renewed vigor.

February 13.—It is reported that Admiral Viscount Tamandaré will shortly return to the river Plata and resume supreme command of the Brazilian squadron.

The Tribuna contains a leading article strongly in favor of mediation and peace, and for a dissolution of the alliance. Don Mariano Varela, the provincial minister of finance, being one of the proprietors of the paper, the fact of his advocating so strenuously the mediation of the United States is very significant.

February 14.—The Tribuna of to-day has another powerful leader advocating peace through the mediation of the United States.

The Marquis de Caxias, steam transport, with the Argentine troops on board from the seat of war to Rosario, burst one of her boilers in the port of Corrientes on the 9th instant. The list of killed and wounded is officially reported as 106, of which more than half were among the killed.

February 15.—On the 12th instant Don Tomas Fortimato de Brito presented to General Flores, in Montevideo, his credentials, withdrawing him from the post of charge d'affaires, and accrediting him as special plenipotentiary, vice Octaviano, retired. The usual decrees have been promulgated by the Uruguay government, recognizing Mr. de Brito in his new capacity. His successor as charge d'affaires is Don Julio Henrique de Mello Alvini.

From the interior we hear that a portion of Arredondo's force has reached Rio Cuarto and effected a junction with General Paunero, whose position is still very critical.

Arrests here in town and in the country are still the order of the day.

The Tribuna has another remarkable leader on the question of the mediation of the United States and peace with Paraguay.

February 16.—1,400 more Argentine soldiers having been sent from Tuyuti to Rosario in addition to the 1,200 that marched with Colonel Arredondo, President Mitre himself arrived in Rosario, on the 13th instant, in the Guarda Nacional, Argentine war steamer, with a body-guard of 300 men. Thus about 3,000 of the Argentine contingent have been already withdrawn from the allied army, to be employed against the Mendoza reaction. Marquis de Caxias has succeeded President Mitre as commander-in-chief of the allied army.

News has come of riots in the town of Cordova portending a revolutionary rising in the whole province.

The Tribuna still continues to advocate for mediation and peace.

February 17.—The Tribuna, in a leading article relative to President Mitre's arrival in Rosario, and of his having been obliged to give up the command-in-chief of the allied army, argues that the alliance is *de facto* dissolved, since the equilibrium at headquarters no longer exists, and one of the principal provisions of the alliance, that the direction of the war should be confided to a republican state, being no longer carried out, the alliance itself must cease, or else there would be a well-founded apprehension for an absolute preponderance of Brazil in the war.

The Standard publishes President Mitre's order of the day on leaving the allied army, as follows:

The President of the republic and General-in-chief of the army to his companions in arms :

SOLDIERS: While you have been sustaining with bravery the glory of the Argentine flag in front of the foreign enemy that dared to insult it, and pouring out your precious blood at its foot to secure to the republic the blessings of liberty and peace, some traitors, taking a cowardly advantage of your sacrifices, have committed the crime of disturbing the public peace in open rebellion against the law. I can assure you that the rebellion shall be promptly suffocated and the treason adequately punished, for which object some of your companions have already marched, and who will be sufficient to secure the peace of the republic; but if not, a sufficient number will be despatched, until the institutions of the country shall triumph. I also assure you that whatever may happen, and at whatever cost, the war in which we are engaged will be prosecuted vigorously with the powerful elements now at the command of the allied armies, until it shall reach a glorious termination.

In order to achieve this important result in the shortest possible time, I am obliged to separate myself temporarily from you—you at whose side I have shared for the space of two years the perils and glories of this memorable campaign. Soon I trust to return to share them again with you, until we shall obtain the crowning triumph.

I leave in command the same generals, chiefs, and officers as have always led you to victory, and whose orders you must obey now as before, showing the same courtesy, the same valor, and the same discipline as have made you the admiration of the whole republic. Until I return to share again your noble labors, I salute you as your general and friend,

BARTOLOME MITRE.

HEADQUARTERS TUYUTI, *February 9, 1867.*

February 18.—The arrests of citizens in Buenos Ayres and in the country are still continuing.

Two Brazilian transports with troops arrived in Montevideo on the 16th instant.

February 19.—News from the interior announce that the province of Rioja has declared itself for the insurrection. Thus there are already four provinces in open rebellion against the national government, viz: Mendoza, San Juan, San Luis, and Rioja.

Governor San Roman of Rioja, with Colonel Igarzabal, the commander of the national forces, were obliged to flee to the neighboring province of Catamarca with barely fifty men. A new federal governor for Rioja was elected, whose name is Alvarez.

Notwithstanding the rumors of a proximate peace, the Argentine government has sent forth fresh orders for horses.

Marshal Osorio, with his reserve corps of only 1,300 men, is reported as advancing towards Santa Anna.

February 20.—The Brazilian official account of the bombardment of Curupaiti on the 2d instant is published to-day. On the morning of the 2d at 5 a. m. the vanguard, consisting of the iron-clads Bahia Mariz y Barros, Tamandaré, and Columbus weighed anchor; they were shortly afterwards followed by the flag-ship Silvado, the Herval, Barroso, and Cabral, who opened fire on the Paraguayan batteries at 6 a. m. At first the Paraguayans did not reply, but when the Columbus, followed by the floating battery Fort de Corinbra and the Chartar Riachuelo and Curvas, took up an advantageous position above, and continued their fire on the fort, Curupaiti replied vigorously with thirteen large guns, keeping up a steady fire on the imperial camp. The Brazilian land forces made at the same time a charge under command of General Argallo, but were repulsed at the abatis, and had to retire to enable the squadron to reopen its fire, which lasted until 9 a. m., with the only result, however, of destroying a portion of the Paraguayan earthworks. The Paraguayans handled their guns with precision. The iron-clad Silvado had her commander killed by a round shot. The Barroso had six men disabled, including the second lieutenant. The iron-clad Cabral was pierced from side to side by a ball. The Bahia received thirteen balls. The Mariz y Barros had a shot through her turret, while another struck her close to the water's edge. The Herval was nearly sunk by a shot three inches below water mark, and a second entered her casemating. The Columbus lost her cable. The Tamandaré was the only one not injured.

Meanwhile the Emperor of Brazil is granting titles and orders for freeing slaves to enlist. Many decorations have besides been conferred in connection with the levying of troops. The Emperor has also sent the order of the Rose to General Acosta and Colonel Larraguitia (Orientals) for their attention in landing Brazilian soldiers at Montevideo.

From the seat of war it is reported that Marquis Caxias is preparing to make another attack by land and by water on the Paraguayan lines early in March.

On the 16th instant another Brazilian transport with troops for the army arrived at Montevideo.

News from the interior continues very unsatisfactory. General Paunero is urging President Mitre to join him, while the Vice-President, Dr. Paz, is equally pressing that he should come to Buenos Ayres. Felipe Saa has been made governor of San Luis. Minister Octaviano left Montevideo on the 17th for Rio de Janeiro.

February 21.—A steamer arrived yesterday, but brings no news from the seat of war. From the interior we hear that Colonel Arredondo's whole division has at last effected a junction with General Paunero. President Mitre's return to Buenos Ayres seems to be postponed for some days.

Señor de Brito, the new special envoy of Brazil, is expected shortly in Buenos Ayres to hold a conference with the Argentine government relative to the proposed United States mediation.

The "Tribuna" in an article published to-day, headed the situation, says: "The rebellion which originated in a mutiny of prisoners in Mendoza has been gradually taking importance, and is to-day mistress of four provinces, Mendoza, San Juan, San Luis and Rioja, and being able to provide itself with any amount of arms and ammunition from Chile, can bring into the field a large force. It counts moreover with the tolerance, if not the sympathy, of Cordova, Entre Rios, and Corrientes. The seven remaining provinces of the confederation, Buenos Ayres, Santa Fé, Santiago, Tucuman, Catamarca, and Jujuy, are alone, apparently, true to the national government, whose elements to combat the rebellion are the following: General Paunero, with Colonel Arredondo's division, can muster about 4,000 men of the line, who will form the main army of the interior and advance against the rebels, whose vanguard is said to be at El Moro, province of San Luis. The national guard of Catamarca, Tucuman, and Satta, amounting to about 4,500 men, under General A. Taboada, after incorporating themselves with the Santiago national guards, who, commanded by General M. Taboada, have been placed in observation on the frontier of the province of Cordova and Santiago, will march upon Rioja and San Juan, and while Colonel Conera with the second division Buenos Ayres and a battery of rifled guns will post himself in the town of Cordova to meet unforeseen emergencies, four other battalions, that will by this time have reached Rosario from Tuyute, with a regiment of cavalry, will either be stationed in Trangle Muerto as a corps of reserve or advance in support of General Paunero." The article concludes by saying that although the political horizon is darkened by an approaching heavy storm, the national government has sufficient means at its disposal to conjure it off by acting with energy and promptness.

February 22.—The "Tribuna" says that the mediation is the theme of everybody's con-

versation, and wonders at the reserve of the government, advising, at the same time, Señor de Elizalde to publish the official notes that have passed on the subject.

The "Nacion Argentina" gives the following characteristic résumé of the situation: "The Paraguay war waits for the war in the interior, the war in the interior waits for the operations that are about to be undertaken, the operations wait for the government, the government waits for President Mitre."

Further rows are reported to have occurred in Cordova.

February 23.—The "Nacion Argentina" announces the arrival in a few days of Señor Don Domingo F. Sarmiento, from the United States, to assume one of the ministerial portfolios here, and predicts, in consequence, a change in the policy of the Argentine government. Señor de Brito, Brazilian special envoy, arrived here to-day and had a long private conference with Señor de Elizalde. His official reception by the Argentine government will take place the day after to-morrow. Rear-Admiral Godon arrived also to-day on board the Shamokin.

February 24.—It is stated that President Mitre is awaiting in Rosario for the rest of the Argentine troops from Paraguay previous to taking his departure for Buenos Ayres.

Admiral Godon to Mr. Asboth.

U. S. FLAG-SHIP BROOKLYN,
Montevideo, February 21, 1867.

SIR: Your communication of the 16th of February, in which you request me to place a vessel at your disposal, &c., has been received.

I have given the subject-matter of your letter proper consideration, and propose to go to Buenos Ayres for a day or two in the Shamokin, with the view of meeting your wishes if possible.

I am, very respectfully, your obedient servant,

S. W. GODON,

Rear-Admiral, Commanding South Atlantic Squadron.

MAJOR GENERAL ASBOTH,

Minister Resident of the United States, Buenos Ayres.

Admiral Godon to Mr. Asboth.

U. S. FLAG-SHIP SHAMOKIN,
Buenos Ayres, February 25, 1867.

SIR: At present I am not able to reply in detail to your communication requesting me to put a vessel at your disposition to enable you to communicate in person with Mr. Washburn, United States minister resident in Paraguay.

I take this occasion, however, to inform you that as soon as I reach Montevideo, I will direct the Wasp to proceed to this place and receive any despatches you may have to send to Mr. Washburn, and thence proceeding to Tuyuti, the headquarters of the allied armies, obtain permission for an officer to proceed with the despatches to Mr. Washburn, and deliver them, waiting a sufficient time to receive from him any return despatches he may have to send, either to the government or to yourself.

I am, very respectfully, your obedient servant,

S. W. GODON,

Rear-Admiral, Commanding South Atlantic Squadron.

Major General ASBOTH,

Minister Resident of the United States, Buenos Ayres.

Mr. Asboth to Mr. Seward.

No. 15.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, February 28, 1867.

SIR: I have the honor to inform you that President Mitre, after a two years' absence as commander-in-chief of the allied armies in Paraguay, returned the day before yesterday to Buenos Ayres. A large concourse of people awaited

him at the landing place and escorted him *en masse* to his private dwelling, where he addressed them as follows :

[Translation.]

GENTLEMEN: Whatever may be the glory that surrounds me, the greatest—that which makes my heart proud, that which most flatters me—is to see myself in the midst of the love of this valiant and heroic people, always ready to realize great deeds and to follow vigorously the destiny of its flag.

But, gentlemen, all my words, all that I could say, would not suffice to show my gratitude.

Nothing can be more eloquent than what the people is doing for me at this moment.

I can only tell you that the greatest triumph for me is to see myself amongst you.

Yesterday the corps diplomatique visited the President. Our Señor M. Lefebvre de Bécour, French minister plenipotentiary, expressed, in a brief address, the confident hope that, with the President's safe return, the much-desired peace will be given to the La Plata regions. In the President's reply the ominous words were introduced "that he firmly believed that an honorable peace *will be conquered.*"

To-day's Standard concludes an article, headed "the return of the President," as follows :

We believe we interpret the wishes, not only of the foreigners, but the great bulk of Argentines, when we say they all sigh for peace. The country is rid of the Paraguayan invaders, and if terms honorable for this republic and guarantees for their performance can be obtained, the River Plata public will bless the day when President Mitre landed here to put an end to this disastrous war.

Persons in the President's confidence say that he is not inclined to accept a friendly mediation, but is determined speedily to suppress or pacify the reaction in the interior, and then return as commander-in-chief of the allied armies to conquer Paraguay.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Asboth to Mr. Seward.

No. 16.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, March 12, 1867.

SIR: In connection with my report of the 25th ultimo, marked No. 14, I have the honor to inform you that, on the 2d instant, I received from Rear-Admiral Godon a third letter, in answer to my note of the 16th February, in which I requested him to place a steamer at my disposal, to enable me to communicate in person with the Hon. Mr. Washburn on the Paraguayan lines. In this letter, a full copy of which I beg herewith to enclose, marked A, the admiral states that he has ordered the Wasp, Lieutenant Commander Kirkland commanding, to Buenos Ayres, with instructions to proceed, after receiving my despatches for our minister to Paraguay, without delay to Tuyuti, or wherever the headquarters of the allied armies may be, and deliver the despatches to Mr. Washburn, detaining his vessel a reasonable time for any communication he (Mr. Washburn) may have for the United States government or for me.

On the day that this reply reached me, after a personal conference with the minister for foreign affairs, I addressed to him the following note :

No. 6.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, March 2, 1867.

SIR: Rear-Admiral S. W. Godon, United States navy, commanding South Atlantic squadron, has, at my request, sent the United States steamer Wasp, Lieutenant Commander

Kirkland commanding, from Montevideo to this harbor, with instructions to receive my official despatches for the Hon. Charles A. Washburn, United States minister in Paraguay, and to proceed without delay to the headquarters of the allied armies, or to such a point up the river as will enable him to deliver the despatches, of which he is the bearer, to Mr. Washburn in person, detaining his vessel a reasonable time for any communication Mr. Washburn may have, either for the United States government or for myself.

Of this arrangement I have the honor to inform herewith your excellency, and beg to request, at the same time, that, on account of the absence from headquarters of his excellency Brigadier General Don Bartolome Mitre, President of the Argentine Republic and commander-in-chief of the allied armies against Paraguay, you may be pleased to favor Lieutenant Commander Kirkland with such a letter of introduction and safe conduct to the proper commanding officer in the field as will insure the intended exchange of official despatches with the minister resident of the United States in Paraguay.

I have the honor to be, sir, with distinguished consideration, your obedient servant,
A. ASBOTH.

His Excellency Señor Dr. Don RUFINO DE ELIZALDE,
Minister for Foreign Affairs.

Owing to the three days' carnival festivities, I received, only on the 8th instant, the answer from the Argentine government, complying in a satisfactory manner with my request, and enclosing open orders to Marshal Marquis de Caxias to forward, by a flag of truce, to the Paraguayan camp the official communication, recommending him, at the same time, to allow the bearer of the despatches to pass over to the enemy's camp to receive in return Mr. Washburn's answer.

A full copy of this note, in the original Spanish, you will please find in enclosure B, whilst a literal translation of it I have the honor herewith to append, viz :

OFFICE OF FOREIGN RELATIONS,
Buenos Ayres, March 7, 1867.

M. LE MINISTRE: I have had the honor to receive your excellency's note, dated the 2d instant, by which you inform me of your being desirous to send a vessel of the American navy as far as the lines of the allied army, with an officer bearing communications from the United States government and from your excellency, to be delivered personally to Mr. Washburn, United States minister resident in Paraguay.

I have immediately come to an understanding with the allies of the Argentine government about the wish manifested in your excellency's note, and I have the pleasure to communicate to you that, in pursuance to the offer they formally made to your excellency on an analogous occasion, the necessary orders are being issued to the Marquis de Caxias, as your excellency will see by the enclosed despatch, that he should forward by a flag of truce to the Paraguayan camp the official communications, the bearer of which is the officer mentioned by your excellency, who will be able to receive the answers of Mr. Washburn, United States minister resident, as soon as they are transmitted in the same form from the Paraguayan camp, recommending to him, (Marquis de Caxias,) at the same time, that should he not see any inconvenience in it, he may allow said officer to pass over to the enemy's camp; wherein your excellency will perceive a proof of deference.

I avail myself of this opportunity to salute your excellency with consideration and esteem.
RUFINO DE ELIZALDE.

His Excellency the Minister Resident of the United States, General A. ASBOTH.

I at once informed Lieutenant Commander Kirkland of this result; but, as it was my original intention, besides the exchange of official despatches with Mr. Washburn, to have also a personal conference with him, and as neither of the three letters received from Rear-Admiral Godon contained any direct answer touching this my desire, I deemed it proper to request Commander Kirkland to inform me whether his special instructions from the admiral contained anything conflicting with my intention to meet Mr. Washburn in person.

I enclose copy, marked C, of my letter to Lieutenant Commander Kirkland, and also a copy, marked D, of his reply, received on the 9th instant, in which he states that his instructions "*only require him to carry despatches.*"

This laconic and guarded answer of Commander Kirkland having placed beyond doubt that the arrangements made by Rear-Admiral Godon were calculated to prevent my personal meeting with Mr. Washburn, I transmitted to Lieutenant Commander Kirkland, on the same day, the 9th instant, the open

orders addressed to Marshal Marquis de Caxias by the Argentine government, in concurrence with the Brazilian legation and the Oriental government, informing him at the same time that the despatches would be ready the next morning, at 8 o'clock.

I beg to enclose a copy, marked E, of this note, also, marked F, copy of Lieutenant Commander Kirkland's reply, of the same date, in which he informs me that he would send from his vessel an officer to receive, at the appointed time, the despatches for Mr. Washburn from this legation.

Next morning, the 10th instant, Lieutenant Commander Mitchell signed a receipt for the despatches, a full list of which you will please find in the copy of my letter to Lieutenant Commander Kirkland, enclosure E.

Half an hour afterwards the United States steamer *Wasp* weighed anchor and sailed up the *La Plata* river, towards Paraguay, and thus, although deprived of the opportunity of meeting and conferring in person with our minister in Paraguay on the important subject of the pending mediation, I have at least succeeded in securing a safe exchange of official despatches with the Hon. Charles A. Washburn, on the Paraguayan lines, the result of which will, in all probability, be the acceptance of the United States mediation by Lopez, who, according to published statements, has issued a printed proclamation announcing that peace is all but made.

Meanwhile, Dictator Flores, of Uruguay, seems now also to be more inclined to have peace restored by the friendly mediation of the United States; but Brazil and President Mitre are still unmovable in their determination to *conquer peace by force of arms*, and dictate their terms to Paraguay.

The *Tribuna*, the most influential paper in the river *Plata*, continues advocating peace through the United States mediation, and suggests in one of its leading articles * * * * the following as the basis of peace :

1. An honorable satisfaction to the Argentine flag;
2. The free navigation of all rivers washing Paraguayan soil;
3. A proper indemnification of the expenses of the war; and
4. A fair adjustment of all territorial disputes of half a century standing.

The removal of Lopez is not only not urged, but is directly opposed by the *Tribuna*, while, at the same time, it impresses upon the Argentine people the necessity of considering Paraguay and not Brazil their natural ally.

The New York correspondent of the same paper says that the Assistant Secretary of State, the Hon. Frederick W. Seward, will arrive here from Washington as special peace envoy or mediator to negotiate the terms of peace. I know not whether there be any foundation for this pleasing announcement, but certain it is that he would be warmly welcomed by all the people of South America, and that his presence would obviate the main objection to the mediation, viz: the meeting of the several commissioners at Washington, many thousands of miles from their respective homes.

No success has been heard of from the *Tuyuti* headquarters. The report of another attack, however, on *Curupaiti* is confirmed. All the iron-clads went into action, and the firing was as severe as on former occasions. The Paraguayans replied with their accustomed precision, and many of the plates were pierced. The fleet dropped down the river to their old anchorage when the bombardment was over, and then the Paraguayans opened fire on the allied encampment as usual. The land forces failed again to storm the abatis, and thus *Curupaiti* is still in the same position, now commanded by Colonel Allen, who succeeded General Diaz, whose death is much lamented in Paraguay.

A Brazilian gunboat from the *Alto Parana* arrived at *Curuzu* on the 2d instant and reported the doings of the small fleet under Captain Carvalho in those remote districts. At the falls of *Santa Maria* they destroyed the little town, together with all public property; also, the town of *My*, where, at a distance of thousands of miles from the sea, the people manufactured their own

powder and cannon balls, wadding, and other war materials, which explains the extraordinary resources of the isolated Republic of Paraguay. As to General Osorio, he is not expected with his new reserve corps on the Alto Parana, at Candelaria, before the month of May.

In the interior province of Cuyo no further engagement has taken place between the national and revolutionary forces; both parties are, however, preparing and organizing, and more Argentine troops continue to arrive at Rosario from Paraguay. General Paunero has at last left Rio Cuarto, but will not risk a decisive movement into the insurrectionary territory until the artillery, horses, and other re-enforcements arrive from Rosario.

Additional details you will please find in enclosure H, my daily memoranda of political events in continuation to enclosure B, with my report No. 14 of the 25th ultimo. The peace question is the great topic of the day. The proffered United States mediation has been taken up by the allies, but up to this hour I have received no reliable information about the result of their deliberations. I wish I could see reason to anticipate something more than a polite and evasive answer.

I have the honor to be, sir, very respectfully, your obedient servant,
A. ASBOTH.

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

P. S.—*News from Montevideo per electric telegraph.*—The English mail steamer Arno arrived from Rio de Janeiro. Don Andres Lamas, Oriental minister in Brazil, is among the passengers. He comes from the Brazilian government on a special mission of peace with Paraguay, as proposed by the United States. Nothing else is talked of in Rio, and every one believes it possible.

A. ASBOTH.

Admiral Godon to Mr. Asboth.

SOUTH ATLANTIC SQUADRON, U. S. FLAG-SHIP BROOKLYN, (2d rate),
Harbor of Montevideo, March 1, 1867.

SIR: I have ordered the Wasp, Lieutenant Commander Kirkland, commanding, to Buenos Ayres, from which point, after receiving your communications for Mr. Washburn, he has been instructed to proceed without delay to Tuyuti, or wherever the headquarters of the allied armies may be, and to deliver the despatches to Mr. Washburn, detaining his vessel a reasonable time for any communications Mr. Washburn may have either for yourself or the government.

I have detained the Wasp here beyond the time I mentioned to you, as the French packet which arrived on the 27th ultimo was quarantined, and our mail was not delivered until the following day. There may be a mail for Mr. Washburn, which, perhaps, you can send in the Wasp by delaying her for a day.

I have the honor to be, sir, very respectfully, your obedient servant,
S. W. GODON,
Rear-Admiral, Commanding South Atlantic Squadron.

His Excellency General ASBOTH,
Minister Resident, &c., &c., &c., Buenos Ayres.

Mr. Asboth to Commander Kirkland.

LEGATION OF THE UNITED STATES,
Buenos Ayres, March 8, 1867.

SIR: In answer to an official application made by me, under date 16th ultimo, to Rear-Admiral Godon, commanding South Atlantic squadron, I have received through your kindness, on the 2d instant, an official communication from him, dated Montevideo, 1st instant informing me that he has ordered the United States steamer Wasp, under your command, to this port with instructions to receive my despatches for the honorable Mr. Washburn, United States minister in Paraguay, and then proceed up the river to the headquarters of the allied

army in Paraguay for the object of delivering said despatches to Mr. Washburn, and waiting a reasonable time to receive from him any return communications he may have either for our government or for myself.

I had made at once on the 2d instant the proper application to the minister for foreign affairs for the required orders to the commander-in-chief in the field, and these orders I have received to-day; but as it was my original intention, besides the exchange of official despatches with the honorable Mr. Washburn, to have a personal conference with him, I have the honor to request hereby that you will be pleased to inform me whether your special instructions from the admiral contain anything conflicting with this my intention.

Very respectfully, your obedient servant,

A. ASBOTH.

Lieutenant Commander W. A. KIRKLAND,
Commanding United States Steamer Wasp.

Commander Kirkland to Mr. Asboth.

UNITED STATES STEAMER WASP,
Off Buenos Ayres, March 9, 1867.

SIR: I have the honor to acknowledge as just received your communication of yesterday requesting to know whether my special instructions from the admiral contain anything conflicting with your intention of holding a personal conference with Mr. Washburn, and I have the honor to inform you that my instructions only require me to carry despatches.

I am, sir, respectfully, your obedient servant,

W. A. KIRKLAND,

Lieut. Commander U. S. N., Commanding U. S. Steamer Wasp.

Major General A. ASBOTH,
U. S. Minister to Argentine Confederation.

Mr. Asboth to Commander Kirkland.

LEGATION OF THE UNITED STATES.
Buenos Ayres, March 9, 1867.

SIR: I have the honor to enclose herewith the open orders of the Argentine government, in accordance with the legation of Brazil and the government of the Oriental Republic, addressed to Marshal Marquis de Caxias, commander-in-chief *ad interim* of the allied army in operations against Paraguay, and received by myself yesterday from his excellency Señor Dr. Don R. de Elizalde, minister for foreign affairs, with the view fully to secure for you the intended exchange of official despatches with the Hon. Chas. A. Washburn, on the Paraguayan lines.

At the same time I beg to inform you that the box with the despatches will be ready to-morrow morning at 8 o'clock, containing—

1 official letter of mine for the Hon. Chas. A. Washburn, United States minister resident in Paraguay.

7 official despatches from the State Department for Mr. Washburn.

3 official letters from the consulate ———, Buenos Ayres, for Mr. Washburn.

7 private letters from the United States for Mr. Washburn.

1 letter from the British legation, Buenos Ayres, for Mr. Washburn.

1 letter from Captain Wells, United States navy, Montevideo, for Mr. Washburn.

1 unsealed letter from G. Soler, Buenos Ayres, for Mr. Washburn.

2 packages containing newspapers from the State Department for Mr. Washburn.

1 package containing 21 newspapers from the Treasury Department for Mr. Washburn.

1 package containing 34 newspapers from the United States for Mr. Washburn.

8 books from the State and Treasury Departments for Mr. Washburn.

You will be pleased to acquaint me whether it will be convenient for you to send an officer to receive said box at this legation, or whether you prefer I should send it to the wharf at the above-mentioned hour.

Very respectfully, your obedient servant,

A. ASBOTH.

Lieutenant Commander W. A. KIRKLAND,
Commanding United States Steamer Wasp.

Commander Kirkland to Mr. Asboth.

UNITED STATES STEAMER WASP, (4th rate,
Off Buenos Ayres, March 9, 1867.

SIR: I have the honor to acknowledge the receipt of your communication of this date, and also of the enclosed letter to the commander-in-chief for the time being, his excellency the Marquis de Caxias, of the allied army.

I will have an officer sent from this vessel, to be at the legation of the United States to-morrow morning, the 10th instant, at 8 o'clock a. m., in order to receive and receipt for the box containing the despatches, &c., for his excellency the Hon. Chas. A. Washburn, the United States minister to Paraguay, and on receiving them on board will immediately proceed with them to their destination.

I take the occasion to offer to you my services in any way that I can assist you.

I am, sir, very respectfully, your obedient servant,

W. A. KIRKLAND,

Lieut. Commander U. S. N., Commanding U. S. Steamer Wasp.

Major General A. ASBOTH,

United States Minister to Argentine Confederation.

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM THE 25TH
FEBRUARY TO THE 10TH MARCH.

February 25.—A great banquet was given to President Mitre on the 19th instant, by the foreign and native merchants in Rosario. The president, in returning thanks for his health being drunk, spoke confidently of the speedy termination of the war by arms, and said that he did not attach much importance to the insurrectionary movement in the interior provinces.

February 26.—President Mitre arrived here to-day on board the Guardia Nacional. A large concourse of people awaited his landing on the mole, and escorted him to his dwelling, where he addressed a few words to the assembled multitude, as given in my report No. 15. From Rosario they write that the arrival of troops from Paraguay is of daily occurrence, and that the Rosarinos are at every moment astonished by the landing of immense cargoes of ammunition, cannons, baggage, &c.

February 27.—The Nacion Argentina, in a leading article, denies there being any truth in the assertion by the Tribuna that Brazil accepts the mediation of the United States, and goes on to say that the propositions submitted by the United States government are inadmissible, more particularly the one referring to an armistice.

February 28.—Yesterday Señor Britto, the new envoy extraordinary and minister plenipotentiary from Brazil, presented officially his credentials to the vice president of the Argentine Republic. Señor Britto said that the removal of his predecessor having been occasioned by motives alien to the good relations between the two nations, he would maintain on the part of the imperial government a policy of the most cordial friendship: a policy whose noble and disinterested inspirations can only appear dubious to the eyes of the enemies of the two nations. The vice-president, in replying, said that the loyalty of the Brazilian government towards the allies was a guarantee that he (Mr. Britto) would fulfil the noble intentions just expressed in favor of the mutual friendship of the two governments; and as regarded the Argentine government, he assured him that it would always acquit religiously its compromises of honor.

March 1.—The French mail steamer is announced to have arrived the day before yesterday at Montevideo, but was put in quarantine on account of two cases of cholera having occurred at Rio de Janeiro. The Edward Everett steamer, direct from New York, arrived also at the same time at Montevideo, and was likewise placed in quarantine.

The Nacion Argentina alludes to the ministerial changes likely to take place in the national government by the resignation of Dr. Rawson, the minister of the interior, whose portfolio will be offered to Señor Sarmienta, if he comes back. The resignation of Señor Gonzalez, the finance minister, is also talked of.

The Tribuna to-day has a strong leader against the triple alliance. Public opinion has of late undergone a great change relative to the Paraguay question; all who at the commencement were most sanguine are clamoring for peace, and no stronger indication of this could be given than the fact of this influential paper taking so decided a stand against the alliance and in favor of accepting at once the offered mediation of the United States.

March 2.—Although the French packet Carmel arrived here yesterday, the mails have not been landed yet on account of her having been placed in quarantine.

The arrival yesterday at Montevideo of the Itapiru, with 500 men on board for the army, is announced.

The Standard says: "Peace is now a mere question of time; all Buenos Ayres clamors for it, and it must come."

From the seat of war no news. A passenger by the last steamer stated that when he left

Corrientes there was a tremendous firing going on, and that people there believed another attack upon Curupaiti was going on.

From the interior the accounts are very meagre. Paunero is still near Rio Cuarto, and his inactivity gives rise to much comment. The northern provinces of Jujuy, Salta, Tucuman, and Santiago have formed a league in support of the national government, to put down the rebellion in the province of Cuyo.

March 3, 4, 5.—These being carnival days no newspapers are published, and it is not safe to go into the streets, owing to the outrageous playing with water, and pelting of eggs without number.

March 6.—The news from the interior are that the Indians made another invasion in the vicinity of Rio Cuarto, and came within a league of General Paunero's camp, who was unable to follow them up for want of horses. Colonel Igarzabal is said to be marching, at the head of a respectable force, from Catamarca upon La Rioja.

General Urquiza has sent out general invitations to the public at large to a grand "fete champetre" for the inauguration of an artificial lake built by him, at an enormous cost, on his estate; the fete is to be held with unprecedented magnificence at his estancia of San José, on the 19th instant. It is stated that the preparations going on will eclipse everything of the kind known in the river Plate, and that 20,000 people, with some 50,000 horses, will assemble to partake of the feudal hospitality of this renowned chief.

The Brazilians are preparing another expedition to attack Matto Grosso, which is still fortified and held by a strong Paraguayan force. The Brazilians have organized a battalion of Indians, and will cross through the forest towards Miranda.

Dates from Rio de Janeiro of the 22d February announce the sailing, on that day, of a transport with 500 additional troops for the Brazilian army invading Paraguay, an equal number having been sent the previous day by the Itapiru. His Majesty the Emperor has given a donation of about \$50,000 for the manumission of slaves willing to enter the army and proceed to Paraguay. News from the seat of war were anxiously looked for in Rio, as it was thought that Curupaiti had fallen.

March 7.—Yesterday President Mitre resumed the reins of power, which, for nearly two years, have been held by the Vice-President, Dr. Marcos Paz. To-day the following decree and proclamation have been published:

"BUENOS AYRES, March 6, 1867.

"The Vice-President of the republic has ordered and decreed, viz:

"ARTICLE 1. Let the President of the Argentine Republic, Brigadier General Don Bartolome Mitre, resume the charge of the executive.

"ART. 2. Let this be published.

"PAZ.

"G. RAWSON.

"R. ELIZALDE.

"L. CONSALDEZ.

"E. COSTA.

"J. M. MORENO."

"PROCLAMATION.

"The President of the republic to his fellow-countrymen:

"After I addressed you when entering on the war which was forced upon us, I had hoped not to return to assume office save on the conclusion of peace, after a decisive victory, bringing back with me to their homes my brave and virtuous soldiers, with whom I shared the glory and the dangers of the campaign, fighting a foreign enemy that had insulted our flag, violated our territory, and forced us to draw our swords, never to be sheathed again except with honor. But treason breaking out in our rear, and in the bosom of the country for the flag of which we were fighting in Paraguay, and the removal of such considerable troops as the case demanded, coupled with the opinions of those who shared with me the responsibility of the situation, rendered it imperiously necessary for me to temporarily leave the post of honor which I held at the head of the allied army, and resume the charge of the executive of the republic.

"I resume, therefore, the reins of authority in order to overcome, in the name of the law, the rebellion, and to give to our institutions the fullest support, not only by force of arms, but also by the triumph of public opinion, to place the republic in an honorable position in the strife which, with our allies, we maintain, and to instil increased vigor into it until we bring it to a glorious termination, thus securing peace on a lasting basis, the present and future of our country. For this end I count on the power of constitutional authority which you have freely reposed in my hands, the powerful aid of your opinion, the efficacious concurrence of all the provincial governments, and the generous patriotic aid of which at all times Argentine citizens have given such great examples.

"Your fellow-countryman and friend,

"BARTOLOME MITRE.

"BUENOS AYRES, March 6, 1867."

The Tribuna, in a leading article to-day, comments upon the attitude and tone of the Brazilian press on the subject of the alliance, and upon the declaration made in the Journal do Comercio, (considered as an official organ,) which openly states that "*the policy of the only monarchy in America can never be unified with that of the tumultuous republics of the La Plata.*"

March 8.—Yesterday Dictator Flores arrived at this port on board the Rio Parana, and, without landing, proceeded in the afternoon up the Uruguay river. He has appointed Senhor Battle provisional governor during his absence from Montevideo.

The Tribuna says we have positive data for knowing that the offered mediation will be accepted, with the omission, however, of the long voyage to the United States to hold there the conference.

March 9.—It is reported that the Brazilians have contracted for 10,000 American pine boards, to be delivered at Itapiru, on or before the 15th instant. It is also stated that Marquis de Caxias intends changing his tactics, and that he is going to send the bulk of the Brazilian army up the Parana by steam to invade Paraguay by Candelaria, where General Osorio is also expected. However, nothing is known positively beyond the purchase of the pine boards. In Corrientes it is believed that Caxias is preparing for a general attack on the enemy's positions at Tuyuti.

General Mena Barreto (Brazilian) is dead. The death is also reported of General Diaz, one of Lopez's best generals, and who commanded at Curupaity, in which he is succeeded by General Allen.

From the interior there are news from Paunero, of the 2d instant, but up to that date he had not moved from Rio Cuarto, and was still busy organizing his forces and collecting horses. An interview had taken place at Rio Cuarto, between him and Dr. Banquet, Governor Luqués, minister, of nine hours' duration, in the course of which Dr. Banquet vindicated the attitude of the Cordova government, and dissipated all the apprehensions that the dubious conduct of that government had given rise to.

March 10.—Yesterday M. Noel, who replaces M. Lefebvre de Becour, as French minister plenipotentiary, was officially received at the Government House. The usual complimentary speeches were exchanged. M. Lefebvre de Becour leaves for France this week, and his departure is regretted by all who had the pleasure of his acquaintance.

Another attack has been made on Curupaity; all the Brazilian iron-clads went into action, but had to leave the place in the hands of the Paraguayans.

A. ASBOTH.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 18.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, March 25, 1867.

SIR: In connection with my reports Nos. 14 and 16, (current series,) I beg leave to inform you that I am still without any definite answer from the Argentine government to the propositions submitted by you on the part of the United States government to each of the belligerents in the Paraguay war, for the re-establishment of peace, and which were forwarded to the Argentine minister for foreign affairs on the 6th of February last in my note No. 5, a full copy of which I had the honor to lay before you in my report of the 8th ultimo, marked No. 12.

I have, however, had personal visits both from Señor Britto, the Brazilian minister plenipotentiary, and from Señor de Elizalde, the Argentine minister for foreign affairs, in which they have assured me of their anxiety that an early answer should be sent to the friendly offer of the United States, and that the delay is owing to the time required to procure the concurrence of all the allies.

I was moreover assured by Señor de Elizalde, five days ago, in presence of Minister Costa, that the answer prepared by the former had been approved by all the parties concerned and required only the formal signature of General Flores, for which purpose it had been sent to Montevideo.

Meanwhile the mass of the people is greatly preoccupied by the mediation question, and the leading papers are continually treating on the subject, as you will please find in enclosure A, the continuation of my daily memoranda of political events in the River Plate from the 12th to the 25th instant.

* * * * *

The United States steamer *Wasp*, which left this on the 10th instant with despatches for our minister in Paraguay, has not yet returned; but Mr. Watson, secretary to the British legation here, arrived a few days ago from the allied camp, and informed me that he had met Mr. Washburn at the Marquis de Caxias's headquarters, in good health and spirits. Mr. Watson handed me three official despatches for your department from Mr. Washburn, which I have the honor herewith to forward; also a letter from Mr. Washburn to myself, dated Paso Pucu, March 11th, continued and concluded at Tuyuti March 13th, in which he acknowledges receipt of my letter of 18th December last, with official despatches from your department, and complains of having received no further information, which is certainly through no fault or neglect of mine, as my several reports to your department referring to Paraguay will explain.

On the 16th February some official despatches from your department for Mr. Washburn were sent to me from our consulate. I at once made a request to Rear-Admiral Godon, off Montevideo, for a steamer to enable me to exchange despatches and communicate in person with our minister on the Paraguayan lines, a full copy of which request I had the honor to forward embodied in my report of 25th February, marked No. 14, but it was only on the 2d instant that the United States steamer *Wasp*, Lieutenant Commander Kirkland commanding, arrived at this port with special instructions from the admiral "only to carry despatches." My report of the 12th instant, marked No. 16, explains that I neglected nothing in order to secure her speedy departure, and that she eventually sailed on the 10th instant up the river Plata towards Paraguay, carrying not only the despatches above alluded to, but also all others which arrived here during the month of January, and were forwarded without my knowledge from the consulate up to Corrientes, from whence, not having been allowed to pass the lines, they were returned to Buenos Ayres, and sent to me.

In my official letter to Mr. Washburn accompanying the above despatches from your department, I informed him about everything worthy of notice bearing on the pending question of mediation, and furnished him at the same time with full copies of my correspondence with the Argentine minister for foreign affairs relative to this subject, and I confidently hope that he will also in return give me by the *Wasp* all proper information on the matter.

From Mr. Washburn's letter to me I beg to transcribe the two following quotations:

1st. When I communicated to the Paraguayan government the facts in regard to the mediation, it was not disposed to reject it, but unless the mediation was accepted on the other side it would avail nothing.

2d. I asked Marquis de Caxias if he had any news of your coming up or sending up to communicate with me. He said yes; he had received a letter from Buenos Ayres that you were coming, but that our admiral had not approved of it. I asked who our admiral now was, and he said Godon, and went and found the letter, from which he read to this effect: That the United States minister had expressed his desire to communicate with me and was coming himself on a war vessel, or at least desired to come, but that they (the authors of the letter) having had a *confidential* interview with the admiral, had arranged it so that you were not to come, but instead an ensign from the squadron was to be sent to communicate with me.

To these I may add that the authors of the above mentioned letter to Marquis de Caxias were the two ministers of Brazil in the river Plata.

I had the honor to lay before you my correspondence with Rear-Admiral Godon, in connection with my intended interview with our minister to Paraguay, in my reports Nos. 14 and 16, and beg now to enclose herewith for your information, marked C, a copy of my last letter to him on the subject, dated 23d instant.

In conclusion I venture again to repeat my conviction that Brazil, by still interposing delay to the United States' offer of mediation, is only endeavoring to gain time to allow the Marquis de Caxias to strike a last and, as is hoped, decisive blow at Paraguay. The principal object of my intended interview

with Mr. Washburn was to check, if possible, the further effusion of blood and prevent the additional complications of the already much distressed affairs in the La Plata and Parana republics, which must inevitably arise from the continuance of a war *destructive of commerce and injurious and prejudicial to republican institutions.*

Without comment from myself I am thankful to leave to your judgment the consideration that the United States admiral commanding on this coast of South America should, under the present serious circumstances, have deemed it not inconsistent with his duty to hold such communication with the Brazilian ministers here as to afford ground for the report that he had so arranged with them that I should not hold the personal interview I desired with Mr. Washburn.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

DAILY MEMORANDUM OF POLITICAL EVENTS IN THE RIVER PLATA FROM THE 12TH TO THE 25TH MARCH, 1867.

March 12.—The state of the city of Cordova is described as most deplorable. There is perfect anarchy in all social and political circles. During carnival some parties got a Brazilian flag and dragged it in a most unbecoming manner through the streets, with the evident approbation of all beholders.

March 13.—The San José steam transport from Rio de Janeiro, with a contingent of 300 Brazilian soldiers for Paraguay, arrived yesterday in Montevideo.

Although the news received to-day from the interior state that the revolution makes no progress, every mail teems with accounts of the atrocities committed by the insurgents. Two inoffensive English gentlemen, while driving a troop of their own mules through the province of San Juan, were robbed of all they possessed and afterwards barbarously murdered. In the town of San Juan several houses of respectable citizens have been entered by bands of ruffians, who, after slaughtering the male inmates, violated the women and carried away all they could lay their hands on. The authorities seem to be neither willing nor able to restrain these disorders.

March 14.—On the evening of the 12th instant the English mail steamer Arno arrived at Montevideo. Among her passengers is Don Andres Lamas, oriental minister in Brazil, who is said to come on a special mission of peace.

The Proveedor arrived to-day from the seat of war. She brings news of another fierce bombardment of Curupaiti. The place, however, still holds out, though if the Brazilian ammunition does not fail it must eventually give in. Marquis de Caxias is said to be building a church and a theatre to celebrate the approaching great victory.

March 15.—In view of the prevalent abuses committed by enlisting agents, the provincial government of Buenos Ayres has issued a decree, dated the 13th instant, directing the inspection of militias not to admit as "personeros" (substitutes) foreigners who are not provided with a certificate from their respective consul testifying his knowledge of their being about to enlist. It would be very desirable that the national government should also adopt some measure to put a stop to the unjustifiable practices of recruiting agents, which give rise to endless complaints.

March 16.—The Talac, arrived from Rosario yesterday, brings news that there is considerable dissidence among the insurgents in the provinces of Cuyo. A Chilian contingent has mutinied and shot their leader. In Rosario the greatest enthusiasm prevails for peace, and the soldiers that have come from Paraguay declare that nothing will induce them to go back there.

March 17.—Dates from Rio de Janeiro of the 7th instant report an approaching ministerial crisis, owing to the impossibility of the present cabinet remaining in office with a chamber formed of the deputies lately elected. It is not known whether the present ministers will, on the assembling of the chambers in May, resign or dissolve them. The liberating of the blacks and mulattoes from slavery, under condition of serving in the army, still continues, and the number of soldiers offered is considerably increased since the government made it known that important services of this nature would be rewarded by grants of various honorary orders of the empire.

March 18.—Dictator Flores arrived here this morning on his way back from the Uruguay river. He landed and held a long conference with President Mitre. In the afternoon he re-embarked and left for Montevideo.

At Santa Candida, on the Uruguay, General Urquiza came on board the steamer that was conveying General Flores, and had an interview with him.

Baron de Bourgenay, the newly appointed French consul at Asuncion, will leave shortly for his destination in a French man-of-war, to replace Mr. Cochelet, who has been appointed French consul at Richmond, United States.

March 19. The Esmeralda, arrived during the night from the seat of war, brings news that Mr. Washburn, United States minister in Paraguay, appeared on the Brazilian lines on the 11th instant under a flag of truce, accompanied by Señor Berges, Paraguayan minister. Mr. Washburn was allowed to pass through to the tent of the Marquis de Caxias, with whom he held a lengthened interview. Mr. Washburn's appearance in the allied camp gave rise to various conjectures, the most prevalent being that of an armistice, but on his withdrawing the Brazilians resumed their fire on the Paraguayan lines, which dissipated all idea of a prompt cessation of hostilities.

It is reported that Marshal Osorio, with 10,000 men, is approaching Candelaria.

A contingent of 200 recruits from the province of Salta, while on their way, in the national steamer Chacabuco, from Rosario to the army at Tuyuti, mutinied about three leagues above Goya, on the Chaco coast, and pillaging the steamer of all her arms and provisions, lowered her boats and escaped into the Chaco.

March 20.—Dates from Rio de Janeiro of the 12th instant report the sailing, on the 9th instant, of the transports Marquis de Caxias and Arino, with re-enforcements of 590 men to the Brazilian army invading Paraguay. There is great discontent in Rio de Janeiro at the long protraction of the war. The people in general, and some of the organs of the press, complain that troops are constantly going forward, war stores and large amounts of gold despatched to the Plata, but no results are forthcoming from the seat of war.

It is now said that Marquis de Caxias is going to make a complete change in his tactics, and that the great battle that is impending, and for which preparations have been making for some time past, is not to take place at Tuyuti, but somewhere else.

The Tribuna of to-day asserts, in a very positive manner, that a conference took place on the 18th instant, between General Flores, dictator of the Oriental Republic, General Mitre, president of the Argentine Republic, with his five ministers, and Messrs. Brito and Leal, Brazilian ministers, in which General Mitre and his ministers, seconded by General Flores, argued that the mediation offered by the United States ought to be accepted, omitting the conference of plenipotentiaries at Washington, who might meet instead here, on board an American man-of-war; but Mr. Brito insisted with tenacity upon the rejection of the mediation, and after a lengthened debate the opinion of the Brazilian minister prevailed.

March 21.—The Nacion Argentina of to-day denies in toto the above assertion of yesterday's Tribuna.

It is stated on good authority that at the hospital in the island of Curito, in the harbor of Montevideo, there are at present no less than 3,000 sick Brazilian soldiers, while at Itapien there are about 2,000 on the sick list, making a total of 5,000 men in hospital. The Brazilians have at Curuzu 10,200 men, at Tuyuti 21,700, and 4,000 on board the squadron, making a grand total of more than 40,000 men.

The Tribuna, in a leading article in to-day's number, commenting upon the mediation and its reception by the allies, believes that they have come to the resolution of postponing for fifteen or twenty days their answer, in order to give Marquis de Caxias time to realize the warlike operations announced from Rio de Janeiro, and from the allied camp. In fifteen days, more or less, the writer of the article in question thinks that the Marquis de Caxias can attempt a victory exclusively Brazilian, which would insure his being able to exact conditions that might appear now exaggerated and ridiculous. Although this does not imply the rejection of the mediation, its immediate acceptance, however, is insisted upon only the Tribuna without thereby entailing the suspension of active preparations, so that in case the mediation should fail to secure what is sought and what is just, the war may be carried on with vigor.

March 22.—The Cisne, arrived yesterday from the seat of war, brings news that Marshal Osorio had crossed the Uruguay on the 13th instant, and is now marching through the Misiones, which is at least a three-weeks road.

In the allied camp the night attacks continue, and Curupaiti goes on firing occasionally upon the allied lines, but no renewal of a general attack has been made.

March 23.—Advices from General Paunero are up to the 16th instant, at which date he was still in Rio Cuarto. The division of Colonel Conesa, consisting of four battalions, had incorporated itself with General Paunero's army, and a council of war had been held, at which it was resolved that the main body of the army should begin its march to the insurgent provinces on the 19th of this month, leaving Colonel Conesa with his division in Rio Cuarto to protect the rear. Colonel Videla, the commander-in-chief of the rebel forces, was reported to be still in the town of San Juan with a force variously estimated from 1,000 to 2,000 men. The vanguard of the insurgent forces is said to be concentrating at a place called Mercedes, in the province of San Lu's, under the leadership of Felipe Saa, the actual governor of that province; its exact strength is not known, but supposed to be about 1,000 men.

March 24.—The fete champetre at General Urquiza's estancia of San José, in Entre Rios, alluded to above, came off on the 19th instant, and lasted three days. An enormous concourse of visitors attended, and every day covers were laid for 800 guests at the general's

own table, while 2,000 more people were entertained in the adjacent camps. The days were occupied by national sports, racing, &c., and the evenings by dancing to a late hour. They say it had no political character whatever, and was only a grand social and convivial gathering on a scale unprecedented in this country. In returning thanks for his health, General Urquiza said:

"Gentlemen, the motto I have placed over my door is 'Paz, union, fraternidad,' and I earnestly hope that it may speedily become a reality in the other Argentine provinces, as it is, happily, now in Entre Rios. Instead of Argentines slaying their brethren, as at present, with lance and spear, may they soon offer to each other the olive-branch of peace." [Long and enthusiastic applause.]

It is reported that the fete has cost the general not less than £20,000 sterling.

The accounts from the seat of war in Paraguay report no particular movement, but continue to show that great preparations are going on for a decisive blow by the Brazilians, in which either Lopez will be driven back and Humaita levelled, or the Brazilians repulsed, and then it is supposed peace will be made.

March 25.—The Espigador, arrived yesterday from Corrientes, brings news that although the Brazilian fleet remains anchored in the same place, the greatest bustle and motion reigns in the allied camp, owing to the Marquis de Caxias having ordered 5,000 picked troops to ascend the river Parana, land in Misiones, and await the arrival of Marshal Osorio, who is expected on the banks of the Upper Parana by the end of next week. The river was high, and the gunboats were taking the troops on board when the steamer left.

A. ASBOTH.

Mr. Asboth to Admiral Godon.

LEGATION OF THE UNITED STATES,

Buenos Ayres, March 23, 1867.

SIR: Although our war is over, and we are happily at peace with all the world, I have been once more disabled by an unfortunate accident, owing to which the imperfect union of an old fracture of my left arm has given way, and I have to request that you will be pleased to attribute to this accident my delay in writing to you, and accept now, with forbearance, the following information, viz:

On the 2d instant I received, through Lieutenant Commander Kirkland, your third letter in answer to my note of the 16th of February last, in which I made request for a steamer to enable me to communicate in person with the Hon. Charles A. Washburn, on the Paraguayan lines. In this letter you stated that you had ordered the Wasp, Lieutenant Commander Kirkland, commanding, to Buenos Ayres, with instructions to proceed, after receiving my despatches for our minister in Paraguay, without delay, to Tuyuti, or wherever the headquarters of the allied army may be, and deliver the despatches to Mr. Washburn, detaining his vessel a reasonable time for any communication he (Mr. Washburn) may have for the United States government or for myself.

On the day that this reply reached me, after a personal conference with the minister for foreign affairs, I addressed to him the following note, viz:

"No. 6.]

LEGATION OF THE UNITED STATES,

"Buenos Ayres, March 2, 1867.

"SIR: Rear-Admiral S. W. Godon, United States navy, commanding South Atlantic squadron, has, at my request, sent the United States steamer Wasp, Lieutenant Commander Kirkland, commanding, from Montevideo to this harbor, with instructions to receive my official despatches for the Hon. Charles A. Washburn, United States minister in Paraguay, and to proceed, without delay, to the headquarters of the allied armies, or to such a point up the river as will enable him to deliver the despatches, of which he is the bearer, to Mr. Washburn, in person, detaining his vessel a reasonable time for any communications Mr. Washburn may have either for the United States government or for myself.

"Of this arrangement I have the honor to inform herewith your excellency, and beg to request at the same time that, on account of the absence from headquarters of his excellency Brigadier General Don Bartolome Mitre, President of the Argentine Republic, and commander-in-chief of the allied armies against Paraguay, you may be pleased to favor Lieutenant Commander Kirkland with such a letter of introduction and safe conduct to the proper commanding officer in the field as will insure the intended exchange of official despatches with the minister resident of the United States in Paraguay.

"I have the honor to be, sir, with distinguished consideration, your obedient servant,

"A. ASBOTH.

"His Excellency Señor Dr. Don RUFUINO DE ELIZALDE,

"Minister for Foreign Affairs."

Owing to the three days' carnival festivities, I received only on the 8th instant the answer from the Argentine government, complying in a satisfactory manner with my request, and enclosing open orders to Marshal Marquis de Caxias to forward by a flag of truce to the Paraguayan camp the official communications, recommending him at the same time to allow the bearer of the despatches to pass over to the enemy's camp to receive in return Mr. Washburn's answer.

I at once informed Lieutenant Commander Kirkland of this result. But as it was my original intention, besides the exchange of official despatches with Mr. Washburn, to have also a personal interview with him, and as neither of the three letters received from you contained any direct answer touching this my desire, I deemed it proper to request Commander Kirkland to inform me whether his special instructions from you were in any way conflicting with my intention to meet Mr. Washburn in person. Commander Kirkland in his reply, received the 9th instant, stated "that his instructions only require him to carry despatches." This answer, placing beyond any doubt that the arrangements made by you were not calculated to facilitate my purpose of conferring with Mr. Washburn in person, I transmitted to Commander Kirkland on the same day, the 9th instant, the open orders addressed to Marshal Marquis de Caxias by the Argentine government in concurrence with the Brazilian legation and the Oriental government, informing him (Commander Kirkland) at the same time that the despatches could be ready the next morning at 8 o'clock.

Commander Kirkland, in his reply of the same date, stated that he would send from his vessel an officer to receive at the appointed hour the despatches from this legation.

The following morning, the 10th instant, Lieutenant Commander Mitchell signed a receipt for the despatches, and half an hour afterwards the United States steamer Wasp weighed anchor and sailed up the river Plate towards Paraguay.

Thus, although the opportunity of meeting and conferring in person with our minister in Paraguay on the important subject of the pending mediation has not been afforded to me, I have to thank you for having kindly lent your assistance in securing at least a safe exchange of official despatches with the Hon. Charles A. Washburn on the Paraguayan lines, the result of which will, no doubt, be beneficial to all parties concerned.

I hope that you will be pleased kindly to accept this communication, as also an explanation to the inquiry with which you honored me under date of the 8th instant.

In conclusion I beg leave to inform you, that my report to the State Department relative to the above subject was concluded as follows:

"Although I feel well assured that the admiral is actuated, as I am, by the same sincere desire to promote the best interests of our government, nevertheless I deem it proper, while submitting without comment our conflicting views to your decision, to request at the same time that you may be pleased to define for my future guidance the reciprocal duties and obligations incumbent upon ministers resident and admirals abroad, under similar circumstances."

In making the above request I have been guided, not only by a desire fully to do my duty, but also by my anxiety to avoid for the future any unpleasantness that may arise to myself in asking, and to others in refusing, compliance with what I had not a right to expect.

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

A. ASBOTH.

Rear-Admiral S. W. GODON,
United States Navy, Commanding South Atlantic Squadron.

Mr. Seward to Mr. Asboth.

No. 27.]

DEPARTMENT OF STATE,
Washington, March 27, 1867.

SIR: I have to acknowledge the receipt of your despatch of the 2d of February. It is accompanied by a correspondence which has taken place between yourself and Madison S. Hollister, esq., consul of the United States at Buenos Ayres.

Two subjects are discussed in that correspondence. The first is the case of Harry C. Albee and P. O. Gondon, two persons who claim to be citizens of the United States, and who have complained to you that the consul refused to give them duplicates of "protection papers" so called.

The other subject is a question of the allowance of an account of \$630 for medical attendance on John Larsen, a destitute American seaman.

I shall treat in this paper only of the first subject. It appears from the cor-

respondence that the two persons, Albee and Gondon, left the United States some years ago, leaving no families here, and with no fixed intention of returning hither, and have ever since made the Argentine Republic the place of their business and residence. It further appears, that in some portions of the Argentine Republic there has been during the last year a rebellious rising against its authority, that the public authorities ordered the enrolment of the national guard, and that in some portions of the republic martial law was proclaimed by the government and arrests were made of some persons suspected of hostile intentions, and of others who had failed and refused to enroll their names in the national guard; that Albee and Gondon applied to the consul for "protection papers," with a view to escape from arrest and to protect themselves from military service for the preservation of order and the enforcement of the laws.

In the absence of treaties, citizens of the United States who have become and are remaining domiciled in foreign countries could not be exempt from certain common obligations of citizens of those countries to pay taxes and perform duties imposed for the preservation of public order and the maintenance of the government. The treaty between the United States and the Argentine Republic exempts citizens of the United States from the performance of all compulsory military service and from the payment of all forced loans, requisitions and military exactions. In assigning this effect to the treaty, your proceeding is approved.

On the other hand, your instruction to the consul to issue "protection papers" to Albee and Gondon is not approved. Passports are the only "protection papers" known in the law, or sanctioned by this department. What are technically called "protection papers" are used in our international intercourse with uncivilized nations. Protection papers are a feature in the principle of asylum, which we maintain with barbarous or semi-civilized states, but nowhere else. It will be time enough for Messrs. Albee and Gondon to apply for the interposition of this government when their rights as citizens of the United States are directly invaded or menaced by the exactions of military service or of war contributions. When such a complaint is made to you, it will be your duty to ascertain not only the justice of the complaint, but also the fact of the citizenship of the complainant, and then to address yourself to the government requiring the performance of the treaty stipulation. In such a case the Argentine government or its agents might reasonably be expected to grant to the claimants some form of certificate of protection or safe-conduct such as is technically known as "protection papers."

A consular certificate in the form of a "protection paper" being unauthorized by law, is not such conclusive evidence as you could base a claim upon or the government of the Argentine Republic would be obliged to accept.

You will please communicate the effect of this instruction to the consul, to the end that the practice of granting so-called "protection papers," which seems to have heretofore prevailed in the consulate of Buenos Ayres, may be discontinued.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Seward to Mr. Asboth.

No. 28.]

DEPARTMENT OF STATE,

Washington, April 1, 1867.

SIR: Your despatch of the 2d of February last has been received and carefully considered.

A pressure upon the belligerents to secure their acceptance of the good offices

of the United States for the attainment of peace would prove impracticable; and even if it were practicable, I cannot think it would be expedient. If our proposition is a beneficent one, as we suppose, it may be expected to commend itself to favor. If not beneficent, it ought to be rejected. In either case a high responsibility is discharged.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Seward to Mr. Asboth.

No. 29.]

DEPARTMENT OF STATE,
Washington, April 1, 1867.

SIR: Your despatch of the 8th of February last has been received. All your proceedings as related therein in regard to the tender of the good offices of the United States to the belligerents in the war among the Pacific States are not only approved, but commended.

Your suggestion that the United States ought, especially in this juncture, to be represented in the Oriental Republic, has been considered, and the same is also approved.

Under the new act of Congress regulating the tenure of civil officers, it may be doubted whether the President has the power, without the advice and consent of the Senate, to charge a minister in one of these republics with special diplomatic functions in another of the republics.

In view of these circumstances the President has submitted to the Senate a nomination of yourself for the office of minister resident in the Oriental Republic, in conformity with section 9 of the "Act to regulate the diplomatic and consular systems of the United States," approved August 18, 1856.

If the nomination shall be confirmed, you will immediately receive a commission, with special instructions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Asboth to Mr. Seward.

No. 20.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, April 10, 1867.

SIR: In connection with my report No. 18, of March 25th, I have the honor to inform you that Lieutenant Commander Kirkland, United States navy, who sailed with the United States steamer *Wasp*, under his command, on the 10th of March, from this port up the La Plata and Parana rivers, having delivered on the Paraguayan lines the despatches received from me, returned here safely on the 31st of the same month with Mr. Washburn's official communications.

Lieutenant Commander Kirkland having on his arrival in this port found peremptory orders from his admiral not to delay here, passed the package of official despatches to an officer in charge of a boat of the United States steamer *Shamokin*, and proceeded at once to Montevideo, without affording me the opportunity of a personal interview with him.

In the package brought by the *Wasp* there were four official despatches for your department from the Hon. Mr. Washburn, which I have the honor herewith to forward; also an official letter from Marshal Marquis Caxias for the

Argentine minister of foreign affairs, which was transmitted to its address on the first instant, with an official note, a copy of which, marked A, I beg leave to enclose. I addressed also a letter to Rear-Admiral Godon, relative to the return of the United States steamer *Wasp*, copy of which please find under enclosure B.

In a letter to myself, dated Paso Pucu, March 25th and 27th, Mr. Washburn acknowledges the receipt of all the despatches and other papers forwarded to him. In the same letter he informs me of a diplomatic correspondence, which had passed between himself and the Marquis de Caxias, in which the Marshal stated that no proposition for a settlement of the existing war could be entertained by the allies as long as the present President of Paraguay remained in that country, to which Mr. Washburn replied "that the position thus taken by the allies, that no mediation can be entertained until one of the parties concerned no longer has a political existence, appears to render impossible anything like a peaceful solution of the impending strife, and the war must accordingly go on."

Although the diplomatic notes, of this correspondence, were exchanged within the limits of my mission, without my knowledge or concurrence, I deem it proper to abstain, for the present, from any remarks upon them, very well assured that my worthy colleague, Mr. Washburn, has not only furnished you with full copies of them, but has also added his comments thereupon. While, however, refraining from remarks upon the notes themselves, I am obliged to confess my inability to regard the Marquis de Caxias in any diplomatic character, as representing either the government of Paraguay, or that, respectively, of the allies. I look upon him as a Brazilian general, under orders to subdue Paraguay by force if possible, but certainly not accredited with any diplomatic mission. His decision therefore could hardly be taken as the decision of the allies, and I have difficulty in comprehending how it could be received as such by the United States minister on behalf of the Paraguayan government.

The correspondence, however, having actually taken place, was communicated by the Marquis de Caxias to the government here, and I received on the 2d instant the long delayed answer from the Argentine minister for foreign affairs to my note of 6th February.

While enclosing a full copy of the original Spanish of this answer, marked C, a literal translation of the same I have the honor to append here :

[Translation.]

OFFICE OF FOREIGN RELATIONS,
Buenos Ayres, March 30, 1867.

M. LE MINISTRE : I have the honor to reply to your excellency's note of 6th February ultimo, in which you deign to communicate to me the resolution of the House of Representatives of the United States of America, and those (the propositions) which, in consequence of it, the President submits to the several parties in the war which the Argentine Republic, the empire of Brazil, and the oriental republic of Uruguay are waging against the government of Paraguay, asserting that they do not imply an intervention, but a friendly mediation by which the United States desire to see re-established good faith and harmony among the peoples of South America.

The Argentine government, after having come to an agreement with its allies, hastens to make known to your excellency the resolution it has adopted.

As in repeated and constant acts of the Argentine people and government, the people and government of the United States will have seen the amity and sympathy professed towards them, and the respect and admiration inspired by their institutions, which the former endeavor to imitate and appropriate, they will not be surprised to know that the Argentine people and government feel highly flattered by the attention they have deserved, and appreciate very sincerely the brotherly desire to see the evils produced by the war in which the Argentine Republic is engaged put an end to, and to see good faith and harmony re-established among the peoples of South America.

The noble and generous step taken by the American people and government obliges the Argentine government to enter into explanations that may enable them to appreciate the justice and absolute necessity of the decision it has adopted with regard to the subject that has given rise to your excellency's communication.

Paraguay, by a terrible fatality, found itself, since the first moments of the South American revolution, under the weight of a tyranny which has perpetuated itself up to the present day.

Its policy consisted in shunning the glorious sacrifices imposed upon us by that revolution, and attaining its own emancipation by extraneous efforts, availing itself of the time when other nations were engaged in the struggle, to practice unheard-of acts of violence against our own citizens and their property, to render impossible and prohibit all commerce, and to invade our own territory and towns, laying forcible hands on them, and maintaining themselves in that position in consequence of our own civil wars.

After half a century of sacrifices, the Argentine Republic succeeded in giving itself a constitution. It had recognized the independence of the province of Paraguay, dismembered from the ancient community, without exacting from it the least retribution or any of those conditions which strict justice demanded.

The Argentine government had grave questions to settle with the Paraguayan government, arising out of the facts already mentioned, and was engaged in trying to find an amicable solution to them by prudent and conciliatory means.

The Argentine Republic, whose only object was to consolidate peace with its neighbors, and draw closer its relations with them, as well as with all other nations, was unarmed, and in order to carry out the idea of employing its rents in promoting the material and moral progress of the country, endeavored to diminish gradually its few remaining forces until they could be reduced to what was strictly needful.

The Paraguayan government, which for many years back was preparing to do what has been witnessed, and what all understood, increased, on the contrary, its armaments every day more, until it succeeded in constituting itself into an immense military power, not only capable of defending itself, but sufficient to become an aggressor on its neighbors.

It sought connections among the internal political parties of the Argentine and Uruguay oriental republics, in order to legitimate its pretensions against these countries, and was making combinations with the object of imposing what solution it pleased to the serious questions pending between it and the Brazilian empire.

In the most unjustifiable manner, without previous explanation or notice, the president of Paraguay, violating public faith and the practice that obtains among cultivated nations since a treaty existed by which in no case could war be declared without six months' previous notice, invaded our territory by force and treachery, took possession of our war steamers, and committed the most unheard-of excesses against persons and property, to the extent of carrying off captive several respectable Argentine matrons, who were wives of meritorious officers, and who are still kept prisoners in his camp.

He committed other offences and acts of violence against the Brazilian empire, and threw out serious threats against the Uruguay oriental republic.

These deeds, and the dangers they created for the future, gave rise necessarily to the alliance against the Paraguayan government, and to the war in which we are engaged.

The allied governments do not wage war against the Paraguayan nation, but against the government of General Don Francisco Solano Lopez. From him has come the spontaneous and wanton aggression of the Argentine Republic, the Brazilian empire, and the Uruguay oriental republic; from him has come the declaration of war, the invasion of the Argentine and Brazilian territories, the attempted invasion of the oriental republic of Uruguay, the acts of hostility and violence against the rights of nations, and the war which was preceded and accompanied by them.

The allied governments have taken up arms to repel the war brought upon them by General Lopez, and after the immense sacrifices of blood and money entailed upon them by this war, they neither can nor ought to consent to its termination unless their rights and their honor be at once vindicated, and unless they can secure for the future a solid and lasting peace with the republic of Paraguay, availing themselves of this opportunity to solve the various questions that might hereafter be the cause of ulterior misunderstandings. The personal government of General Lopez has ever been a constant menace to the peace of the river Plata, and has more than once given evident proofs of the violent and aggressive spirit that constitutes the traditional character of its policy, and nobody can ignore that as long as that government exists, constituted of the same persons and obeying the same influences, peace with its neighbors would always be precarious, the territorial security and the free commerce and navigation of the Paraguay and Alto Parana rivers and their affluents would continue under the weight of an unceasing menace, and the allied nations would have to maintain themselves in a defensive attitude ruinous to their treasuries, and highly prejudicial to their moral, political, and commercial interests.

The allied nations would much prefer to obtain through diplomatic negotiations what they seek by arms, and it would be very gratifying to them that this should be effected through the friendly mediation of the United States government.

But after what I have just exposed, and having in view the situation in which the belligerents find themselves at present, the Argentine government is convinced that the government of the United States will understand that the resolutions (propositions) which it has presented in so friendly and brotherly a manner, negative the noble purposes it has had in view.

I avail myself of this opportunity to thank not only the government of the United States, but more especially your excellency for your constant efforts in favor of peace in the river

Plata, which the Argentine government and its allies eagerly desire should be secured upon a solid foundation.

It is gratifying to me, with this motive, to renew to your excellency the assurances of my highest consideration and esteem.

RUFINO DE ELIZALDE.

His Excellency the Minister Resident of the United States of America,
General A. ASBOTH.

The long diplomatic letter of Señor de Elizalde is certainly not as clear as the short, soldierly one given on the Paraguayan lines by the commander of the allied army, Marquis de Caxias, to Mr. Washburn, but intended to accomplish the same result, viz: to gain time for another attempt to conquer Paraguay by force of arms. After duly considering this note from the Argentine minister of foreign affairs, I replied to it in the following terms:

No. 9.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, April 10, 1867.

SIR: I had the honor to receive on the 2d instant your excellency's note of the 30th of last month, in answer to my note of 6th February, in which I laid before the Argentine government the resolution of the House of Representatives of the United States of America desiring the President to offer the good offices of the government for the promotion of peace and harmony in South America, and also the propositions which, in consequence of that resolution, the President of the United States submitted to the consideration of the several parties in the war which the Argentine republic, in alliance with the empire of Brazil and the Oriental republic of Uruguay, are waging against Paraguay; propositions calculated to bring to a termination the disastrous war and secure an honorable and permanent peace in South America upon a solid foundation, through diplomatic negotiations, under the friendly mediation of the United States.

Your excellency kindly refers, in your note of the 30th ultimo, to the amity and sympathy professed by the people and government of the United States of America, and to the respect and admiration inspired by their institutions, with a kindred appreciation, also, of the sincere brotherly desire of the United States to see the evils produced by this unhappy war in which the Argentine republic is engaged put an end to, and good faith and harmony re-established among the peoples of South America.

The solemn manner in which your excellency has been pleased to give such honorable and highly satisfactory assurances cannot fail to find the liveliest echo in the United States and hope to confirm the heartfelt sympathy of the people and government. Not less flattering will it be to my government to learn from your excellency's note that the allied nations would much prefer to obtain through diplomatic negotiations what they seek by arms, and that it would be very gratifying to them that this should be effected through the friendly mediation of the United States government. This frank assurance of your excellency cannot be taken otherwise than as the acceptance of the United States' mediation, leading to an early armistice, the welcome precursor of lasting peace, equally honorable and beneficial to all the belligerents; and my government will therefore hardly be prepared for the conclusion of your excellency's note, stating that after what your excellency had explained relative to the motives that have given rise to the Paraguayan war, and having in view the situation in which the belligerents find themselves actually, the Argentine government is convinced that the government of the United States will understand that the propositions which it has presented in so friendly and brotherly a manner negative the noble purposes it has had in view.

The history of the events that occasioned the present war, a history which your excellency has so ably condensed in your note, gives full weight to the circumstances that necessitated the alliance against Paraguay, but your excellency will pardon my confessing that those weighty circumstances fail to enable me to see that the propositions submitted by the President of the United States to the several belligerents negative the noble purposes he has had in view, viz: the pacification and consequent welfare of the La Plata and Parana republics. Those propositions may indeed be susceptible of modifications that may render them more suitable to the peculiar circumstances and present state of affairs here; but the Argentine government, guided as it is by a just and conciliatory spirit, and by its sincere desire for an honorable and lasting peace, might, without reserve, have pointed out under what modifications those propositions could be rendered more acceptable to it as the basis for diplomatic negotiations, with a view to the termination of the war. And I may add my conviction that the United States government, actuated only by the single desire to see all South American nations harmonious, prosperous, and happy, would certainly persevere in the tender of its good offices, provided that such modifications to its original propositions would not, as I cannot for a moment suppose they would, negative impartial justice.

It is true that the situation in which the allies find themselves actually is of a very peculiar and complicated nature, and that that of the Argentine government is particularly embarrassing, bound as it is to its allies by honor and by treaties; but I would respectfully submit

to your excellency whether the honor of the Argentine nation has not been already fully vindicated, as well by the immense sacrifices entailed upon her by this unhappy war as by the gallant heroism of her brave sons, who, headed by their patriotic President as commander-in-chief of the allied armies, have undergone with good will and without murmur all the terrible hardships, dangers, and privations of a two years' campaign, under the burning sun and amidst the pestilential marshes of Paraguay. Many bloody fights, more especially the ever-memorable assault on Curupaiti, have stamped indelibly the daring and bravery of the Argentine soldier.

I venture, however, to remark that, lofty and undaunted as have been and all the devotion and courage of your citizen soldiers, and great as was the enthusiasm of the Argentine people at large at the commencement of the war against Paraguay, the general feeling now, as indicated also by the public press, is one of weariness at the protracted sanguinary strife against a sister republic, with an earnest and unmistakable longing for peace. The loss of so many thousand brave Argentines, which has plunged into grief and desolation their once happy homes; the waste of so many millions of treasure, accompanied by a heavy and daily increasing public debt; the paralyzation of trade, the ruin of agriculture, the drain of the country's resources, the open rebellion and anarchy in four provinces, with serious dissatisfaction in others; the consequent temporary transfer by the President of the republic of the commander-in-chief of the allied armies to a Brazilian general, with the simultaneous withdrawal of the larger portion of the Argentine forces from the seat of war; and, further, the frequent Indian invasions, attended with murder, rapine, and desolation among natives and new settlers, thus checking the march of civilization to which the enlightened policy of the national government has opened so wisely and paved so liberally the way into the boundless tracts of the virgin pampas: all these woes and afflictions speak most eloquently in support of the people's evident desire to see this disastrous war give place to the blessings of peace, and the future thus secured against complications perilous to republican institutions, which even the successful issue of the war may involve.

Let me, therefore, be allowed to hope that since your excellency's note, as if concurring with the desire of the Argentine people, concludes with the assurance that both the Argentine government and its allies are anxious to see peace secured upon a solid foundation, the Argentine government may not be averse to a reconsideration of the propositions submitted on behalf of the United States government, with the tender of its friendly mediation in the Paraguayan war, and that your excellency will be pleased to inform me, in consequence, if any and what modifications would render these propositions more acceptable to the Argentine government. And let me moreo: be permitted to add my personal belief, founded upon the views of my government, that the mutual grievances of the respective contending parties can be brought to a satisfactory adjustment, and an honorable and permanent peace secured in the La Plata and Parana regions on a safe and solid foundation, only through proper diplomatic negotiations, and not by force of arms, which render arguments powerless and which can subjugate but do not conciliate.

The United States of America, as I had the honor to state in my note of 6th February last, are actuated in this instance not only by a sincere good will, but also by the firm determination to uphold the dignity and interests of those who confide in them, and a glance at their past and present will not, I venture to think, fail to convince the Argentine government that, in achieving peace by diplomatic negotiations, the mediation of the United States government would be some guarantee for the safety and stability of that peace.

I avail myself of this opportunity to renew to your excellency the assurance of the distinguished consideration with which I have the honor to be your excellency's obedient servant,

A. ASBOTH.

His Excellency Señor Dr. DON RUFINO DE ELIZALDE,
Minister for Foreign Affairs.

I venture to remark upon the foregoing that I was quite unable to connect the high respect and admiration for the government of the United States, coupled with the desire for its mediation, professed by the Argentine minister for foreign affairs, with the refusal from the Argentine government to accept the tendered mediation, on the plea that the propositions submitted by the United States government *negative its good intentions.*

Accordingly I ventured to submit to the Argentine government that the propositions of the United States government might admit of modifications which would adapt them more to the present peculiar state of affairs here, and allowed myself to give the assurance that the United States government would not recede from its efforts for a peaceful solution of the existing unhappy difficulties, *if such modifications were not inconsistent with impartial justice.* By an earnest recapitulation of the miseries and misfortunes entailed by the Paraguayan war, I urged the Argentine government to reconsider the propositions

of the United States with a view to their modification, and thus secure the initiation of those peaceful counsels for which the Argentine people so ardently long.

I hope that in so doing I have but anticipated the wishes of my government, and that my course will meet with your approval.

In conclusion I have only to add that I forward, in enclosure marked D, the continuation of my daily memoranda of political events from the 27th of March to the 10th of April.

I have the honor to be, sir, very respectfully, your obedient servant,
A. ASBOTH.

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

Mr. Asboth to Don Rufino de Elizalde.

No. 8.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, April 1, 1867.

SIR: I have the honor to inform your excellency that having received with your friendly note of the 7th ultimo open orders to Marshal the Marquis de Caxias for securing the exchange of official despatches from the United States government and myself with the United States minister in Paraguay, Lieutenant Commander Kirkland, United States navy, sailed with the United States steamer Wasp under his command, on the 10th ultimo, from this port up the La Plata and Parana rivers, and having delivered on the Paraguayan lines the despatches received here, returned yesterday safely with Mr. Washburn's official communications.

Lieutenant Commander Kirkland brought also the official letter from Marshal Marquis de Caxias, for your excellency, which I have the honor herewith to enclose.

It is my pleasing duty once more to beg your excellency will accept my best thanks for the good offices by which the intercourse between this legation and the United States legation in Paraguay has been effected.

With distinguished consideration, I have the honor to be, sir, your obedient servant,
A. ASBOTH.

His Excellency Señor Dr. Don RUFINO DE ELIZALDE,
Minister for Foreign Affairs.

Mr. Asboth to Admiral Godon.

LEGATION OF THE UNITED STATES,
Buenos Ayres, April 1, 1867.

SIR: I have the honor to inform you that an officer of the United States steamer Shamokin handed to me yesterday afternoon a package of official despatches brought by the United States steamer Wasp, from our minister in Paraguay. The same officer informed me that the Wasp, without stopping here, proceeded at once to Montevideo. While thanking you, therefore, once more for the assistance lent by you in securing my exchange of despatches with the Hon. Charles A. Washburn, you will not be surprised if I cannot refrain from expressing my regret that Lieutenant Commander Kirkland, on returning from his mission to Paraguay, should have passed Buenos Ayres without even affording me the opportunity of having the honor of a personal interview with him, which would certainly have been the source of much pleasure and interest to me.

Among the papers received from Mr. Washburn is a copy of a document addressed to him by the Paraguayan government, commenting extensively upon the war between Paraguay and the allies, with special reference to its origin. It is very lengthy, but as soon as I can get a copy of it made out I will do myself the pleasure of sending it to you.

I have the honor to be, sir, very respectfully, your obedient servant,
A. ASBOTH.

Rear-Admiral S. W. GODON, U. S. N.,
Commanding South Atlantic Squadron.

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA, FROM MARCH 27 TO APRIL 10, 1867.

March 27.—The news from the interior are, that at Tinogasta, a small town near the foot of the Andes, in the province of Catamarca, the national troops, under the command of a Colonel Cordoba, were surprised on the 4th instant by a rebel force, 1,000 strong. Colonel Cordoba, two of his officers, and several of his men, were killed, and the whole of his divis-

ion had to surrender. The insurgents seized in the town a large quantity of arms and ammunition.

March 28.—Advices from Brazil say that on the 13th instant the government, by decree No. 3809, has called out 8,000 more national guards for active service in the army invading Paraguay. Of these 8,000 men the provinces of Bahia and Pernambuco, and the municipality of Rio de Janeiro have each to contribute 1,000 men; Minas Geraes, 800 men; Ceara, 600; and the province of Rio de Janeiro, 600 more. This decree has not been well received.

For the present it appears that no more troops need be expected from Brazil, owing to the quarantine regulations now existing in the river Plate. The last two transports from Rio de Janeiro had to land their men at Santa Catalina.

March 29.—The march of political events in the province of Cordoba is watched with the greatest anxiety, as from the action of its government depends in great measure the speedy re-establishment of constitutional order in the convulsed provinces of the interior. Governor Luque, while professing in public documents his adherence to the national cause, has at the same time given such unequivocal proofs of sympathy to the revolution and its agents as to make the press of Buenos Ayres unanimous in insisting upon the necessity that the national government should no longer hesitate to take military possession of the town of Cordoba, and be prepared to restrain, by force, its government from openly embracing the cause of the insurgents. Things are however advancing fast to a crisis, and to-day news has come that Governor Luque's minister, Dr. Bonquet, afraid of the responsibility that was being incurred in by the government of which he formed part, has resigned. At the same time we hear that, contrary to the express orders of General Paunero, all the national guards of the province have been called out. General Paunero has marched from Rio Cuarto, in direction to the provinces of Cuyo, and was on the 24th instant half way between Rio Cuarto and San Luis, and had as yet met no rebel forces. Colonel Conesa, with his division consisting of four battalions, remained in Rio de Cuarto.

March 30.—Further news from the interior announces that the forces from the province of Tucuman, led by Minister del Campo, had entered the town of Rioja, and proceeded to the election of a provisional governor, which fell upon a person named San Roman. The insurgents had all fled on the approach of del Campo with his forces, not before, however, having pillaged and destroyed everything within their reach, and leaving desolation and ruin behind them. Minister del Campo was preparing to march on the province of San Juan.

March 31.—It appears that the report of Marshal Osorio having crossed the Uruguay was not correct, since by the latest advices it appears that he was at Alegrette when last heard of, and was still recruiting men, a work in which he seems to meet with insuperable difficulties, being obliged to put his recruits in irons every night, as the only means of stopping the many desertions that occur daily. With regard to Osorio's campaign, one of the daily papers publishes the following information, derived from a reliable source:

The distance from Asuncion to Humaita, is 67 leagues.

From Asuncion to Villa Rica, is 35 leagues.

From Asuncion to Itapua, is 30 leagues.

From Itapua to Villa Rica, is 50 leagues.

Osorio must take one of the two routes, Yuti or Caapucu. If Lopez has any flat-bottom steamers he will be able to meet Osorio at any point on the Tebicuarí river, which Osorio must cross. It is improbable that Osorio will take the longest of the two routes, by Yuti, which leads to Villa Rica. The latter place is strongly fortified, and the outskirts that are well wooded afford an admirable defence against an attacking party; and should an invading army be in the neighborhood this stronghold would be a constant menace. Going by Capucu, Osorio will have no one to oppose him, so they say, provided he can cross the Tebicuarí, in which case the road to Asuncion is open to him. If, however, he wishes to attack Humaita from the north, he must recross the Tebicuarí first.

Advices from Tuyuti state that sickness is making dreadful havoc among the allies, who have no fewer than 12,000 men in hospital, mostly laid up with small-pox. An officer who passed over on the 18th instant says that Lopez has only 10,000 foot and 5,000 horse, with 139 heavy pieces of artillery, not counting those on board his steamers and at Humaita. The allies fire 800 shot and shell daily, but without any effect, and the Paraguayans reply from a single gun. Marquis de Caxias is making great preparations, as if he seriously meant an attack, and oxen are arriving at Paso de la Patria. All tends to confirm the very prevalent report that positive orders have gone from the Brazilian government for a last great effort, as the discontent in Rio was becoming very pronounced.

The United States steamer Wasp passed down to-day, on her return from the seat of war. She sent ashore despatches for this legation from Mr. Washburn, and without anchoring proceeded at once to Montevideo.

April 1.—The transport steamer Alice, with 400 troops for the seat of war, arrived on the 30th ultimo at Montevideo, and was placed in quarantine.

Advices from Rio de Janeiro state that the total number of men which the Rio Grande generals have succeeded in getting together to form the third division of the Brazilian army, under the Baron de Herval, is only about 4,000 men, and desertions are numerous, while it is next to impossible to raise more troops. General Carabarro, who was expected to bring 2,000, only brought 200 men. If the 8,000 national guards lately called out should proceed to

Paraguay, the total number of soldiers sent to the war by Brazil since its first breaking out will be very close upon 100,000 men; and of these perhaps not a third part will return after the struggle is over.

A correspondent of the *Nacion Argentina* says that Governor Luque, of Cordova, is every day more leaning to the cause of the revolution in the interior, and that he is only waiting for the first reverse of General Paunero to openly declare himself; it affirms, also, that General Urquiza is in direct communication with Governor Luque, and is urging him to assist the revolution, and foment desertion in Paunero's army.

April 2.—The news from Brazil is, that 8,000 national guards, lately called out, will not be forthcoming, for those which many provinces had to contribute to the last levy of 10,000 have not yet been presented by the commanders and never will be.

The following extract from the *Journal de Brazil*, published in the *Standard* of to-day, must be taken as a strong indication of the feeling in Brazil with regard to the Paraguayan war:

[From the *Journal de Brazil*.]

“PEACE WITH PARAGUAY.—Let us no longer deceive ourselves. The United States government persists in its intervention for peace with Paraguay. The conditions are hard for Brazil, but the state of our army and navy is disastrous. At headquarters we have plenty of ammunition, but the most part of our great army is in hospital, besides thousands of invalids sent home as incurable, and those remaining in the field are without pay or clothing.

“Marquis de Caxias is quite disgusted, and says he can do nothing unless he gets reinforcements, which is impossible. In this emergency the Emperor lays hold of the negro slaves, as no more contingents can be had. Meantime the revolution in the Argentine Republic makes head against Mitre and General Urquiza, and the press makes us such opposition that we shall be perhaps forced to make a disastrous retreat. The expedition to Matto Grosso set out two years ago, but has not yet arrived, the soldiers dying by dozens on the road.

“Every honest man in the empire knows that this is the real state of affairs; even the foreign residents pity us for the wretched position into which the government has dragged us, but no one has the courage to rescue us from such degradation.”

April 3.—People who have come from the interior say that the rebels have no such formidable force as is represented, and the troubles exist more from the utter debility of the national party. The people of the province of Cordoba are averse to the Paraguayan war, nothing more.

April 4.—The *Nacion Argentina*, official organ, publishes in its number of to-day the diplomatic correspondence between this legation and the Argentine foreign minister relative to the United States offer of mediation for the termination of the Paraguayan war, omitting however to publish my note of 2d of February.

Rumors that cholera has broken out in Rosario and other points on the river are prevalent, also that some cases have occurred here, which has created great alarm, and in consequence thereof the municipality of Buenos Ayres has taken some stringent precautionary measures, prohibiting, among others, the sale altogether of fruits and vegetables.

April 5.—The *Tribuna* republishes the diplomatic correspondence on the American mediation, adding my note of February 2d, omitted by the *Nacion Argentina*, and also a lengthy despatch from the Paraguayan minister for foreign affairs to Mr. Washburn on the same subject.

April 6.—Several cases have been reported yesterday and to-day of a kind of cholera which may be called autumnal cholera, but not the Asiatic cholera morbus. Several of the cases, however, have proved fatal, causing death in less than six hours, and the alarm continues. The United States steamer *Shamokin* lost a cook and messenger boy of the same disease in a few hours.

April 7.—No steamers having arrived yesterday on account of bad weather, there is no news to report either from the seat of war or from the interior.

April 8.—The steamer that arrived yesterday has brought rumors of an encounter having taken place between the forces under General Paunero and the rebels, headed by the brothers Saa, in which the latter were defeated.

Some cases of the prevalent disease, misnamed cholera, are reported in Montevideo, and all vessels from this port are placed in quarantine there.

April 9.—The Brazilian steam transport *Alice* arrived from Corrientes yesterday in Montevideo with the same contingent of troops she had brought from Rio de Janeiro, and went in quarantine at the *Isla de Flores*. It appears that the Marquis de Caxias has ordered that no new contingent should be landed at the seat of war as long as there is any fear of cholera.

April 10.—By way of Sulista news has come that General Melgarejo, President of Bolivia, has been assassinated; also that a revolution has broken out in Peru by which the government of Prado has been upset.

News of an engagement between General Paunero's force, under the immediate command of Colonel Arredondo, and the insurgents, under Saa, is confirmed.

A. ASBOTH.

Mr. Asboth to Mr. Seward.

No. 21.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, April 12, 1867.

SIR: I have the honor to forward the copy, marked A, of a note just received from Señor de Elizalde, the Argentine minister for foreign affairs, and of which the following is a translation:

OFFICE OF FOREIGN RELATIONS,
Buenos Ayres, April 11, 1867.

To his Excellency the Minister Resident of the United States, General Alexander Asboth:

I have the honor to forward to your excellency the enclosed publication, containing the memorandum addressed by this government to the diplomatic agents of the republic, in consequence of the note addressed by the government of Paraguay to Mr. Washburn, minister resident of the United States in that republic.

While begging that your excellency may be pleased to bring this document under the notice of your government, I am happy to renew the assurances of my most high and distinguished consideration.

RUFINO DE ELIZALDE.

While forwarding, in accordance with Señor de Elizalde's request, the printed document in question, marked B,* which want of time, as the mail steamer is leaving to-day, prevents my having translated, I beg to transmit, under enclosure C,† in the original Spanish, the note of Señor Don José Berges, the Paraguayan minister for foreign affairs, to Mr. Washburn, dated 24th ultimo, and also, in an extract marked D,‡ from the Standard newspaper, the mediation notes published by the Argentine government, wherein is included the translation of the above note of the Paraguayan government.

In connection with these documents, I take occasion to state that the publication of Señor Berges' note to Mr. Washburn seems to have exasperated the allies and rendered them, for the moment, inaccessible to all arguments for a peaceful solution of the contest with Paraguay. I am not, however, without hope that the present excitement may subside in a few days, and that my last note to Señor de Elizalde, reported in my despatch No. 20, of the 10th of this month, which is not yet published, may assist in bringing the Argentine government back to more peaceful views. Confident, as I am, that my worthy colleagues in Rio de Janeiro and Asuncion will also continue within their respective missions to persevere with moderation in furthering the humane views of our government. I further hope that the negotiations for peace may still be crowned with success.

As a proof how little the views of the allied governments meet with the approval of the people at large in the river Plata, I beg to enclose in addition an extract marked E, from the Siglo, a well-accredited paper published in Montevideo, commenting upon the mediation notes, and advocating peace and the withdrawal of the Uruguayan republic from the alliance.

I have the honor to be, sir, very respectfully, your obedient servant,
A. ASBOTH.

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

* For enclosures see despatches from Mr. Asboth, No. 4, January 11; No. 7, January 27; No. 11, February 2; No. 12, February 8; No. 14, February 25; and No. 20, April 10; and also enclosure to despatch from United States minister to Paraguay, No. 85, March 26.

† For enclosure see despatch from United States minister to Paraguay, No. 85, March 26.

‡ This enclosure is a translation of enclosure B.

[Translation.—From *El Siglo*, of Montevideo.]

PEACE NEGOTIATIONS.

APRIL, 1867.

The allies have finally determined not to accept the mediation of the United States of America, as will be seen in the reply of the minister of foreign relations of the Argentine Republic, who declares that the terms of peace which were proposed are inadmissible.

We were the first to publish Mr. Berges', the Paraguayan minister, note in the *Siglo*. He rejects all offers of reconciliation that are not based on the stipulations of the treaty of alliance.

The men who thought they were carrying out a great policy by this war, have involved themselves inextricably in a labyrinth; and we must admit that we cannot see the good of our joining the empire, in the effort to extricate Paraguay from ignorance and oppression, to the great detriment of our own resources.

The Paraguayan minister is right when he says he cannot see why our government entered the alliance to make war on his country, since the contract gives every advantage to Brazil and none to Uruguay.

The Argentine Republic was right to arm in her own defence against an invading enemy, but the Oriental republic, just recovering from an internal revolution, should have attended to her own reconstruction instead of offering to aid Brazil in extending her territorial limits southward.

Some may say it is to pay the empire for helping us in our last revolution; but, admitting that, the destruction of Paysandu, one of our finest towns, has more than paid the debt by rivers of blood on that occasion.

It is very strange that the American minister does not mention us as one of the belligerents in this war with Paraguay, though our soldiers were the first to open the way to victory. This omission to mention the Oriental republic cannot be due to its insignificance, for the courage of her sons is known to Europe and America, and Paraguay has recently experienced it to her cost.

The true reason why we are not recognized as belligerents is our anomalous situation, that does not give us due respectability abroad.

Peace is impossible now. Say that the dictator of Paraguay is humbled, what do we gain by the victory? The Oriental republic will have lost a few thousands of her men and a few millions of her money, and, what is far worse, will have helped Brazil to break down the powerful barrier to her territorial aggrandizement.

We would not be false prophets, nor waste our energies in lamentations like Jeremiah, but, like Alexander, we would cut the Gordian knot at once, and not waste our time in endeavors to untie it.

The harm is done, but there remains a remedy: the Oriental government, now free from all obligations, must sunder the fetters that bind her, and declare her sovereignty and independence. She must not play a second part in this mean alliance. When there was a time for her to make an effort to elevate herself to the height of other nations, to pay a debt of gratitude, she did it; but now that the debt is paid, she must have the courage to withdraw from the alliance and attend to the pressing necessity of home affairs.

We have often said that war should only be waged in the interest of the nation, and never prolonged beyond that time, especially when it enriches a neighbor that may become dangerous.

We do not mean that Paraguay will conquer in this struggle, but we do mean that we fear consequent complications from the cunning of President Lopez and his agents, who have combated us more terribly with their diplomacy than with their arms.

If peace were made to-morrow between Spain and the republics of the Pacific, they would certainly join against Brazil, for their enmity is too well known. And would we have to join an alliance against our sister republics?

The Argentine Republic has seen the consequences of an erroneous policy, and now feels intensely the evils of a reaction that it has not yet had the power to resist.

As she has had the courage to fight and conquer on the field of battle, she ought to have the magnanimity to break the chains that now bind her, for her present alliance, under whatever light it may be considered, is completely destructive to the self-government of a neighboring nation.

The enemy will respect the valor of our soldiers, and we will show the world that, though we fought gloriously, we have no idea of taking advantage of the results of victory, for they were what we least expected at the time of the alliance.

Now, that the national honor is satisfied and our debt to Brazil is paid, our task is finished, and we must turn our attention to the good of our own country.

F. y A.

Mr. Asboth to Mr. Seward.

No. 22.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, April 23, 1867.

SIR: I had the honor to inform you in my daily memoranda, forwarded as enclosure D, with report No. 20, that an epidemic bearing some of the symptoms of cholera morbus made its appearance in Rosario towards the end of last month, and that some cases of the same disease had occurred here in Buenos Ayres and in Montevideo. This malady has eventually developed itself into real Asiatic cholera morbus. It was imported from Brazil to Corrientes on steam transports crowded with troops for the army invading Paraguay, and from thence has spread down along the river to Rosario and Buenos Ayres. At Corrientes, in the military hospital alone, the deaths have numbered 200 daily. Within the last week the mortality in the city of Buenos Ayres has increased from 15 to 150 per day, and on Good Friday we had 190 deaths from cholera. A complete panic has seized the inhabitants, and, by the official returns of the railways, it appears that since the 16th instant more than 50,000 of its population have fled from the city. The rush to the country is as immense here as in Rosario and Corrientes, and every country town between Buenos Ayres and Rosario is so crowded as to oblige people to live in bullock carts.

In the Brazilian camp at Curuzu the mortality by cholera has been frightful. On Palm Sunday more than 500 fell victims to this scourge, and on the following Monday almost an equal number, whereupon the troops were ordered to encamp outside the fort. The disease has also broken out on board the Brazilian squadron, and as some few cases have also occurred at Itapiru, the landing and principal depot, and at Tuyuti, where the bulk of the allied army is quartered, it is thought that the allied troops will have to move off from their present position, and possibly ascend the river to Candelaria, or succumb to a foe more deadly than the undaunted Paraguayans, from the ravages of which no friendly and humane mediation like that proffered by the United States may save them.

The national government here is about to prohibit vessels from Corrientes from touching at this port, owing to the stupendous mortality at Curuzu.

A few cases of the prevalent epidemic having occurred in Montevideo, the government there, by a decree dated yesterday, has closed Montevideo and all the ports of the republic to vessels coming from Buenos Ayres or any part of the Argentine Confederation, so that the only communication between the two republics is by means of the telegraph. This measure causes incalculable injury to the general commerce of the river Plata.

People here and in Montevideo, of course, lay all the blame of the introduction of this pestilence on the Brazilians, and there is, indeed, reason to regard it as a distressing adjunct of the Brazilian alliance.

We have no reliable information whether the cholera has already passed over to Paraguay, but there are vague reports that such is the case, and the probability is that they are true. No one can deny that the long resistance of Paraguay against the allied forces has been heroic, but the progress of this fearful epidemic cannot be obstructed by patriotic bravery, and if it should visit that country in its present state of destitution, the loss of human life would be so immense that humanity and Christian charity alike demand that this war of misery and devastation should cease. The Argentine and Uruguay republics, as already reported, can no longer afford to keep up their respective contingents in the allied army, and however formidable the power and great the resources of Brazil may be, the sacrifice of life and money has been so immense, and utterly out of all proportion to the interests at stake or the advantages to be gained, that the sooner the war can be brought to a close the better it will be for Brazil also. The sad reality has gradually opened upon the mass of the

people, and the extracts from *La Prensa Entre Riana*, *Tribuna*, and *Jornal do Brazil*, in enclosure A, show the general indignation both in Brazil and in the river Plata at the rejection of the United States mediation.

The steamer *Provedor* brings news of a partial but sanguinary engagement in an advanced line of the Paraguayans at Curupaiti, which was victoriously taken by a Brazilian division of Curuzu; but while the latter were wheeling round the guns on the retreating enemy, a mine sprung under their feet which blew the whole place high into the air, and great numbers of the imperialists perished.

The civil war in the provinces of Cuyo seems to be at an end. The success of General Paunero over the insurgents alluded to in my daily memoranda, enclosure D, with report No. 20, has been fully confirmed. On the 2d instant a column of 1,600 men, under the command of Colonel Arredondo, was attacked by an insurgent force 3,500 strong, headed by the brothers Saá, Videla, and Rodriguez, at a place called San Ignacio, in the province of San Luis, and the latter were completely routed. Another victory was obtained further north at Bargas, province of Rioja, on the 10th instant, by the national forces, under the orders of General A. Taboada—about 2,600 strong—over a revolutionary force of 5,000 men headed by Varela. These two actions appear to have decided the fate of the campaign, the insurgent leaders Saá, Colonel Videla, Governor Rodriguez, Varela, and others having fled to Chili, while Colonel Arredondo with his division had, by last dates, entered the town of Mendoza, General Paunero, with the main body of the army, following close upon him.

The period fixed by the constitution for the annual meeting of the Argentine congress, the 1st of May, is fast approaching, and as yet not a single deputy from the provinces has made his appearance in Buenos Ayres, owing to the reactionary troubles in the interior and the epidemic here. It is therefore believed that the opening of that body will be necessarily deferred. General Mitre being resolved to resume the command-in-chief of the allied army, will, as currently reported, call upon the congress as soon as it assembles to name the person who is temporarily to replace him in charge of the executive, as Dr. Paz, the vice-president, declines to act again as chief magistrate.

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

A. ASBOTH.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.—From *La Prensa Entre Riana*, 7th April, 1867.]

MORE BLOOD.

It is not enough that 15,000 Argentine victims have been immolated on the altars of ambition raised in honor and for the profit of the Brazilian empire.

The war with Paraguay must go on, exhausting the treasury of the nation, damaging its commerce, sacrificing more Argentines, in order that the Brazilian territory in possession of Paraguay may be recovered.

Elizalde, minister for foreign affairs of the republic, communicates to Mr. Asboth, minister of the United States, that the Argentine government declines the offered mediation because its bases negative the purposes of the alliance.

A final stop has been put to the American mediation, which might have brought about peace, saving Argentine honor and interests imprudently compromised by a man who decreed victory and promised in the face of the people of Buenos Ayres to be in Asuncion within three months.

Until when will the people be the tool of speculation?

Is not the opinion of the press sufficient, which, as the faithful interpreter of the feeling of the people, clamors for peace?

New sacrifices of blood and republican honor have been decreed because Mr. Britos, the imperial minister, insists upon it. And the people bend their necks to receive the yoke and drag the cart of degradation and ruin.

The Argentine cabinet, which, confounding its members with the mother country, has grasped by the neck all who boast of patriotism to lead them tamely to the charnel house at Tuyuti, replies in the negative to the humane mediation offered by the enlightened government of Washington, in order to be consequent with the men who do not desire peace, because it promotes the progress of the neighboring republics, and because they are afraid of the democratic element in their own bosom.

To-day we believe in an armed intervention, because North America, jealous as it is of its good name, will not allow its officious mediation to be slighted with impunity.

This result was to have been expected from the silence of the Argentine government to Mr. Asboth's notes, and in presence of the warlike policy of the Argentine government.

It appears beyond doubt that the American minister expressed himself in these words: "That if one of the belligerents accepted the mediation, it would be obligatory upon the other." If such is the case, the honor of the model republic is compromised in the present question.

We deal, however, with a fact—the negative of the Argentine government, which for itself and by itself has resolved to continue the war, anticipating its answer to the meeting of the sovereign national congress, the only judge in a matter of such paramount importance to the republic, and committing itself against the manifest will of the Argentine people to carry on a crusade anti-republican and ruinous to the country.

What is General Urquiza about, who, in his banquet at San José, expressed his longing for peace? What are the people of Entre Ríos about, who protested against the warlike policy of the Argentine government? Will they allow the butchery of their fellow-citizens to continue? Will they permit by their silence and inactivity that their fellow countrymen should be once more sent to the seat of war in chains, in order that their corpses may serve as stepping stones to the imperial hosts? Will they consent to see the will of the majority of the Argentine people trampled upon by the continuation of a war in which are staked its interests, its future, and its republican honor, with no other recompense save that of serving the ambition of some and the plans of distinction of others?

If the people remain silent, we owe it to justice to say that it deserves the despotism inflicted upon it, and on the word of republican patriots we disown the traditions of the Argentine people.

Will the United States, after the rebuff they have received, Bolivia, Chile, and Peru, after their protest against the treaty, look with indifference on General Mitre's negative? We do not believe it, because the first is highly compromised in the question, and the others have a flagrant proof that the sovereignty and independence of a sister republic are invaded upon as a consequence of the purposes of the alliance. But the purposes of the alliance are to upset the government of Lopez, to demolish the fortifications of Paraguay, to strip it of its armament, and to lay hold of its territory; that is to say, the allies would accept the mediation if they could attain the object they seek by arms. We can give no other interpretation to the purposes of the alliance.

Everybody clamors for peace, the army as well as the people, victims of the war; and the clamors of all are lost in the paltry passions and interests of a circle, poor yesterday, rich to-day, which, in the midst of its luxury and orgies, pretends to turn the situation to its own profit, even though the acquisition of its ends should cost the blood of an entire generation, the country's dishonor, and the bankruptcy of the Argentine people. These vultures cry for more blood. Two years of a war in the exterior; five years of a civil war which decimates the peoples of the interior; a war in perspective with the republics of the Pacific, are the consequences of the war which rides in coach since 1852, and of the policy of a cabinet that has produced nothing but evils, and that chooses to spill Argentine blood in holocaust of foreign interests, and in realization of its Machiavellian plans. The mass of the people must resist this ruinous policy, and defend its sovereignty, withholding its vote of confidence accorded to those who have looked to nothing else save their own private advantage, to those who have done nothing else save lead it to degradation and to ruin.

Enough of blood!

Enough of war!

Let the peoples raise the standard of peace, and place their trust in those who will know how to save them from the calamitous situation through which the republic is passing, as they know how to force them from a twenty years' tyranny.

If it be necessary, in order to obtain peace, to wage war, let it be done; for thus will be consummated the work of Caseros, and thus the authors of so many calamities, the executioners of the republic, the squanderers of the public rents, will be forever buried in the dust, branded with the mark of reprobation. The dismal future of our mother country is reflected on the dark horizon that surrounds the republic. The storm may be conjured off, if the Argentine peoples remember their manliness and their glories, and if the conqueror of Caseros, on whom all eyes are turned, chooses to realize his propaganda of peace, union, and fraternity.

In entering upon a crusade of civilization and humanity, we may reckon upon the opinion of the martyr people, and upon the sympathy of foreigners, whose interests suffer as much if not more than those of the natives. Let war be substituted by peace: let tranquillity take the room of agitation; let union and fraternity make their appearance among the children of

a same people, and among races who profess the same political faith, and the Argentine Republic shall be great and powerful, and will bless the strong hand that gives it the glory it longs for.

Enough degradation!
ENOUGH BLOOD!

[Translation.—From La Prensa Entre Riana, 12th April, 1867.]

THE NOTE FROM THE FOREIGN OFFICE TO GENERAL ASBOTH.

The following document which we publish deserves to be read very calmly and with great deliberation, in order to discover in its studied phrases the iniquitous, criminal, and shameful policy which has suggested it. It is the most characteristic trial of the men of the situation.

With the greatest effrontery they own therein the unjustifiable tendencies of the alliance, of that compact ominous and unauthorized, since it has no other legal sanction save the will of the men who compose what until to-day has been called the Argentine government.

The speculators on the war have required two months to concoct an answer to his excellency the minister of the United States, because they had to wait until Don Pedro I should deign to manifest to them his imperial will; and those who thus lower the dignity of the Argentine people dare pretend, notwithstanding, to be the representatives of its honor and its glories.

We doubt whether Dr. Elizalde's note will satisfy the American plenipotentiary, because it is only an agglomeration of futile pretexts, and does not bring forward one single reason that justifies or even palliates the continuation of the war.

Dr. Elizalde's note is a ridiculous blustering, a stupid bravado, an arrogant bragging, pronounced by order of Pedro I. The Argentine government has not the means of continuing, against the will of the people, the war which has thrown us into mourning and which is our ruin.

But leaving on one side the impossibility of continuing the war, what reason does Dr. Elizalde adduce to palliate this calamity? None. He simply says that "the resolutions presented in so friendly and brotherly a manner by the American minister *negate the purposes of the alliance.*"

But what are the purposes of the alliance? The treaty, with its protocol, explain them very clearly: to deprive Paraguay of its territory and give it to Brazil; to demolish the Paraguayan fortifications, in order that the Brazilians may, without any obstacle, take possession of the rivers and dictate the conditions that suit them; to strip Paraguay of its arms and all articles of war, and thus depriving it of the possibility of defending itself even from the invasions of the savages of the Chaco; lastly, to oblige Paraguay to pay the expenses of the war; that is to say, make that country for whole centuries a fief of Brazil—these are the purposes of the alliance. And can the Argentine people sacrifice itself one day longer to obtain them?

The first man of the Argentine Confederation, the nation's highest and only prestige, the enlightened General Urquiza, deeply affected, has exclaimed from his retirement, "peace, union, and fraternity," understanding by the depth of his genius that only by that means can be cured the deep wounds inflicted on our mother country by her bad sons. And while this distinguished citizen raises his influential voice to put an end to our calamities, while the highest military authority asks for peace, and makes himself the echo of the people's clamor, the coxcomb Elizalde—he of the international marriage—the ridiculous aspirant, who pretends to raise himself to the presidency of the republic by leaning on the crutch of Pedro I, shouts with a discordant voice, War without truce, slavery, death.

The man inured to dangers, he who has ever shown to our soldiers the road to victory, he who most disinterestedly and with the greatest abnegation is studying the question of the day, asks for peace, as the only termination to our disasters, equally honorable as dignified; while he who never has been and never will be amidst dangers, he who by dint of intrigues and menaces has reached the post of minister for foreign affairs, clamors for war. Singular contrast!

One-half of the republic protests, with arms in their hands, against the continuation of the war; our exhausted treasury, our army demoralized and decimated, show us the impossibility of continuing it; and in a situation so precarious the minister for foreign affairs, oblivious of the blood already spilt and of the mourning that afflicts our homes, regardless of anything else save the wishes of the Emperor of Brazil, rejects inconsiderately the high mediation of the American government, which afforded us the opportunity of bringing the struggle to an honorable termination.

What will Entre Rios do in view of the negative given to the United States government's proposition for an arrangement? Will it continue to sacrifice its children in this struggle, more than sterile, unjustified? Will it continue to lend its countenance to those who speculate on the war? We venture to doubt it.

[Translation.—From La Tribuna, April 14, 1867.]

ONE WORD MORE.—We wish to close, at least until a new opportunity, a discussion in which, convinced though we are of being in the right, the daily paper, the Nacion, in a dictatorial tone declares us defeated. We have said that the treaty of the triple alliance contradicts itself by saying that it is made with the view of waging war to the individual Solano Lopez, while its clauses are directly and positively against the Paraguayan nation. This statement, repeated by the minister for foreign affairs, we have qualified as a diplomatic jugglery, and no other name can be given to it.

When a treaty provides that the people against whom war is waged must accept certain limits, must raze their fortresses, must give up all their arms and remain unarmed, &c.—when such conditions are demanded it never can be said that the war is made against an individual; the war is against the nation.

However, to put a final stop to this question until the occasion offers of renewing it, it is sufficient to state one fact which will convince every Argentine that our pen has been guided by a just motive. What would the world have said if, in the treaty made to upset the dictatorship of Rosas, that which the treaty of the triple alliance provides with regard to Paraguay had formed part of its provisions? Would it have been said that it was a war against Rosas or a war against Buenos Ayres? Would the despot have been conquered with the same facility? No; because a treaty of that kind would have given him a banner and partisans, which, according to our judgment, have been given to Lopez by the publication of the tripartite alliance. Enough.

[From The Standard, April 23, 1867.]

THE CRISIS OF THE EMPIRE.

(From the Journal do Brazil.)

Our social existence is threatened with grave symptoms, and if we descend to the lower classes of our community we shall soon discover the source of disorder. The people no longer hide their intentions. In the very metropolis of the empire the government decrees are openly disobeyed. The Emperor called on his subjects in the name of the war, and failed to awake enthusiasm; the ministry ordered, and their order was slighted. Both have lost all prestige with the nation.

Our citizens, indeed, had no other means of showing their indignation at the government refusing the offers of a peace mediation. In this dilemma either the war must be at once abandoned or the ministry must go out.

There is, meantime, one thing urgent above all the rest: to give over lying and tell the nation truly how matters stand. But the truth must come to us from purer lips, from more upright men, from more trustworthy legislators than the present ministry. The nation will give a worthy response if honestly dealt with. Let Don Pedro remember that the destinies of Brazil are in his hands, and that it is not yet past all remedy.

APRIL 6, 1867.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 23.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, May 9, 1867.

SIR: * * * * *

In enclosure D you will moreover be pleased to find, for your information, my daily memoranda of political events from 11th April to 8th May.

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

A. ASBOTH.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM APRIL 11 TO MAY 8, 1868.

April 11.—An official despatch of General Paunero has been published to-day, giving the account of an engagement with the rebel forces at San Ignacio, province of San Luis, on the 2d instant, which resulted in a victory for the national arms. It appears that General

Paunero, despairing of inducing the insurgents to engage him as long as he kept his forces united, detached a column of 1,600 men under Colonel Arredondo, with the object of enticing them to fight. The manœuvre was successful. The insurgent army, 3,500 strong, commanded by the brothers Saá, Colonel Videla, and Rodriguez, trusting to their numerical superiority, attacked Colonel Arredondo's division, and after a short but sanguinary combat were completely defeated. Besides a great number of killed on both sides, the rebels lost 80 prisoners, several stands of arms, and all their artillery, consisting of eight pieces of cannon.

April 12.—The local daily press is full to-day of the late battle of San Ignacio, of which further details are published, fully confirming the valor displayed by the national forces. The moral effect of this action is even greater than the actual results, and will render the final pacification of the interior an easy matter.

The Cisne, from Corrientes, brings alarming news of the prevalence of cholera in that city.

April 13.—The circular from the Argentine minister for foreign affairs to the diplomatic agents of the republic, forwarded in my report No. 21, dated yesterday, is published in all the local papers.

The Arno mail packet arrived here to-day, and brings news of serious disturbances in Brazil on account of recruiting for the army in Paraguay. The national guards in Rio de Janeiro, Bahia, and Pernambuco refuse to march out of the country, and in the latter place disastrous riots are reported to have taken place.

Several cases of real Asiatic cholera morbus are said to have occurred here, and great alarm prevails. From Corrientes the mortality in the hospitals is reported as truly fearful, and a cholera panic has seized its inhabitants, the greater portion of whom have abandoned the city and left it almost deserted.

April 14.—The alarm about cholera in Buenos Ayres is on the increase, and the mortality is undoubtedly much greater than usual; many people, however, insist that it is owing to an epidemic somewhat similar to cholera morbus, but very different from it in reality.

April 15.—The municipal return of deaths for yesterday and to-day shows a marked increase, and the epidemic in town among the poorer classes is making great havoc. One of the most distinguished medical practitioners of the city, Dr. Fust, who had been sent by the government to San Nicolas as a member of a commission charged with reporting upon the nature of the prevailing epidemic, came back to Buenos Ayres the day before yesterday and died the same day of the effects of this disease, which nobody now denies being Asiatic cholera.

April 16.—In a letter of the English consul in Rosario, Dr. Hutchinson, published in to-day's Standard, he states: "The cholera which we have here is for the most part the spontaneous species, but we have had lately, also, a few cases of what may be styled malignant cholera."

April 17.—The mortality in this city is increasing at a fearful rate, and people are beginning to fly to the country. The archbishop has ordered a devout *novena* (special public prayers that last for nine consecutive days) to begin on Saturday evening next, the 20th instant, to implore the sovereign mercy on behalf of this city, and save it from a further visitation of the prevailing disease.

The following proclamation of General Paunero is published in to-day's papers:

THE WAR IN THE ANDES—PAUNERO'S PROCLAMATION.

The national commissioner and commander-in-chief of the army interior to the province of San Luis:

FELLOW-CITIZENS: The national banner again waves over your capital, while the bloody flag of treason and anarchy lies trampled in the mud.

Fellow-citizens, you are now freed from the insults, oppression, and outrages of the rebels, to which you have been so long the victims. The national arms have saved you, the same victorious arms which have wrenched from the bloody grasp the entire province of Cuyo.

Fellow-citizens, I am persuaded that the majority of the young men of San Luis have been induced by fear to join the traitors; never could I otherwise account for their alliance with the Indians to pillage, rob, and murder their own relatives. To these misguided youths I therefore offer the hand of friendship and good faith, earnestly inviting them, for their own and friends' sake, to return. I come here not to chastise but to protect, and while fixed in my resolution to make no treaty with the ringleaders, I have a welcome for all who return.

Fellow-citizens, fear not; your lives and property are safe in the hands of your country's defenders. We only ask in return that moral assistance which is the best safeguard of a free people. You who have brothers, wives, husbands, or children, the state claims your co-operation for the re-establishment of order.

Your friend and countryman,

WENCESLAO PAUNERO.

SAN LUIS, *April 5, 1867.*

April 18.—The government, in view of the state of things in town, has ordered a suspension of the customary holy week's ractions respecting the non-transit of horses, carts, or car-

riages in the streets during to-day and to-morrow. This is the first time such an innovation has been attempted, and the government order is highly approved.

Don Estevan Rams, well known for his praiseworthy devotion of his time and energies to the important undertaking of the navigation of the Rio Salado, and just as he was on the point of realizing his long-cherished project, has fallen a victim to the epidemic which at present afflicts this city.

April 19.—The following telegram has been received from Montevideo: "Cholera at Curuzu: average 150 deaths daily. Tuyuti as yet not infected. Corrientes devastated. Two cases of cholera occurred here on the 17th instant."

April 20.—The mortality in Buenos Ayres yesterday reached the alarming number of 190. A storm broke over the city on the night of the 18th, and a refreshing pampero has set in, which it is hoped will purify the infected atmosphere.

April 21.—The sanitary condition of the town has apparently improved, owing to the change in the weather and the cold pampero wind which is still blowing. By the official returns of the railways, it appears that upwards of 50,000 people have fled the city within the last week. The municipal returns of mortality for yesterday show a marked diminution.

April 22.—In an official letter General Paunero announces to the minister of war that the heads of the rebellion, with some 200 soldiers, had abandoned the city of Mendoza on the evening of the 11th instant: a similar flight having been made by those who occupied San Juan. The vanguard division, under Colonel Arredondo, continued its forced march on Mendoza. From Rioja the news is that General A. Taboada fell in with a rebel force of 5,000 men under Varela, at a place called Bargas, on the 10th instant; the national troops numbering about 3,000. The battle lasted only for a short time, as the rebels retreated and Taboada took a large number of prisoners, with two pieces of artillery, several stands of arms, and a great number of horses, &c. It is reported that on account of the prevailing epidemic the government of Cordoba has placed a sanitary cordon on the frontier of the province, and all communication with Rosario and Buenos Ayres has been cut off.

April 23.—The government of Montevideo, by a decree dated yesterday, has closed all the ports of the republic to vessels coming from Buenos Ayres, or any other port of the Argentine Republic. This measure will inflict incalculable injury on the general commerce of the river Plata.

By way of Montevideo we have news from the seat of war, which is truly awful. At Curuzu, on Palm Sunday, there were over 500 fatal cases of cholera, and on the following Monday almost an equal number, whereupon the Marquis de Caxias ordered all the troops to leave the fort, and encamp outside the ditches. At Itapiru some few cases of cholera have occurred, and it has also broken out on board the gunboats and iron-clads.

From the interior we hear that Colonel Arredondo had, by latest advices, occupied the town of Mendoza. The flight of all the rebel chiefs to Chili may lead to further political complications, as there seems to be a very bad feeling between the Chilean and Argentine governments.

The Brazilian minister in Peru has taken great offence at certain passages in the President's message, and has handed in to the Peruvian government a formal protest. It seems that the Peruvian government openly espouses the Paraguayan cause.

April 24.—The sanitary condition of the city of Buenos Ayres continues to improve, and the daily number of deaths is steadily decreasing. The rush, however, to the country still goes on, though in a milder form. Since the night before last the practice has been introduced of lighting innumerable bonfires in the principal streets, in which tar is copiously burned; and the lurid flames thus in every part of the city shooting up to heaven, produce an extraordinary effect. The move was a spontaneous one, and the authorities not only did not lend their aid, but were opposed to it. The advantages of this popular move have been two-fold, for the bonfires have contributed to purify the air, and have also occasioned the burning of all the rubbish and dirt collected in private houses, thus removing one of the principal causes of the epidemic.

April 25.—The steamer *Provedor*, arrived yesterday from Corrientes, brings full confirmation of the awful mortality in Curuzu. Private letters state that the epidemic is also in Tuyuti, and such is the alarm in Corrientes that the Brazilians sent down 2,000 men to defend the hospitals, owing to some threats of General Caseres to destroy them. (General Caseres is a gaucho chieftain of considerable influence in the province of Corrientes.) Special meetings have been held in Corrientes to request the governor to turn the sick Brazilians out of town.

April 26.—The health of the town of Buenos Ayres shows a steady improvement. According to the testimony of several doctors it appears that the disease is going from east to west, while it is assuming a milder form. The bonfires last night in the streets exceeded all previous nights; every empty box and tar barrel in the city was burned up, and not only at the corners but in front of almost every door there was a blaze.

April 27.—News has arrived that Osorio is on the banks of the Uruguay. The cause of his delay, it seems, was the great desertion in his ranks. In Rio Grande the number of deserters is put down at from 7,000 to 8,000 men, and in the *Banda Oriental* it is stated there are no less than 3,000 Brazilian deserters.

The last mail from Brazil has brought news of several serious disturbances in consequence of the unwillingness of the national guards to come forward and furnish more contingents for the army in Paraguay.

The latest advices from Rosario are very satisfactory; the cholera is rapidly on the decline, and some of the affrighted citizens are beginning to return.

The provincial government of Buenos Ayres has, by a decree dated yesterday, ordered the compulsory closing of the saladeros, (establishments where cattle are killed for salting their flesh and hides,) from the prevalent though erroneous opinion that they are the focus of infection. This arbitrary measure is not only ruinous to the owners, but affects seriously rural industry and the shipping of this port, and will indirectly impair the commerce of the place in general.

April 28.—By last advices from Paraguay we hear that Marquis de Caxias has struck his tents and moved the whole allied camp from Tuyuti to the hill-tops which overlook the marshy trail known by the name of Estero Bellaco. The Curuzu division has deployed to the left and encamped in the open country on the river's bank.

The national government has called Governor Luque to account for the extraordinary quarantine regulation adopted in Cordova.

April 29.—On the 25th instant took place the inauguration of the works of the first railway in the Banda Oriental, the Central Uruguay railway. There were present on the occasion Dictator Flores, all his ministers, and a large concourse of the citizens of Montevideo. General Battle, the minister of war, turned the first sod, and General Flores wheeled the barrow along the platform. Several speeches were delivered by General Flores, his ministers, and others. The line is to go as far as Durazno, and its estimated length is over one hundred miles. Capital, £1,000,000, in 20,000 shares of £50 each. The government subscribes for one-half of the whole stock.

April 30.—The French packet arrived here yesterday morning. It brings news that the riots in Brazil in consequence of the enlisting have been completely put down by the government, and troops are being embarked again at Rio de Janeiro in the transports Leopoldina, Taguaribe, and Equara.

The mails from Rosaria bring the news that the revolution has completely died out in the Cuyo provinces, and that cholera has almost disappeared from Rosario. Thus trade is reviving.

May 1.—An article in the Journal do Rio de Janeiro, pointing to Señor de Elizalde as the most proper of all the candidates for the presidency of the Argentine Republic, has given rise not only to a premature discussion of the merits of the several candidates, but to bitter recriminations by the Tribuna against Señor de Elizalde and an uncompromising defence of him by the Nacion Argentina.

It seems there is reliable information from General Osorio, who crossed the river Uruguay on the 23d ultimo, and must be now near Parana. According to some accounts he has not over 4,000 men with him.

The national congress was, according to the provisions of the constitution, to have been opened to-day, but the absence from Buenos Ayres of almost all the deputies and senators from the provinces has rendered it impossible. The daily press in general comments very severely on the want of patriotism thus displayed by the representatives of the people, who allow fear of the cholera to prevent their fulfilling the duties they owe to their country, more particularly at a time when questions of the greatest importance are waiting to be discussed and settled by congress.

May 2.—Accounts of the ravages occasioned by cholera in the allied camp continue to be published in the daily papers. An English doctor, attached to the Brazilian hospitals in Corrientes, furnishes the following details to one of our leading daily papers:

"The city hospitals at present contain about 4,509, of which over the half are cholera cases. Cholera has, to a greater or less degree, spread over the whole allied camp, and a Paraguayan deserter who has just crossed over states that there is a very prevalent disease among his countrymen called *carneal*, but the mortality is not very great."

The same individual states "that during the last fifteen months there have been buried in Corrientes alone some 17,000 people."

The Standard of to-day says, "The stoppage of the Saladeros has cut right at the very root of the only trade we have at this period of the year, while the monstrous conduct of the Montevideo government in keeping their port still closed paralyzes the whole port and river business of Buenos Ayres.

May 3.—One of the first questions the congress will have to take into consideration is where the capital of the republic is to be. Buenos Ayres was lent to the national government for five years, and this period is on the point of expiring. On one hand the province of Buenos Ayres is unwilling to continue this arrangement, and on the other the rest of the provinces are jealous of the preponderating influence of the city of Buenos Ayres, and of its daily increasing wealth and power. It is difficult to foresee what solution will be given to this very knotty question, though the probabilities are that in consequence of the war, the province of Buenos Ayres will consent to allow the present arrangement to be continued provisionally for another year, and then perhaps much will depend upon the result of the election of the President of the republic, which is to take place next year.

May 4.—A series of official documents are published to-day relative to the late events in the province of Cuyo, which confirm the news of the re-establishment of order, by the flight of all the revolutionary leaders and the reinstatement of the authorities overturned by the revolution. A Colonel Molino, who was the last appointed revolutionary governor of San Juan, and his chief of police, named Belomo, are the only leaders that have fallen into the hands of the victorious party, and were, in a very summary and unconstitutional manner, tried by a self-appointed court-martial, convicted, and executed in the same day. General Paunero, with the main body of his army, was close to Mendoza.

May 5.—The following table, showing the deaths in Buenos Ayres during last month, can be relied upon :

Deaths for the month of April, 1867, taken from the register of the North, South, and Protestant cemeteries.

Cholera	1,604
Cholera	185
Other diseases	661
	2,450

Choleric in 28 days, average 57 8-28; cholera and unknown in 30 days, 6 5-30; different diseases in 30 days, 22 1-30.

Deaths until May 3, 1867.

	1st.	2d.	3d.
Cholera	14	19	16
Cholera and unknown	5	5	2
Other diseases	22	25	10
	41	49	28

The sailing of the vessels Leopoldina and Iguaribe is reported from Rio de Janeiro, with about 600 men, on the 23d ultimo, for Paraguay. On board the Iguaribe are two brothers Allen, Americans, who have constructed three balloons for the Brazilian army and go to give their services to the Marquis de Caxias as aeronauts.

May 6.—From Tuyuti some accounts state that the Brazilians, far from meditating any attack, are busy making mud houses for the winter.

General Paunero, who has entered Mendoza, is reported to have called upon the national government to cancel the exequatur of the Chilian consul in Mendoza, as he appears to have obtained evidence against this official tending to prove that he has been aiding and abetting the revolution.

May 7.—The following is taken from to-day's Standard :

"The war in the north—Arrival of the Oriental—Cholera declining—Continued bombardment.

"On Sunday the steamer Oriental, without mails, arrived in port, bringing dates to the 1st May. The war news is, as usual, of a most unimportant character. The Paraguayans are busy as ever in the trenches and night attacks, and the allies head and ears in business, landing maize and hay from Buenos Ayres, Rosario, and all the small ports along the Parana.

"The Argentine army has about 3,000 horses and the Brazilians 30,000, besides some 6,000 bought in Entre Rios. People can have some idea of the magnitude of the forage business, when they consider that the horses are rationed with as much regularity as soldiers. Each horse is fed on maize and hay. The maize costs, put at Itapiru, ten patacons the fanega. Each animal consumes half a cuartilla daily. The monthly cost for forage for the horses is over two millions of patacons. Chacrerros along the river have risen from absolute poverty to greater independence than that of the sheep farmer. Cows are neglected, sheep are despised all along the banks of the Parana, and nothing is now thought of save raising corn and hay for, as they say, the Brazilians. The stupendous expenditure in forage alone gives an insight into the colossal cost of the present war.

"Contemporaries seem to despise the task of reflecting on the fearful consequences of this unprecedented expenditure upon Brazilian posterity. Indeed, it is difficult to say what Brazilian posterity will be composed of, for the mortality returns from wounds, sickness, and cholera, are also very severe, and some of the flower of the land sleep in untimely graves beneath the gloomy cypresses of Corrientes.

"Verily the war seems to be carried on as if the end of the world was to ensue on the fall of Lopez. Day follows day with the same unbroken monotony. Millions upon millions expended. The bone and sinew of the country dying off away from home and friends, thrown into the river or buried in a foreign soil. Does it require the prescience of the wizard to foretell the grand wind-up? If Brazil produced as much gold as coffee, or silver as tobacco, such tremendous extravagance must entail a debt which will make posterity bankrupt. Caxias has a fine army, a powerful navy, and yet, though time in the present case is more than money—it is life, credit, and existence—he strolls listlessly through the palm trees day after

day, waiting mails from Rio and men and arms from Osorio. Time was when we were told, and even believed, that the real motive of this inactivity on the part of the allies was to exhaust Lopez; but we have survived that delusion. Rather is it the other way: Lopez is trying to exhaust the Brazilians. Lopez pays nothing to his men; he is in his own country: everything that it yields is at his command. The crops this year have eclipsed all former seasons. The women of the country are the farmers, while their sons, husbands, and brothers are fighting at headquarters. The war over to-morrow, Paraguay suffers only in population; for, even supposing the conclusion of hostilities in the most favorable light for the allies, it is a dream, an illusion, and a madness to suppose that Paraguay can ever repay the allies the cost of the struggle.

"The bombardment at Curupaiti, the Troy of the river Plate, is now and then carried on—that is to say, a few random shots are fired each day before sundown. The Paraguayans sometimes reply."

Latest advices from Rio Grande mention the death of General Canavarro from a kick from his horse. The local papers give a list of troops, summing up 26,000, furnished by Rio Grande for the Paraguayan war.

From the interior it is reported that the rebel General Saá, after the defeat by Arredondo, retreated towards Chili, accompanied by 500 men. When he arrived at the Andes he found the passes closed by some Argentine emigrants, who endeavored to force him back. A brisk engagement ensued, in which the emigrants were defeated, and Saa is said to be now in Chili.

May 8.—The late decree of the provincial government closing the saladeros has created quite a storm, and given rise to much and earnest remonstrance on the part of those interested. The government has appointed a committee to inspect and report upon these establishments, and it is supposed that as soon as this is done the very unwise and arbitrary measure respecting them will be rescinded.

A. ASBOTH.

Mr. Seward to Mr. Asboth.

No. 34.]

DEPARTMENT OF STATE,

Washington, May 18, 1867.

SIR: Your despatch of the 25th of March, No. 18, has been received. I learn from it that the Argentine government has not yet given you an answer to the tender of good offices which the United States have made to the belligerents in the Paraguayan war. While the delay is regretted, your proceedings in regard to that matter are approved.

You have informed me of the proposition which you submitted to Admiral Godon, that he should furnish you facilities to secure a personal interview with Mr. Washburn, our representative at Paraguay, with a view to the same proposition of peace, and of the decision of the admiral that he could convey despatches only, thus virtually declining to convey yourself to the vicinity of Mr. Washburn's residence. You have also informed me that the admiral thought it not inconsistent with his duty to hold such communication with the Brazilian minister at Buenos Ayres as to afford ground for a report that he had so arranged with them that you should not hold the personal interview with Mr. Washburn which you desired.

Mr. Washburn, in a recent despatch, has brought the same facts to the notice of this department.

In connection with this subject it seems to be expected by yourself, as well as by Mr. Washburn, that this department will define the proper relations subsisting between the political representatives of the United States and the naval officer commanding the United States squadron in the South Atlantic.

I think proper, therefore, to say on this occasion that, in regard to so distant a theatre as that in which the Paraguayan war is carried on, it is not possible for the government of the United States to foresee distinctly at any time the future course of military and political events, and so to anticipate possible emergencies. For these reasons it is inconvenient to give specific instructions for the government of either its political representatives or its naval agents in regard

to merely possible contingencies. Powers concerning political questions, as distinguished from naval affairs, are intrusted to the care of the ministers of the United States, and the President's instructions are communicated by this department. Responsibilities of a peculiar character are devolved upon the commander of the squadron, and the President's instructions are conveyed through the Navy Department. It seldom happens that political and naval instructions, which may bear upon such mere contingencies, are in fact or practically can be harmonized between the two departments, each of which generally holds under survey a peculiar and limited field and knows of no special occasion to look beyond that field. If in any case it is foreseen that co-operation between a minister and a naval commander would be practicable and useful, that co-operation is distinctly commanded by the President. If, however, it is not foreseen that such co-operation would be practicable and necessary, or useful, the agent of each class is necessarily left to proceed according to his own discretion, within the range of the general instructions he has received from the department under which he is employed. It is expected that, in the absence of instructions, the agents of the two classes, if practicable, will confer together and agree in any unforeseen emergencies which may arise, and in regard to which no specific instructions for the common direction of both may have been given by the President.

There is no subordination of the minister to the commander of a squadron and no subordination of the commander of a squadron to a minister. It is always unfortunate that agents of the two classes are not able to agree upon a course to be adopted in an unforeseen emergency. But that inconvenience is less than the inconveniences which must result from giving authority to a minister in one state to control the proceedings of a fleet, of whose condition he is not necessarily well informed, and whose prescribed services are required to be performed, not only in the vicinity of the minister, but also in distant fields over which he has no supervision. Nor would it be more expedient to give a general authority to the commanding officer of a squadron to control or supersede the proceedings of political representatives of the United States in the several states which he might have occasion to visit.

You had no special instructions from this department to seek or hold an interview with the minister at Paraguay. Such a proceeding would have been exceptional, and Admiral Godon seems to have regarded it in that light. Your effort, however, is regarded as judicious and is approved as an exceptional proceeding, not within the customary range of your diplomatic duties, but altogether outside of that range. On the other hand, the President sees no reason to doubt that Admiral Godon's proceeding, in declining to favor such a personal interview, was loyal and patriotic; nor does he perceive any reason for thinking it injudicious or unwise on his part, before deciding upon that matter, to confer with the Brazilian agents at Buenos Ayres. It is not every minister's misconstruction of a public officer's proceedings that is to be received and entertained by the government. It is even now impossible, with all the information of which the government is possessed, to determine which party—yourself or the admiral—practiced the wisest and soundest discretion in the matter referred to. Meantime the emergency has passed, and the question has become an abstraction.

While, therefore, your own proceedings are approved, those of Admiral Godon are not disapproved. In all such cases it is eminently desirable that mutual confidence shall be maintained between the ministers and the naval authorities, that they co-operate where they can agree, and that they suffer no difference of honest and loyal judgment to produce alienation.

I have now to inform you that, without any reference to the subject which I have thus considered, Rear-Admiral Charles H. Davis has been heretofore ordered to sail from Boston in the *Guerrière*, to relieve Rear-Admiral Godon in

command of the South Atlantic squadron. The *Guerrière* is expected to sail on the 1st of June, or within a few days thereafter, and the transfer of flags will be made at Rio early in July. Rear-Admiral Godon will return to the United States in the Brooklyn, his present flag-ship.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Seward to Mr. Asboth.

No. 36.]

DEPARTMENT OF STATE,

Washington, May 27, 1867.

SIR: Your despatches of April 10th, No. 20, and of April 12th, No. 21, have been received and submitted to the President, together with the important documents accompanying the same. From these papers the President has learned, with profound regret, that the Argentine Republic disallows the propositions made by the United States to the several belligerents for the termination of hostilities and the restoration of peace in the valley of the Parana and its tributaries. I have carefully read the note which you addressed to Mr. Elizalde on receiving his announcement of the decision of his government. What you have written in that note is very discreetly expressed and is in entire harmony with the views of this government, since its proceedings have been inspired by a sincere friendship to all the South American states and an earnest solicitude for the restoration of peace and harmony on the American continent. Your note is therefore approved. At the same time I think it proper to remind you that earnestness for the restoration of peace is not to be carried to the extent of invading the sovereignty or the dignity of the belligerents. Whether they would accept our well-intentioned and friendly good offices was left to their own intelligent free choice. Nothing could be further from the President's purpose than an idea of imposing any constraint or bringing any national pressure to bear upon that choice.

Under these circumstances you will not be expected to press with undue importunity, at the present time, the tender of the good offices of this government to the Argentine Republic or to that of Uruguay. Retaining the same attitude, however, you will wait further instructions, unless some new and unforeseen conjuncture shall seem to render it likely that our good offices will have become more acceptable.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 26.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, May 27, 1867.

SIR: In connection with my report of April 23 I have the honor to inform you that the congress of the Argentine Republic has not yet commenced its sessions, but there being already a sufficient number of members in town to constitute a legal quorum it is expected that General Mitre will formally inaugu-

rate the sixth national congress on the first of June next. Meanwhile the provincial chambers of Buenos Ayres have been opened by Governor Alsina, and I beg to forward the translation of the speech he delivered on the occasion, and also of his message, under enclosure A, as it touches all the pending questions of the day, and acquires more importance from the fact that Dr. Alsina is one of the most prominent candidates for the presidency.

The war in Paraguay presents no change whatever; both armies are apparently waiting for better times. The last news is a rumor that President Lopez sent an officer with a flag of truce to demand another conference with President Mitre, but the news lacks confirmation.

In the Brazilian camp cholera has caused a heavy mortality, and in spite of all the precautionary measures and sanitary regulations adopted by Marshal de Caxias, the gloomy statistics published by some of the daily newspapers go to prove that more than 8,000 men have been carried off by this epidemic in the allied camp. It is also stated that the horses of the army have been attacked by a disease similar to cholera, which is destroying daily large numbers of them, and the Marquis de Caxias has contracted, in Entre Rios and other provinces, for 8,000 additional horses for his command.

General Polidoro, the chief of the staff, has returned to Rio, and it is rumored that the Marquis de Caxias will be succeeded in the supreme command by Marshal Osorio, who has at last arrived on the left bank of the Parana with a new army estimated by the Nacion Argentina at 12,000 men, but reduced by more reliable Brazilian news to 4,000 only. Recruiting, however, continues in Brazil notwithstanding the general indignation, and transports are now again continually arriving with new men to fill up the gaps caused by cholera and the enemy's bullets.

According to the Asuncion papers the Paraguayan General Resquin, who was sent from Tuyuti across the country to Candelaria to oppose the intended Brazilian invasion, has returned to camp, having ascertained that Osorio with his force was descending in the direction of Corrientes. The same papers show that the spirit of the Paraguayan people, after their two years' sanguinary and unequal struggle, is not broken, but their faith in their country's cause remains firm and unshaken. The line of fortifications from Humaita is complete all round Tuyuti with abatis in front, a work of stupendous magnitude.

In the interior Argentine provinces some slight reactionary troubles have taken place, and guerillas continue sufficient to prevent General Paunero and his army from returning to Paraguay. To meet the occasion the general has called upon the following provinces to supply contingents for the army in the field against Paraguay, viz :

	Men.
Cordoba.....	2,000
Mendoza.....	1,000
San Juan.....	500
San Luis.....	500
Rioja.....	500
Total.....	<u>4,500</u>

Dr. Luque, the governor of Cordoba, will be slow in furnishing the large number of recruits required of him.

From all the ports of the La Plata and Parana rivers cholera has nearly disappeared, only slight occasional symptoms of the disease being now seen; consequently all quarantine regulations have been abolished. For further and more particular information I beg leave to refer to my enclosed daily memo-

randa of political events in the river Plata, from the 11th to the 24th of this month, marked B.

* * * * *

I have the honor to be, sir, very respectfully, your obedient servant,
A. ASBOTH.

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

P. S., *May 28*.—I have just received information from the minister for foreign affairs "that a party sent from the allied camp to the Paraguayan lines to meet a flag of truce was received with a murderous fire, and as such an uncountable outrage will doubtless be followed up by commensurate reprisals on the part of the commander-in-chief of the allied forces, the papers and provisions for Mr. Washburn may in consequence meet with considerable difficulty and delay in reaching him." It is, however, my firm conviction that the sad news is far from well founded.

A. ASBOTH.

OPENING OF THE PROVINCIAL CHAMBERS—FOURTEENTH LEGISLATIVE SESSION—GOVERNOR ALSINA'S ADDRESS.

Thursday being the 14th anniversary of the swearing of the constitution of Buenos Ayres, the provincial chambers were inaugurated with the usual solemnity by Governor Alsina. His excellency delivered a very graphic and comprehensive address to the legislature, after which the message of government was read by the secretary. The latter is very long, and in some measure a repetition of the former; we therefore hold over the message till our next issue, and give the governor's address as follows:

Honorable Senators and Representatives:

It is always a pleasing task for a magistrate who feels conscious of having discharged his duties faithfully to present himself before the representatives of the people and render an account as to how he has fulfilled his solemn engagements to God and to his countrymen.

In doing so I shall confine myself to the strict language of truth, which, however sad and disheartening, is alone suited to the solemnity of the occasion and to the gravity of the matters I have to lay before you.

When first I exposed the programme of my administration I said, on taking the oath, that my efforts would be directed, without at all encroaching on provincial rights, towards preserving an *entente cordiale* between the national authorities and those of the province of Buenos Ayres. The sincerity of my engagements has since been attested by events that I may well call notorious. The law of residence of the national executive, which was accepted by Buenos Ayres as a debt of honor and loyalty to the nation, has been scrupulously respected.

Casting my eyes to the seat of war, where the Argentine flag was engaged in mortal combat, I declared that the province would continue its able support to the national government to uphold the honor of the republic and of Buenos Ayres. I appeal to public opinion whether, during the whole of the past year, we have lacked even for a moment in lending our moral and material aid to the national authorities.

Upon that occasion also I called your attention to the urgent necessity of reforming our rural administration. I accordingly submitted to you two bills on the subject, which are now happily passed into law. They are based on liberal and uniform principles, and have met a great requirement by laying down a system which protects the poor man and is just to all classes.

In declaring my resolution to fix the value of our paper currency I promised to devote to it my preferent attention, and the many efforts of my government in this sense show that I spared no pains to arrive at a satisfactory conclusion. After studying the matter carefully in all its bearings, I drew up the projects and sent the question before your chambers, when, as you are aware, the bill was thrown out on its first reading for a definitive conversion of the paper money. But the scandalous extent of speculation, attended with an extraordinary rise in the value of the paper dollar and consequent scarcity of currency for transactions in rural produce, forced the adoption of a partial measure to meet the necessities of the hour.

Under these circumstances the *Oficina de Cambios* was established, with a capital of two million hard dollars, in spite of the opposition of many who in good faith believed it unsuitable, and in the midst of a loud outcry from those whose individual interests were affected, as well as from professional gamblers and from usurers, who were thus stopped in their career of lending money at three per cent. a month. Notwithstanding the wonderful results

of the Oficina de Cambios, which has at present in its vaults five million of hard dollars, and that the paper dollar may now be regarded as a proper bank-note, it is in the interest of prudence and precaution that the provincial authorities should not leave a stone unturned until the problem be permanently solved. To arrive at this result I pray your active co-operation, and promise, on my part, that I shall strain every nerve to the same end. Besides the reasons of a general nature, there is one of a special kind to which I attach much weight. Situations of a tempting nature which may be turned to pecuniary profit by a government are peculiarly dangerous when the administration is corrupt, and equally harassing when the rulers are men of integrity. In the first case the members of government get rich at the public expense; in the second they are the butt of every calumny. It is, therefore, the manifest duty of an upright administration to use every effort that such trying situations may be prevented for the future. As for myself, I assure you that, far from desiring such occasions, I dread them, for they supply a host of poisoned weapons that would indiscriminately destroy both the innocent and the guilty.

I promised also to chastise abuses, without regard for friends or influence, and I have labored to keep my word. There is, I regret to say, much yet to be done in this particular, for our public morality is sadly perverted, and, above all, the government does not always find the man it wanted to aid in the great work of moral regeneration.

I regret to say that I am as yet unable to fulfil that part of my programme which relates to the suppression of frontier service for the national guards. No one could have imagined that a whole year would elapse without the war in Paraguay being advanced a single step. Nevertheless, I have the satisfaction to inform you that I shall not wait till the *denouement* of the Paraguayan difficulty for the realization of my ardent wish in this particular. On my return from my tour of the camp districts, I entered into negotiations with the President of the republic, and if I find him, as I expect, animated with a sense of justice rather than deference, I can promise that by January 1, 1868, there will not be a single national guard on the frontier.

It is, indeed, to be lamented that you do not inaugurate your session under the happy auspices of peace. The clouds which were gathering about the upper provinces have apparently vanished; but the dense thunder-cloud that has for two years hung over the morasses of Paraguay is, unhappily, growing thicker and thicker every day, and tinged with the blood of our countrymen. Such sacrifices have been already imposed on us by this war, to which we were provoked by a barbarous aggression, and so anxious is the whole country to draw it to a close, that I think I express the sentiments of the various provinces and their governments in saying that if the President makes a last appeal to the republic, and one decisive effort, his voice will be heard and his orders obeyed, if not in enthusiasm, at least with confidence in the result, however dear it may cost. As for myself, I consider any sacrifice short of honor but trifling, if it rescue us from the insupportable position in which we find ourselves.

In the event either of Congress framing this year the law of a permanent capital for the republic, as in duty bound, or that the question be postponed for reasons of convenience, it is almost beyond doubt that the national government will continue to reside in the city of Buenos Ayres. At the end of next October the term fixed by the provisional law will expire, and I deem it expedient now to declare that the national authorities may fully and freely continue to exercise their functions, without missing the jurisdiction conferred by that law, and relying on the loyal spirit of the citizens of Buenos Ayres, and the good faith of the provincial government.

On assuming the reins of government I expressed a wish which has not been fulfilled, namely, the reform of the provincial constitution. Reasons of a special nature, and strengthened by sad experience, oblige me to declare that what was last year a political convenience has now come to be urgent and indispensable. It is necessary, honorable senators and representatives, that the provincial constitution should have some statute for the event of the legislature becoming *de facto effete*. It is necessary that the governor, as chief magistrate, should know what his attributes and duty direct him to do to prevent his constitutional faculties becoming a dead letter, when, through negligence or other cause, the chambers fail to vote him supplies wherewith to carry on government according to his duty and his prerogative.

Political science has no doubt made great advances and solved difficult problems; but there is in my opinion a problem beyond solution, and which I offer for your study and consideration, namely, given, a country where the supreme authority is delegated in three powers, the legislative, the executive, and the judicial: is it required to govern constitutionally without the legislature? If, therefore, notwithstanding the lessons of past experience, you do not fill up the void which I have just pointed out, and that the *de facto acephaly* of the legislature be repeated, I shall be then placed in a dilemma, either declaring myself unable to carry on the government, and then the machinery of administration comes to a standstill, or seizing those faculties which the indolence of others has virtually thrown into my hands. The first alternative leads to chaos; the second tends to a dictatorship. I have deemed it my duty frankly to point out the dangers; be yours the task to avoid them.

Honorable senators and representatives, in the message that I am about to hand the president of the legislature, as well as in the memorials of the respective ministers who have so ably assisted by their zeal and intelligence, you will find an exact account of the administration, which is well worth your study.

Having so long detained you with an honest and outspoken statement of everything of importance, it now only remains for me to pray that Heaven will enlighten you and animate you with unfailing confidence in your arduous task of legislators.

MESSAGE OF THE PROVINCIAL GOVERNOR OF BUENOS AYRES TO THE HONORABLE LEGISLATIVE ASSEMBLY.

Honorable Senators and Representatives :

In pursuance of article 93 of the constitution, the executive now begs to lay before you the political and administrative condition of the province. In doing so the government has judged expedient to depart from the established custom of previous administrations, and confine itself to the leading topics, leaving the ministers, in their respective memorials, to give all necessary details, with the proper documents annexed, and to specify reforms already executed or calling for attention, while an appendix to the whole will comprise the reports of the various municipalities and other interesting public returns.

In this manner we lighten the ceremony of opening the chambers, and afford the zealous legislature abundant matter for study—to devise necessary reforms, to remedy the evils that afflict our campagna, and to do their duty towards their countrymen, by introducing wise and improving laws, based on sound theories.

The *entente cordiale* between the national and provincial governments has not been in the least disturbed during the past year. In spite of the difficulties now and then arising from the exceptional state of things caused by the law of provisional capital, the executive can truthfully say, it has been faithful to its duties and engagements in this respect. The only noteworthy circumstance has been the surrender of the municipality of the city to the provincial jurisdiction, as ratified by your chambers. The idea was initiated in a memorial of the minister of the interior, and framed as a bill by one of the chambers of congress. These facts are an additional proof that the temporary jurisdiction ceded to the national government by the law of capital, far from being necessary for a free exercise of the national authority, was rather a hindrance, and tended to distract the cabinet from the great questions and necessities of the republic.

Our relations with the governments of the sister provinces continue on a most fraternal footing. The executive trusts they shall never be disturbed so long as we cherish the common bond of union and make a sentiment of mutual respect the basis of our dealings. As it is already a matter of public notoriety that outbreaks have occurred in various provinces, overturning the lawful governments, the executive has only to deplore that the constitutional authorities in those places have so precarious a tenure.

The executive regrets profoundly that it is unable to congratulate you on the termination of the war that was forced on us by the Paraguayan government; it still drags its weary length along, and month by month and year by year turns to ridicule the brightest hopes of the country. Let us, however, hope that President Mitre, the generalissimo of the allies, will understand that the republic cannot prolong indefinitely this state of things; that the present sufferings must be brought to a close; that the gaping wounds of the nation must be bound up; and that his excellency will restore to us that which alone we want, to live happy and respected—peace, with honor.

The mediation offered by the American government was, as you are aware, rejected; and we must suppose the refusal of the national government was on the double ground that the mediation would procure us neither reparation for the past injuries nor a guarantee of peace for the future, which are, in effect, the primary objects of all wars in civilized countries. Happily, those barbarous times are past when war was waged for conquest or extermination. The executive being convinced that the honor of Buenos Ayres, as one of the Argentine provinces, was compromised in the crusade against Paraguay, it has continued lending the national government every moral and material assistance, strengthening by example the sentiment of duty under such pressing circumstances, sending recruits to fill the gaps in the various battalions, and coming forward with funds to meet the emergencies of the time.

After the disaster of Curupaiti, when our heroic troops threw themselves so bravely, yet so fruitlessly, against the Paraguayan lines, the national government called for a new contingent of blood from the province (or rather the campagna) of Buenos Ayres. The executive considered that it would be unjust to make a new levy on the national guards, who had already five battalions of infantry and a regiment of cavalry at the seat of war; but offered, instead, a contingent of 4,000 troops of the line. This number was made up of condemned criminals, of offenders sent in by the camp justice of peace, and of several enlisted for the purpose; and thus we saved the campagna from the terrible effects of alarm and flight of the inhabitants, which always attend the cruel operation of assembling contingents for military service. The notes exchanged on this head with the national government will be found in an appendix to the memorials; and the executive trusts that, in view of so laudable an object, you will in due form sanction the expenses caused by raising said contingent.

In the month of February last there was discovered in this city a revolutionary plot to overturn the national and provincial governments. This case is still before the federal

tribunals. The executive, having neither violated the constitution nor attempted a tyrannical system—which are the only cases that can justify a revolution—is still at a loss to know under what pretext some of the citizens took up arms in rebellion. Nevertheless, there is a circumstance peculiarly worthy of attention, as being both new and significant, and fit matter for congratulation. While the focus of sedition existed in the city, the rural districts remained quiet and orderly, paying no heed to the exciting harangues of a portion of the press, and indignantly spurning the overtures of emissaries sent from town to stir up disorder. This is an irrefragable proof that the campaign of Buenos Ayres has ceased to be a field for the designs of factionaries; that the inhabitants are wearied of broils, and only require tranquillity; and that what was a few years ago a constant menace to our institutions and government is now the firmest support of public order.

Happily for the institutions of the republic and the honor of the nation the federal arms have succeeded in quelling the rebellion of the interior provinces. This rebellion was criminal for the programme it upheld, treacherous for the occasion chosen, disheartening to all who had faith in the moral weight of the constitution; and, perhaps, fatal in its consequences, by obliging President Mitre to weaken the army in Paraguay, and thereby retard the denouement of the war that is consuming our energies.

In the month of August last year a vote of the deputies of congress, dictated more by prejudice than any true sentiment of respect for established custom, put the patriotism of the people and the government of this province to the test by excluding the deputies from the house from which they were duly, and without even opposition, elected; oblivious in toto, or at least appearing to be so, that no shadow of excuse could be offered for such an injustice, and that the rejected deputies were duly elected by the free expression of the voters. The elections have again been held, and it is to be hoped that now at least the doors of congress will be freely opened to the deputies of Buenos Ayres. To entertain any other idea would be to regard Buenos Ayreans as the pariahs of the Argentine Republic, ostracised from all representation, save on the battle-field, where our sons are decimated by grape and canister.

As you are already aware the national convention at Santa Fé reformed the 67th article of the constitution, as far as it limited the power of congress to the imposition of export duties to the year 1866. The Buenos Ayres members of the convention patriotically discharged the trust reposed in them by unanimously vetoing the proposed reform, and, I regret to say, that motives of convenience induced the Argentine deputies to ratify a reform calculated to produce permanent results hostile to the true spirit of the federal union, and which rob the provinces of the hope of ever emancipating themselves from the tutelage which rules them, and the poverty which afflicts them.

The plague which for more than a month desolated the capital of the province and some of the country towns, has happily vanished. The sudden appearance of this pest goes to prove that neither the ocean nor the proverbial salubrity of our climate are a safeguard; and furthermore it goes to prove that, like the government and the people, all are bound to lend assistance towards the realization of public works calculated to promote public salubrity, and which have been already adopted in countries that we can afford to take as models. Let us not, therefore, deceive ourselves into false security, but let us proceed in those measures as if the plague has temporarily left our shores, and under this impression let us all toil until we see these most necessary works realized. It is grateful to remark that the prompt disappearance of the plague is in a measure due to the unceasing efforts of the provisional governor, aided by the municipality.

Immediately on the restoration of municipality to provincial jurisdiction a note was directed to that body calling their attention to the urgent necessity of supplying the city with clean water, and offering the board every assistance on the part of the government. A few days subsequently a joint stock project by native capitalists was presented to the board. The municipality, however, considered that it would be impolitic to conclude such a contract with a private company. The executive thought then, and still is, of a contrary opinion, and that this was the only sound mode to obtain the desired result. The government, possibly, might have disputed with the municipality the right to adjudicate in the question which that body assumed, but it thought it more prudent to avoid such a dispute, trusting that the corporation, which displayed such jealousy about its rights, would prove its competence to supply the want by its own resources, since it would not allow others to do so. Heaven grant that the government be mistaken in this matter, and that the people of Buenos Ayres be not defrauded of so necessary a measure.

The executive regrets to be obliged to admit that the administration of justice falls far short of the onward march of progress of the country, even though, when compared with that of some fourteen years past, it shows some improvement.

The administration of justice is too tedious, and attended with such heavy expenses to suitors as to be almost fabulous; these two undeniable facts afford sufficient proof to show the urgent necessity of a sweeping legislative reform. The mission of the bench is high, and the interests sacred which come before it. Both life and honor are within its jurisdiction, and only appealable to the Almighty. Let us labor, therefore, to surround with guarantees the judgments; to make the trials more summary and less expensive. To realize all this the government is of opinion that a general court reform is essential, and a thorough revision of the codes; the execu-

tive will send in a project for that purpose for your consideration. One of the subjects most demanding your attention is primary education in the camp. Theorists have attempted to introduce quick methods and novel systems, for no other reason than that they have proved successful in other countries; but this is a deplorable error, because our social conditions, moral and topographical, are peculiar, and can follow no precedent established by other countries. Doubtless we have improved greatly since the fall of Rosas, when public instruction was a crime, but it is equally true that we have made slow progress in this respect, having to contend with distances; and the scarcity of country towns; the repugnance of parents who as yet cannot see the advantage of education: the poverty of the families, which requires from early childhood the services of children; the war and the frontier service, which disturb the domestic hearth; also the scarcity of suitable teachers, and the want of a constant and active inspection of the public schools. But public education in the towns, notwithstanding the expense, is giving suitable results, although, unfortunately, it does not reach the very class most needed, that is to say the estancias and puertos, where it is required as a powerful restraint on the temptations which surround childhood, which too often demoralize youth, and by constant familiarity with bloody spectacles render the heart insensible to the noblest instincts. There are but two ways to work a reform in this matter: first, the establishment of town schools for boarders, making the attendance of the children compulsory; and secondly, the establishment of day schools in the different cuarteles in the camp.

Nothing further can at present be attempted, as the treasury has to disburse all the expenses of either of the primary systems, and the revenue would be insufficient for further expenses. It is essential that the chief support of the schools should come from the neighbors, and that the assistance of the government be merely regarded as secondary. The country districts possess sufficient elements for this purpose; the difficulty lies in the absence of individuals to call together the neighbors and show the inestimable benefits derivable from association.

There is another great want felt in the camp, and which calls for urgent attention, namely, administrative reform; although, the truth be told, what is more required is measures to organize a proper administration, for in truth that which at present exists in the camp is so gross and old-fashioned that it does not even merit the name of administration; and if this reform be initiated let it not be forgotten that it will entail considerable expense, because the offices created should have a becoming salary if we are to look for good results from such reforms, viz:

The better protection of civil rights; that the protection of life be a fact, not an illusion; to make the various authorities answer for all their acts; that there be no irresponsible authorities; that the powers and jurisdictions of the municipalities be enlarged so as to render them independent; that government interference be more for the inspection of their accounts than meddling in their administration; the simplification and uniformity of all accounts rendered; the adoption of a code for the regulation and trial of all judicial abuses and their punishment. Such are a few of the reforms most needed, and which call for your immediate attention.

The executive is forced, however, to remark that in attempting this administrative reform, the most serious difficulties must be encountered, mainly springing from the difficulty of finding capable men willing to fill such subaltern positions, unpleasant for those who enter on them with a wish to overcome abuses, and fatiguing (no matter how well paid) for those who aim to discharge the duties with integrity. It is essential to bear in mind that too often the very best institutions fail, when the parties chosen to act are incapable for the position, and they even become obnoxious when private interests triumph over public duty, because the public do not stop to judge the intrinsic merit of such institutions, but rather the results which a bad administration produces.

The executive regrets to observe that the national guards continue to do service on the frontier, although this is both unconstitutional and unjust. The unlooked-for prolongation of the Paraguayan war has rendered it impossible to abolish so unjust a service; nevertheless government is so fully persuaded that the inhabitants of the camp can no longer live under the terrible threat of having to serve on the frontier, that, whether the war terminates or not, the abuse must be abolished by the end of the year, cost what it may. And for this end no half measures will suffice; it is useless to talk about favoritism or the prevention of partiality in the conscription; such a measure, even if carried, would not deduct an iota from the unjustness of such service. There is no personal service obligatory, says article 17 of the national constitution, except in virtue of law; but, asks the executive, what law is there to justify the enrolment of the inhabitants of the camp for frontier service? None. The service of the national guards on the frontier cannot be regarded otherwise than as troops of the line. Meanwhile, according to law, none are bound save volunteers, infringers of the law of enrolment, or condemned criminals, to render military service. Neither do the national guards, who have been cited to march in the contingent, come under these headings. The laws of humanity and of the state alike suggest that the evil must be taken at the root, by suppressing the service. To pretend to reform it would be unconstitutional.

After so many projects, after so many efforts to fix the value of our currency, the establishment of the Oficina de Cambios happily succeeded in solving the problem. And although its results have proved most effectual, the executive well knows that the measures are far

from being so; for this reason we have never tired, or never will tire, in our endeavors for its final settlement. Ours is the motto, that governments should only adopt temporary measures for momentary evils, or when they serve to prepare the way for more permanent reforms. There is no probability that either speculation, or the requirements of commerce, will drain the exchange office of the enormous specie reserves which have accumulated in its coffers; but that such a thing should be even possible, is sufficient to induce the executive to seek some means which would enable it to announce to the entire country with satisfaction, and even pride, that the fluctuations of the paper dollar, so ruinous to public trade and private credit, have ceased forever.

The executive has done all in its power to convince the public that the currency question is one of general interest, and even of patriotism. It has appealed to the country for assistance and protection, believing that the state of the money market could not be more propitious or favorable. It believes that with perseverance it will succeed, but if, unfortunately, it should be mistaken, it is prepared to draw on the provincial credit abroad, relying confidently on its reputation for solvency and good faith.

The fifth section of the western railway was opened to public traffic in last September. Government has done everything to improve the management of this line as well for public convenience as to render the working more profitable. But it is necessary that this line, so important for its length and the numerous towns through which it runs, should not stop at its present destination, Chivilcoy. It must, in obedience to the spirit of the age, push further still, penetrating into the heart of the province, and shooting forth its branches on all sides to bring to market our vast rural products.

It has been found so difficult to come to a satisfactory arrangement with subsidised railways, that the government could never think of again entering into such an engagement, were it not unfortunately convinced that for the present, at least, there is no other way of inducing capitalists to invest in enterprises of the kind; were it not for this, the executive would prefer a fixed amount on the acknowledged cost. But the want of railways in the province is so great that the public authorities should do all in their power to foster them.

What has been said of primary instruction in the camp, may be repeated with as much reason of railways. There are abundant elements for the construction of branch lines, especially as the government would lend assistance; but the inhabitants have little taste for joint-stock companies and cannot be got to regard such as a means of personal welfare at the same time that they invest in a lucrative enterprise for the advancement of their country.

The executive feels bound to call your attention to the difficult position of the provincial revenue for the coming year. The guarantee ceases this month, and since October the heavy disbursements for the metropolitan police and national guards have fallen entirely on the provincial treasury. From this moment, therefore, we must give our undivided attention to the creation of resources to meet the expenses of the administration. It would be foolish to pretend that we should look to economy for the required sum. The most that this could possibly produce would be very insignificant, and far below the desired amount. But in a country like this, which is making such vast strides on the road to progress and national greatness, where so many pressing necessities are actually felt, and so many reforms called for, it is idle to think of reducing the expenditure. It therefore comes to this, honorable senators and representatives, that either we remain as we are, at a stand-still, or else we must create new resources to meet the growing greatness of the country, and thus fulfil the glorious destiny of Buenos Ayres.

The wants and improvements which have just been enumerated, afford the legislature a vast field for the useful exercise of their attributes. Study them, honorable senators and representatives, and do not deceive the hopes of the public by sacrificing to indolence and negligence the highest prerogative of constitutional countries. As regards the executive, by virtue of the powers conceded by the constitution, it will lay before you several projects of general interests, and will feel it an honor to lend any assistance in its power to the end that your laws, inspired by a love for the people, may be worthy of the province of Buenos Ayres and of the present enlightened age.

ADOLFO ALSINA.
NICOLAS AVELLANEDA.
MARIANO VARELA.

BUENOS AYRES, *May 23, 1867.*

DAILY MEMORANDUM OF POLITICAL EVENTS ON THE RIVER PLATE FROM THE 11TH
TO THE 24TH OF MAY, 1867.

May 11.—Yesterday the government of Montevideo rescinded the decree closing the ports in the Uruguay republic to vessels coming from Argentine ports, but established instead a quarantine of five days.

General Osorio is announced to have arrived at the Tranquera de Loreto, and a local daily paper asserts authoritatively that as soon as the general's command effects a junction with the allied army President Mitre will return to Tuyuti.

Cholera has almost disappeared from Rosario and this city, but a few cases are still reported occasionally.

The Nacion Argentina has published a proclamation which it says has been extensively circulated amongst the Argentine soldiers, calling upon them to desert their colors and fight no longer for the Brazilians.

May 12.—The Standard, in a leading article upon the proximate presidential election, says: "It is impossible for any man to shut his eyes to the fact that the whole country clamors for peace; with such influential organs as the Tribuna at the head of the peace party, and the very banner of revolution raised in the provinces for, it is said, the same object, there is no mistaking the tone of the public mind. Peace the nation cries out for, and the candidate who hopes for success at the coming elections must, *volens volens*, make peace with Paraguay his electioneering motto." Further on it says: "People ask for peace with Paraguay less from any sympathy with the unfortunate and heroic Paraguayans than through the settled conviction that the allies are unable to do anything." And again: "If the whole Argentine population was counted out to-morrow, we hold they would to a man vote for peace. President Mitre must know this; and yet if so why does he not consult the votes and wishes of his people in so important a matter? Is it because he lacks decision of character for so grave an emergency?"

May 13.—Another large invasion of Indians into the province of Buenos Ayres is reported to have taken place within the last week. No details are as yet at hand, but the Indians penetrated as far as Pavon, and, as that part of the province is totally undefended, it is to be feared that they must have committed lamentable excesses.

The arrival yesterday of the Leopoldina transport at Montevideo with Brazilian troops for Paraguay is announced.

May 14.—It is rumored that cholera has broken out in the city of Parana.

The newspapers from the interior provinces of San Juan and Mendoza publish long lists of citizens brutally murdered by the revolutionary party. The constitutional governors of Mendoza and San Juan, in office before the revolution of November, have resumed their respective places as chief magistrates of those provinces.

May 15.—According to a Mendoza paper, the Chilean government extended every hospitality to the runaway leaders of the late revolution.

The Tribuna gives the rumor that the government of Salta had been overthrown by a revolution headed by one Isidoro Lopez.

A new line of mail steamers between Marseilles and this port has been established, and the first steamer, named Bourgogne, of 1,800 tons and 250 horse power, was to have left Marseilles this day. The rate of passage is considerably below that of the Bordeaux line, and the new company offers great advantages to immigrants.

May 16.—At a banquet which was given yesterday at San Isidro, a village distant about 10 miles from this city, on the anniversary of the patron saint of the place, and at which were present the governor of Buenos Ayres, his ministers, the archbishop, and a distinguished company, Don Emilio Alvear, the head of one of the most respectable and influential families of Buenos Ayres, drank a toast to the speedy termination of the war and peace through the United States mediation, in an eloquent speech that was loudly cheered; and Governor Alsina is reported to have said that Mr. Alvear had expressed his own sentiments.

The Tribuna of to-day states that, according to Valparaiso papers, General Melgarejo, President of Bolivia, has manifested great sympathy for Brazil. The same paper states: "With reference to a letter of General Don Emilio Mitre, we have heard it said that at headquarters it is expected that within one month General Osorio will find himself in a state to permit the resumption of offensive operations, and that by that time it is hoped that the President of the republic will have returned to the army."

May 17.—Two steamers arrived yesterday from Corrientes. They brought no news of importance. Terrible rains, much sickness, and midnight guerillas by the Paraguayans.

The Brazilian transport Alice has come down from Corrientes and run quietly into Montevideo, with General Polidoro on board. There are various and conflicting rumors about the purpose of his journey. Notwithstanding every precaution, it has leaked out that the cholera is in the army and has carried off large numbers.

The Brazilian correspondent of the Standard says: "During the past month the total number of soldiers sent by this empire to the seat of war was 1,509, and during the last four months 6,578 men. Commercial news continues very limited, as our market is completely paralyzed."

The Italian admiral, Ricurdi, has been recalled, and his successor is shortly expected in the Conte de Cavour. The Italian squadron on the river Plata is to be strengthened.

May 18.—The Standard of to-day says: "It is currently rumored in the best-informed circles that orders were sent down, by the last English mail, from the Rio cabinet to the Marquis de Caxias, ordering him at once to attack the enemy. Parties who have come from Rio state that the public feeling is so hostile to the present ministry that if a battle be not at once fought and some stirring news from the seat of war sent up from the Plata to Rio, or the meeting of the chambers, a political explosion will take place which will prove the downfall of the cabinet."

The news from the provinces is that in Salta, just as a pronunciamento headed by one Isidoro Lopez was about to be made, news of the defeat of the rebels at San Ignacio and Bargas arrived, which just put an end to it and caused Lopez to take flight.

May 19.—The necessary number of senators and deputies having now arrived in Buenos Ayres, it is reported that the sixth national congress will be opened in the course of a few days.

The Standard of to-day says: "We call the attention of the government to the rumors that cholera has broken out afresh in the allied camps and is causing much mortality. We believe that it is in the interest of the country and the inhabitants that the Corrientes steamer should be made to stop at the island of Martin Garcia, and not enter the port of Buenos Ayres."

Yesterday the provincial government of Buenos Ayres rescinded all decrees and prohibitions against the working of saladeros. This measure was imperatively called for by the paralysis of trade consequent upon the suspension of work in those establishments. The saladeros are no doubt a nuisance, but sufficient time must be given for their removal.

A preliminary meeting of the national senate took place yesterday, at which Don Valentín Alsina (father of the governor of Buenos Ayres) was elected provisional president, and Señor Uriburu vice-president.

May 20.—The Republica, a Buenos Ayres daily paper, published, in a correspondence from Montevideo, the news of a secret treaty between Brazil and the Uruguay republic, in which the former power stipulates for a protectorate of 20 years over the latter. This news, however, is flatly contradicted by the Tribuna of Montevideo.

The drawing of soldiers of the national guard for the war, notified for yesterday, has proved a most complete failure. Over 1,000 were cited and only eight appeared. The whole affair fell through.

May 21.—The mails from the interior bring news that Varela and his rebel band have captured Jachal, a town about 50 leagues north of San Juan. The governor of the province was unable to do anything against them and was awaiting the arrival of a battalion of infantry from General Paunero's army, to go in pursuit of Varela. From Tucuman we learn that the rebel band under Isidoro Lopez was cut to pieces, at a place called Trancas, many of their numbers being taken prisoners.

Advices from Rio Grande state that the Baron de Herval had crossed the Uruguay with 3,000 men, and that when this general shall have effected a junction with the forces under General Portinho, the third corps d'armée will be 8,000 strong.

The following is from the Standard's correspondent at the seat of war: "May 8.—Furious skirmishing of pickets. Rations of farina. Argentine troops get two months' pay, leaving 13 still due. May 9.—Cholera has made ravages at Curuzu, but is on the decrease. Marshal Osorio is expected soon: fresh re-enforcements sent to meet him."

The transport Pexeira de Treitas, with troops for Paraguay, arrived yesterday at Montevideo from Rio Grande.

The Actualidad newspaper, published in Salta, under date of 27th ultimo, says: "Dr. Caballero, consul of Bolivia in Salta, has received official notice from his government of the ratification of a treaty of navigation, commerce, and amity between Bolivia and Brazil, and that a similar treaty was about to be made with the Argentine Republic.

May 22.—The Siglo of Montevideo states on positive authority that over 8,000 Brazilians died of cholera in the camp, and all accounts from the seat of war seem to be very gloomy.

The Tribuna of to-day states: "We are assured that General Mitre, President of the republic, will resume the direction of the war in the Paraguayan territory as soon as Congress is installed. It is added that in the meanwhile the Marquis de Caxias will not take the initiative, and that probably active operations will not begin before the month of July. These news, from their origin, we can call semi-official."

The Nacional says: "The Espiquador has brought news that Marshal Solano Lopez was very ill and had withdrawn to Asuncion on account of his health."

May 23.—The Proveedor arrived yesterday from Corrientes. It appears that on the 18th instant an officer came from the Paraguayan lines with a flag of truce; the purport of his mission was understood to be an invitation from General Lopez to General Mitre for a conference. The cholera has notably declined at Tuyuti and Curuzu.

The papers of Entre Rios have strong articles against the candidature of Señor de Elizalde to succeed President Mitre.

The Tribuna correspondent writes from Montevideo that General Polidoro does not go back to the seat of war, as it appears he has had some disagreement with the Marquis de Coxias.

The papers announce the following diplomatic changes in the Brazilian missions: Señor Leal, at present envoy extraordinary and minister plenipotentiary near the Argentine Republic, is removed to Venezuela, and succeeded here by Señor Borges, lately Brazilian minister in Bolivia.

The Arinos steam transport with 300 men from Rio, destined for Paraguay, arrived yesterday at Montevideo.

May 24.—The Montevidean government has sent orders to its representatives here to bring an action against the Republica newspaper for libel, in publishing the false news of a secret treaty with Brazil, stipulating for a 20 years' protectorate.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 28.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, June 10, 1867.

SIR: I have the honor to inform you in connection with my report No. 26, dated the 27th of May last, that pursuant to a decree of the President of the republic, issued only in the afternoon of the 1st instant, the official ceremony of opening the sessions of the national congress took place at last on the 2d instant. I received from the minister for foreign affairs the usual official invitation to attend, but being still confined to my bed by severe illness, was obliged to decline the honor.

* * * * *

In enclosure B, I beg to forward a copy of the President's message in Spanish, and in enclosure C its translation into English, as given by the Standard newspaper. The latter enclosure contains also the translation, taken from the same paper, of the Emperor of Brazil's speech on the opening of the Brazilian Chambers on the 23d ultimo. In both these documents allusion is made to the proffered mediation of the United States in the same laconic and reserved manner. The general tone of President Mitre's message is constrained and cheerless, and it has met with a cold reception from the public in general, who have been unfavorably impressed by its abstaining not only from holding forth any near prospect of the termination of the exhausting war with Paraguay of which the mass of the people is thoroughly wearied, but also from any allusion to several matters of the highest importance to the general welfare of the country, such as the protection of the frontiers from the desolating invasions of the Indians; the lamentable and filthy condition of the city of Buenos Ayres, the capital of the republic; the necessity of providing against the recurrence of the cholera; the dangerous state of the port of Buenos Ayres, on account of the want of attention to the removal of old wrecks, sunken anchors, &c.; the total absence of river navigation laws, and many others.

In the report from the minister for foreign affairs which accompanies the President's message, and which you will please find in enclosure D, are reproduced all the notes that have been exchanged between this legation and the department of foreign affairs relative to the detention of the Hon. Charles A. Washburn on his way to Paraguay, and to the mediation question, all of which I have had the honor to forward to your department from time to time, with the exception of Señor de Elizalde's last note, dated 22d April, a copy of which, marked E, in Spanish, is herewith enclosed, and which translated reads as follows:

OFFICE OF FOREIGN RELATIONS,

Buenos Ayres, April 22, 1867.

M. LE MINISTRE: I have the honor to reply to the note dated the 10th instant, and received on the 12th of the same, which your excellency was pleased to address to me, with reference to the answer given by this government to the offer of friendly mediation made by the government of the United States of America in the war against the government of Paraguay.

In the declaration of war of the Argentine government, and in the memorandum addressed to the Argentine diplomatic corps, in consequence of a note of the Paraguayan government to his excellency Mr. Washburn, relative to the same mediation offered to that government, which memorandum was communicated to your excellency before the receipt of the note to which I am now replying, but was received by your excellency after despatching your note, the United States government will find the explanation asked for by your excellency. The Argentine government must refrain from entering into an appreciation of your excellency's remarks which do not refer to the offer of friendly mediation of the United States government, although it recognizes the noble sentiments that inspired them.

I must, however, call your excellency's attention to the action taken by his excellency

Mr. Washburn with reference to the offer of mediation, which I have no doubt will afford matter for investigation to the United States government, as it will perceive the obstacles thereby raised up to the acceptance of its friendly mediation, even if the opportunity for so doing had arrived.

I avail myself of this occasion to renew to your excellency the assurances of my highest and most distinguished consideration.

RUFINO DE ELIZALDE.

His Excellency General ALEXANDER ASBOTH,
Minister Resident of the United States of America.

In my report No. 21, dated 12th April, 1867, I fully anticipated that the Argentine government would find an excuse for evading the United States offer of mediation in the correspondence which took place between our minister in Paraguay and the Brazilian commander-in-chief, the Marquis de Caxias. My anticipations in this respect have been fully realized, and as it was moreover manifest from the whole tenor of Señor de Elizalde's answer to my last letter that the Argentine government was anxious to let the question of mediation rest for the present, I have deemed it proper to wait for further instructions, the more so as in my note to Señor de Elizalde of 10th April, I had gone as far as I could without transgressing the limits indicated by the resolution of Congress and the instructions from your department with reference to the offer of mediation.

It is, however, gratifying to be able to report that my note of 10th April has undoubtedly struck a sympathetic chord in the breasts of many who are not without influence to bring their opinion and wishes to bear on the government. The archbishop of Buenos Ayres was pleased to send his secretary, accompanied by Father Fahey, a highly popular Irish priest, to congratulate me on my renewed efforts, while several prominent natives eulogizing the views I had put forth, assured me with sincere thanks that I had fully expressed the feeling and desires of the Argentine people at large. The *Tribuna*, and *Nacion Argentina*, taking opposite sides, have entered into a fierce polemic on account of it, and the *Standard* makes the following remarks, viz :

We publish to-day General Asboth's last note to the Argentine government on the peace mediation, and Minister Elizalde's reply. We feel it a pleasing duty indeed to compliment General Asboth on the marked ability of his note, which is powerful, well written, and veracious. Few such able documents have come before us for some time. Every line of the note in question bears the stamp of a master hand.

The same report from the minister for foreign affairs contains the official notes of the commander-in-chief of the allied army, President Mitre, relative to the interview which took place in September of last year, at Gaitaita Cora, between himself and President Lopez, to which the latter, moved by a spirit of conciliation, had invited President Mitre. Subsequent events having proved that President Lopez was making use of no idle boast when he affirmed his ability to carry on the war with vigor and success, these important documents, while they do full justice to his humanity as well as to his sagacity, record his offer for bringing about peace on the most favorable terms for the allies—an offer which has never been either rejected or replied to, but simply referred to the respective allied governments, where it would appear to have lain forgotten and unheeded because it does not conform with the provisions of the secret treaty of the triple alliance. And as nine months have elapsed since the Gaitaita Cora interview took place, and a detailed authentic account of it is only now given, it would seem that the policy of the present rulers of the Argentine people is to secure submission by means of concealment and mystery, and any Argentine who, having the good of his country at heart, abhors this disastrous war and asks for peace, is branded as a traitor. In enclosure F you will please find the translation of these long-suppressed documents, taken from the *Standard* newspaper, viz: the letter from President Mitre to Vice-President Paz, and that to President Lopez, dated respectively 13th and 14th September, 1866.

These documents certainly exhibit a new phase in the Paraguayan war, and may prove an additional argument in congress, both here and in Rio Janeiro, to oppose with energy its continuance.

It is not yet known whether President Mitre will resume the command-in-chief of the allied army, and, if so, when he will return to the seat of war. His course will depend in a great measure on the attitude of congress. The long-talked-of resignation of the popular Vice-President Paz is still a doubtful matter, and nothing official or positive is known about it. Should it, however, become a fact, congress will have to elect his successor, and the result of his election will have considerable influence, not only on the return of the president to the command-in-chief, but also on the continuation or termination of the war. It is generally believed that the vice-president contemplates retirement because, while at the head of the government, he had determined upon the acceptance of the United States mediation, a decision which was disapproved by President Mitre.

Tranquillity is not yet fully restored in the interior, and insurrectionary movements, though partial and isolated, are continually occurring. The national government is watching with great mistrust the movements of General Urquiza in Entre Rios, and Governor Luque, of Cordoba, whose sympathies for the vanquished party are notorious, and give the government serious cause of alarm.

The allied encampments in Paraguay have been visited by a new disaster. The unusually high floods of the river Parana have partially submerged all the fortified positions. Curuzu, the taking of which cost the Brazilians so many thousands of lives, and where, not long ago, 4,000 of the garrison fell victims to the cholera, being covered with six feet of water, and thus no longer tenable, has been evacuated. The immense accumulation of supplies at the several depots have been either lost or so much damaged as to be unserviceable. The Marquis de Caxias was obliged to order 3,000 bales of hay, injured by the floods at Itapiru, to be burnt, in order to prevent a recurrence of the epidemic, while many more thousands of bales, which cost about \$10 each, have been seen floating down the river. By latest accounts the river was still rising, and may compel the allied army to retire from Tuyuti also.

Marshal Osorio, with his army of reserve, is at last near the seat of war, and has already held a personal interview with the Marquis de Caxias. His forces, however, do not appear to number in reality more than 2,500 men.

For more detailed information, I beg to refer to the daily memoranda of political events in the river Plata, from the 28th of May to the 11th June, in enclosure G.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

P. S.—With reference to the postscript to my despatch No. 26, of the 27th of May last, I beg to report that the outrage said to have been committed by the Paraguayans in firing upon an Argentine flag of truce, and which Señor de Elizalde sent me word would be likely to throw considerable difficulty in the transmission of Mr. Washburn's official despatches and provisions, was the natural consequence of the very serious omission on the part of the commanding general, Gelly y Obes, to provide with a white flag the party sent to meet the Paraguayan flag of truce. Señor de Elizalde's subsequent note, copy of which is enclosed, marked H, dated 31st May, informing me that he had forwarded Mr. Washburn's official despatches and other papers, shows the correctness of my anticipations that the first news was far from well founded.

A. ASBOTH.

LATEST FROM RIO JANERIO—OPENING OF THE CHAMBERS—THE EMPEROR'S SPEECH:
MAY 22, 1867.

At 1 p. m. yesterday, in the palace of the senate, the imperial session of the opening of the general assembly was held with the usual ceremony, and his Majesty the Emperor read the following speech:

Most august and worthy gentlemen, representatives of the nation :

The meeting of the general assembly always excites in me, as well as in all Brazilians, extreme satisfaction and grateful expectations. The public tranquillity has remained unaltered in all the provinces, and the order generally observed during the late election is a fresh proof of the affection which the Brazilian people have for the national institutions.

Thanks to Divine Providence, the state of the public health is satisfactory in the greater part of the empire. The scourge of cholera morbus, which, I regret to tell you appeared in this capital and in some parts of the provinces of Rio de Janeiro, St. Pedro do Rio Grande do Sul, and Santa Catharina, rapidly declined, and was not so fatal as on its previous invasion. The government took such steps as in duty bound in these circumstances.

The war provoked by the President of Paraguay has not yet reached the desired termination; Brazil, with the Argentine and Oriental republics, true to the alliance contracted, will shortly attain this end. In the prosecution of so sacred a duty the government has received the most valuable assistance from the untiring efforts of all the Brazilians, and fully trusts in the valor of the army, navy, national guard, and volunteers, who deserve the most profound gratitude of the nation.

The cholera morbus, which unfortunately invaded the river Plata, has caused considerable havoc among the allied forces in front of the enemy. I sincerely lament the death of so many brave soldiers, who only sighed for the moment when they might risk in battle their lives for the sake of their country.

To Brazil and to the allied republics the government of Peru offered its kind services as a preliminary of the mediation of that republic and of those of Chili, Bolivia, and Equador, for the re-establishment of peace with Paraguay. Latterly, the government of the United States also offered its gracious mediation for the same purpose. The allies, while thanking these various governments for their offers, could not, however, accept them, because the national dignity and honor would not permit it. I have the pleasure to inform you that Brazil is at peace with all other foreign powers, whose friendly relations the government is anxious to cultivate.

There has been signed in Paris, and is now in vigor, a declaration interpreting the 7th article of the consular convention celebrated with France, thus ending the misunderstanding which in the matter of States was constantly shown in the carrying out of that convention, and the government supposes that the same result will be obtained as regards the other conventions of a similar nature.

I have great pleasure in informing you that by the decree No. 2749, of 7th last year, the navigation of the Amazon and some of its affluents, and of the rivers Tocantins and San Francisco, will be opened to the merchant vessels of all nations from the 7th of September next. This measure, which corresponded to the expectations of both Brazilians and foreigners, promises the most beneficial results to the empire.

The public revenue continues to increase, but the expenditures, especially that arising from the requirements of the war, has increased in a manner to produce in the State budget a deficit which it is of the most vital interest to extinguish by the means which your wisdom and patriotism will suggest.

The slave element in the empire cannot fail to receive in due time your consideration, providing that in such a manner that, while property is respected and any great shock to agriculture avoided, the important interests connected with emancipation may be attended to. The promotion of colonization should be an object of your special solicitude. The public instruction is worthy also of your particular attention.

Among the measures necessary for the army system are prominent those forming a law of recruitment, and a military penal and prosecuting code. Experience proves the urgent necessity of alteration in the navy system as regards officers. It has also been recognized by practice that a change should be made in the organization of the national guard, more especially with a view to more easily mobilizing this force in extraordinary circumstances.

Most august and worthy gentlemen, representatives of the nation, your dedication to the public weal and your talents assure me that you will enable the government to overcome the present difficulties, and will consolidate more and more the foundations of the prosperity of our country.

The session is opened.

D. PEDRO I,

Constitutional Emperor and Perpetual Defender of Brazil.

THE PRESIDENT'S MESSAGE.

Fellow-citizens of the Senate and Chamber of Deputies :

At the commencement of another season of parliamentary labors I salute and congratulate you and the Argentine people whom you represent on the re-establishment of peace and order in all those parts of the republic where sedition and outbreaks recently occurred.

While commanding the allied army in front of the enemy in Paraguay, and fulfilling my duty in sharing the glories and dangers of my brave comrades, I was forced, for a time, to abandon the post of honor, my presence being urgently called for at Rosario and Buenos Ayres; at the same time I despatched from headquarters a respectable division of Argentine horse, foot, and artillery, to quell the rebellion in the interior provinces.

The expediency of these measures was shown by the results. One of the armies of the interior, comprising the above division, and under command of General Wenceslao Paunero, ably fulfilled its mission. A portion of this army, under the immediate orders of Colonel Arredondo engaged and cut to pieces the more numerous rebel forces at San Ignacio; and the northern army, under General Taboada, composed of national guards from Santiago, Tucuman, Catamarca and Rioja, succeeded a few days later in destroying the remainder of the rebels who gave battle at Paso Bargas, in the suburbs of Rioja, and received the chastisement of their treason.

These two battles sufficed to put an end to the rebellion, and, although it is to be regretted that the speedy flight of the ring leaders across the frontier saved their guilty heads from the severe penalty of the law, still it is true that in a very short time and with little bloodshed we have put down a formidable rebellion and pacified the republic.

The various provinces and their governments that were called on to lend their assistance came forward with energy, patriotism, and good will. It is, moreover, worthy the special notice of Congress that Governor Posse, of Tucuman, and his minister, Campo, as well as General Taboada, of Santiago, put themselves at the head of their respective contingents, the last named acting as chief of the staff at the battle of Bargas.

Under the auspices of tranquillity and order that at present reign throughout the republic, the government will be enabled to dedicate all its attention to the speedy and glorious termination of the war in which we are involved, along with our allies of Brazil and Uruguay, against the Paraguayan government. I shall now proceed to give you an account of the most notable occurrences since the closing of your session of last year.

As regards our relations with foreign powers, I am happy to say they are on the most cordial footing; observing towards all a frank and loyal policy, which they duly reciprocate; fulfilling the international obligations that bind us mutually while they do the same, the Argentine republic stands high in the esteem of the civilized world, and we have merely to remove some unfavorable impressions with one or other friendly power caused by erroneous information respecting the just rights of the republic in repelling the war provoked by the Paraguayan dictator, which impressions led to certain suspicions about the rectitude of our intentions and of the object of the campaign. Our only object is to vindicate the national honor and obtain guarantees for the future maintenance of peace and good relations with the republic of Paraguay. Nothing more and nothing less. I shall always avail myself, as on the present occasion, of solemnly making this declaration on our own honor as well as of that of our worthy allies, whose interests are analogous with ours in this long and bloody war.

The Chilean government, through its representative, offered its mediation towards bringing the war to a close. This humane act was duly appreciated by the Argentine government, but nowise acceptable under the circumstances, owing to the just reasons which we explained to the Chilean agent. The war in which Chili and the other Pacific republics are involved with Spain has given rise to a correspondence which you will find in the ministerial memoria. Our government, without neglecting the real interests of America, thinks it has consulted those of the republic by observing a strict neutrality in a quarrel that it neither could nor ought to take any part in. Interests of another nature and of mutual convenience suggest the amplification of the treaty of peace, amnesty, and commerce, since the Chilean government objects to the one now existing. We are ready to enter on these arrangements on a basis of strict reciprocity. The recent rebellion in the interior, which grew up and took such proportions in the provinces bordering on Chili, and the fact that the ring leaders took refuge in that republic, have given rise to reclamations on our part. As these are grounded on justice, we entertain a conviction that they will be justly and benevolently responded to by the enlightened administration of the sister republic.

The government of Peru, as is already notorious, has fallen into a lamentable error about the Paraguayan war, and one which shows how much that country is in the dark respecting the causes of the present campaign of the allies and its tendency and character. In the memoria of foreign affairs you will find other details as to the state of our relations with that republic.

The explanations given by our government to that of Bolivia, in answer to a protest about the line of frontier, seem to have been satisfactory; at least we have heard no more about the matter since. Moreover, the most perfect *entente cordiale* exists, and our commercial relations continue without interruption.

The cabinet of Washington has again displayed its desire for the peace and prosperity of these countries, offering its good offices to us and to our allies for an amicable arrangement of the Paraguayan difficulty. In accord with our allies we declined so friendly a proposal with thanks; duty and honor obliged us to do so.

As regards our allies, the empire of Brazil and republic of Uruguay, I am glad to say that the intimate and cordial relations we have cultivated, the community of sufferings, glories and dangers we have shared, have drawn still closer the mutual bonds and consolidated an alliance that is based on public faith and common convenience.

The diplomatic agents of European powers accredited near this government are entitled to consideration for their upright and friendly proceedings. All questions, whether of old standing or newly arisen, have been amicably settled. At present there is no question remaining or anything to produce a misunderstanding between the republic and the foreign powers with whom we maintain relations of amity and commerce.

The government being forced to devote almost the entire revenue to the exigencies of the Paraguayan war, and more recently for the pacification of the interior, it has been impossible to realize many intended reforms and improvements necessary for the progress and prosperity of the country, notwithstanding the war. Nevertheless we have attended, as far as possible, to whatever was of most general utility.

By virtue of the law sanctioned by congress, the government took 300 shares in the Primer Entre-riano (Gualeguay) railway. It is to be hoped that this line, of such general convenience, will soon be a reality.

The Central Argentine Railway Company will soon be in possession of the lands along the line from Rosario to Frayle Muerto. The governments of Santa Fé and Cordoba have lent every co-operation, and given every facility to the commissioners named by the national executive for the delivery of said lands, and the expropriation of such sites as became necessary according to law. Meantime the works go steadily forward, and the line will soon be complete as far as Villa Nueva.

Although nothing has yet been done in the eastern Argentine railway, (Entre Rios and Corrientes,) the necessary surveys and plans are made, to begin when the opportunity offers.

The want of a bridge over the Rio Tercero was much felt, and we have made a contract with Mr. Wheelwright to put up one by the end of the year.

The electric telegraph from this city to Colonia and Montevideo works with due regularity and is of immense benefit to commerce. The government has contracted for another line from here to Chili, as well as a third to connect Rosario with Buenos Ayres.

At the request of the empresarios of the Welsh colony at Chubut, we have allowed it a pension for the current year: at the termination whereof we shall be able to determine whether the colonists can continue there or should be removed to a more suitable locality.

The events which obliged congress to order an intervention in Catamarca have not brought about the desired end, owing to causes beyond our control, especially the recent rebellion that held sway in some of the upper provinces, including a part of Catamarca. Nevertheless the provisional government established by the people lent every assistance to put down the rebels, and placed itself under the orders of the national commissioner. It is hoped that this province will shortly again be governed by constitutional authority, as befits the patriotism and good feeling of the people of Catamarca.

The preconceived plan of the rebels who overset the governments of Mendoza and San Juan extended also to some other provinces, where sundry disturbances occurred; but the rebels being everywhere subdued, the restoration of law and order followed.

After the overthrow of Governor Ferreyra in Cordoba by a revolution, and when the national authority was preparing to act up to its duty in the emergency, the governor handed in his resignation to the legislature, who accepted the same and then appointed Dr. Mathew Luque as governor.

Whether owing to the demoralization produced by a number of local revolutions, or to the impotency of the government, the province of Cordoba has not responded as might have been expected by the republic and national executive, in the war against Paraguay, or in the movements to put down the rebels. On the contrary, it has been the refuge of many of the rebels and their leaders, some of whom started from Cordoba, with arms in their hands, to unfurl the banner of revolt. The national government has dictated proper measures to vindicate the law, and bring down the severe agency of justice on those who may be shown to have connived in that province with the rebellion.

The province and government of Buenos Ayres have unreservedly lent whatever elements were called for by the national government, and with the utmost readiness and patriotism offered all necessary resources for the annihilation of the rebels and the restoration of order. The government of Buenos Ayres having requested that the Boca road should be restored to provincial jurisdiction for the purpose of necessary repairs, the national authorities acceded to the demand even before the expiration of the law of residence in the capital.

The national tribunals continue to render the valuable services expected from so great an institution. Many grave questions came before them during the past year, and it is a matter for honorable satisfaction that even certain interests complicated with those of the enemy (Paraguay) have found the fullest guarantee. The rebellion of the interior provinces being

now over, the severe and impartial sentence of the federal tribunals will be called for to vindicate public law and dignity, apart from the impulse of political passion.

The work of drawing up codes, intrusted to able and zealous lawyers, progresses rapidly. At the close of last session the second volume of the civil code was presented to congress, and this session the third, now in press, will be laid before you.

The church of the republic has been honored by the creation of an archbishop's see. On presentation of the Papal bulls the new archbishop entered on his dignity, and the ecclesiastical tribunals were organized, after many difficulties heretofore insuperable.

The government regrets having been unable to do so much as it could have desired for the cause of education. Nevertheless in those provinces where order has not been disturbed the national colleges have made great progress, and primary education is attended to with the sums voted for the purpose. As it is admitted that popular instruction is the most imperious of all necessities, the government will present in due time projects on this head.

The revenue of 1866 amounted to \$9,568,554, showing an increase of \$1,273,483 over the returns of 1865, being equivalent to 16 per cent. The revenue of last year has been \$721,554 more than the estimate of ways and means, and exceeds the sum voted in the budget by \$1,415,274. But for the reduction of 2 per cent. on exports in 1866 the increase would have been 19 per cent. over 1865, and 37 per cent. over the returns of 1864.

The steady growth of our revenue, in spite of the rebellion in the provinces and the Paraguayan war, is a striking proof of the wonderful development of our trade and produce, which makes the republic already figure respectably in the import and export tables of foreign nations.

The government negotiated with the Provincial Bank of Buenos Ayres for a credit of \$4,000,000, according to law of September 1, to meet the expenses of the war in Paraguay, and by means of this easy and lucky transaction we were enabled to dispose of that amount for the purposes intended without loss or drawback. With a part of this loan, with the ordinary revenue of the country, and with a sum of money raised abroad by permission of congress, we have been able to meet the extraordinary and heavy expenses of the Paraguayan war and the revolt in the interior, besides the ordinary cost of administration, and it affords government great pleasure to say that the funded debt, and all other national obligations, have been religiously attended to.

The finance minister will give you a detailed account of the collection and outlay of the national revenues.

The department of war and marine has duly attended to the multiplied and urgent requirements of the Paraguayan war and the rebellion in the provinces. The despatch of war stores and army clothing, and organization of forces, &c., have been ably managed, and the most praiseworthy zeal and activity displayed by the parque and commissariat departments, as well as by volunteer committees among the citizens, who have rendered signal service in this manner to the government and to the country.

The Argentine army now in the field in Paraguay, forming part of the allied army, is entitled to the consideration of congress and of the republic for its valor, discipline, and constancy. Firm and serene at its post of honor and duty, it still bravely holds out in a struggle that has already lasted nigh two years, supporting, with heroic self-sacrifice, all the hardships peculiar to the country and climate.

As regards the armies of the interior, one of which was re-enforced with some divisions from the headquarters in Paraguay, they have fulfilled their duty under Generals Wenceslas, Paunero, and A. Taboada, putting the rebels to flight, driving the ringleaders beyond the frontier, and thus effecting the pacification of the country and re-establishment of the lawful authorities in those places where they had been ousted by the rebels. The divisions belonging to our army in Paraguay will speedily return to headquarters and assist in the glorious termination of the campaign.

The steamers composing the Argentine navy continue to execute whatever service is required of them for the army, and have recently been re-enforced by two capacious steam transports.

In fulfilment of a precept of the constitution I have given you a picture of the condition of the republic, and recounted whatever of most consequence has occurred since the close of last session, including such time as the administration was held by the worthy vice-president, Dr. Marcos Paz. The "memorias" of the various ministers of state, which will be laid before you in due time, will complete the rapid sketch, and also furnish interesting food for study of the congress members if they would properly appreciate the real state of affairs.

BARTOLOME MITRE.

MAY 1, 1867.

Letter from General Mitre to Vice-President Paz.

The General-in-chief of the Allied Armies to D. Marcos Paz, Vice-President of the Republic:

I have the honor to enclose you the originals marked 1 to 4 of documents relative to the interview requested by Marshal Lopez, and accepted by me, as well as to the business thereupon treated of.

Having advised the allied generals of everything occurred, and conferred with the Brazilian envoy extraordinary (Octaviano) on the subject, we have come to the resolution to refer the matter to the decision of the respective governments, conformably as declared by me at said interview.

I must add for your information, and to enable your government the better to understand the nature and bearing of this incident, that in the course of our interview General Lopez declared himself ready to treat on all questions that may have led to the present war or may affect our tranquillity for the future, so as to satisfy (as he says) the legitimate demands of the allies, including a definitive arrangement of frontiers, but without accepting any imposition, and least of all his retirement from command in the republic of Paraguay. In this sense he manifested his readiness to arrange on bases, and even make a treaty, which, amounting to a negotiation not in harmony with the stipulations and objects of the triple alliance, I neither could nor ought to accept the same, but confined myself to hearing what he had to say, so as to communicate the same to the allies, as is expressed in the annexed memorandum.

For my part, during the conference I felt bound to be very explicit, declaring that, although we only made war for the sake of the present and future peace of these countries, I considered it very difficult, not to say impossible, to arrive at any arrangement unless based upon the conditions of the triple alliance treaty, since the antecedents of the quarrel induced the allied peoples to believe that no solid guarantees of future peace could be found outside of such conditions; that therefore we should part in the firm conviction that any arrangement was impossible, and that the war must continue without truce or armistice; and finally that neither the conference we had just held, nor the memorandum then drawn up, nor any subsequent deliberations, at all held us, even in a normal sense, or fettered in the least our liberty of action to prosecute hostilities with full vigor.

General Lopez, on his part, accepted my declarations, and added that it was in this sense he had taken the initiative of seeking an interview, to see if it was possible to make peace on the terms he deemed convenient, declaring that he was resolved to carry on the war to the last extremity, and that he would now do so with even greater vigor, seeing the impossibility of an immediate arrangement, since he could not paralyze his action by waiting for the deliberation of the allied governments, which must necessarily be slow. In reply to this, I repeated my remarks that he was at perfect liberty to carry on the war as he judged best, and that he might at once act accordingly, as I should also do in fulfilment of my duties as general. At the same time I pledged my word of honor and good faith to give him notice immediately of what we might resolve upon, as I now do under this date.

The tone that prevailed throughout the conference was most proper, and notwithstanding that some grave points were touched on, nothing of an indecorous nature occurred, and whatever may be the result this act will certainly contribute to moralize our warfare by giving a good example of refinement without enervating the valorous spirit of men like us who do our duty with arms in our hands.

May God preserve your excellency.

BARTOLOME MITRE.

HEADQUARTERS AT CURUZU, *September 13, 1866.*

General Mitre's note, to Marshal Lopez.

His Excellency Marshal FRANCISCO S. LOPEZ,

President of the Republic of Paraguay, and General-in-chief of its Army:

I have the honor to advise your excellency, according to promise, that having advised the allies of the conciliatory invitation which your excellency was pleased to make to me on the 11th instant, in our interview at Yaitaiti Cora, we have agreed, in conformity with my declaration to you on that occasion, to refer the whole matter for the decision of the respective governments, without making any modification in the position of the belligerents.

May God preserve your excellency.

BARTOLOME MITRE.

HEADQUARTERS AT CURUZU, *September 14, 1867.*

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM 28TH MAY TO THE 10TH JUNE, 1867.

May 28.—The Rosario correspondent of the Standard writes *apropos* of the festivities of the 25th of May, the anniversary of the declaration of independence, "What with the Paraguayan war, the revolution in the interior, the cholera, and the presence of the Indians in our province and in that of Cordoba, the people have very little heart to do proper honor to the sun of May." The same says, further on: "From a gentleman of Traile Muerto, I understand that the Indians have become a chronic nuisance. They lately entered the houses of Messrs. Hamilton and Chavari and carried off everything. It appears, however pretty evident that these marauders are deserters, and mixed up with savages who enjoy heavy subventions from the national government."

A small paper called the *Progreso*, of Canelones, a small town in the Banda Oriental near Montevideo, has been seized by order of the government for an article on the Paraguayan war; the editor has been placed under arrest and fined \$1,000 without even the form of a trial, the minister, Flangini, declaring that he considered the paper a libel.

Cholera has not wholly disappeared from Buenos Ayres, although the epidemic is believed over. There is a great fear that it may become endemic here as in large towns in Europe.

May 29.—From the headquarters of the allied army in Paraguay it is reported that General Argollo has been named to succeed General Polidoro as chief of the staff. The arrival of the Galgo steam transport with 420 recruits from Brazil is also announced. It is further reported that General Osorio had arrived at Tuyuti and had there an interview with the Marquis de Caxias, and that great activity prevails in the Brazilian camp, which leads to the belief of an approaching action.

One of the local papers of this city publishes the substance of the toast proposed by the British minister at an official dinner given by him to the President of the republic and the *corps diplomatique* on the 24th instant, the birthday of the Queen of England, which he is reported to have ended with these words: "War is at times good enough when the object of the war is attainable, but peace is better, and he proposed peace."

The Tribuna announces that the national congress will be opened on the 2d June.

May 30.—The Tribuna publishes an official despatch from the Bolivian secretary of state, Don M. D. Mutioz, dated La Paz, 19th March, 1867, to the prefect of the department of Santa Cruz, strictly prohibiting all trade in contraband of war with Paraguay, Brazil, or the Argentine Republic, so as not to compromise the strict neutrality which Bolivia is anxious to maintain in the war which affects its neighbors.

The Standard of to-day says:

"It is reported in political circles that Dr. Rawson, on the opening of congress, will resign. Dr. Rawson as a minister commands our highest esteem. He is, beyond all question, the right man in the right place, and it is a pity he cannot bring himself to remain in office until the whole cabinet, of which he forms so bright an ornament, so conspicuous a member, goes out of office."

Public opinion attributes the resignation of Dr. Rawson to the Paraguayan question. The minister believes, with most people, that it has lasted quite long enough, and that, as the allies cannot go ahead, the next best thing to do is to make peace. The vice president is of the same opinion, and it remains to be seen what congress will do in the matter.

The Uruguay (*Entre Rios* paper) of the 27th instant says: "On the night of the 25th the citizens of Concepcion gave a grand ball to General Urquiza and his family, in return for the hospitalities at San José last March," and concludes a detailed account of the event by these words: "Nothing could be more satisfactory than the reception given to the illustrious captain general by his loyal people of Entre Rios."

May 31.—The words used by Governor Alsina in his inaugural speech on the opening of the provincial chambers, having been misconstrued by a portion of the house to indicate a desire on his part to assume a dictatorship, gave rise to an animated discussion after they were pronounced, and to the appointment of a special committee to consider the project of passing a vote of censure. The committee, after holding interviews with the governor's ministers, recommended in their report the adoption of the following order of the day: "Whereas it appears from the explanations given by the committee that, in the judgment of the provincial executive, a dictatorship can never become a constitutional solution of the problem proposed for the consideration of the legislature, the assembly hereby considers the occurrence at an end, and only regrets the ambiguity of expression which led to the misunderstanding;" which order of the day, after a short discussion, was adopted without a division. In connection with this incident, Governor Alsina has published the following letter, addressed to his ministers, which has been warmly approved by the press and the public in general:

THE PROVINCIAL GOVERNMENT AND THE LEGISLATURE.—IMPORTANT LETTER OF GOVERNOR ALSINA.

MY DEAR FRIENDS: As it has come to my knowledge that in yesterday's session of the legislative assembly, respecting the report of the special committee, some expressions were used of a hurtful character towards both of you, I am bound for the sake of friendship and sincerity to declare that such a circumstance causes me deep pain.

Although I am aware that you accepted my speech in the genuine meaning of the words and not in any capricious interpretation, and although you can nowise be held responsible, since you were ignorant of the tenor of my speech till you heard it spoken in the assembly, I avail myself of this occasion to offer some explanation, and beg you will give it all the publicity possible, so as to remove any doubt, if indeed such ever existed.

The incident with the chambers being now over, I am conscientiously impelled to give free expression to my sentiments in dealing with the people, from whose ranks I have risen to direct with honor the public destinies. No matter what susceptibilities I arouse; no matter what obstacles come in my way, I follow a fixed principle of always speaking my mind truthfully, whether to the people or to its representatives, or to my friends. In this

manner I save my responsibility as governor, and, although at the cost of bitter trials, cooperate in the great work of elevating sincerity of speech above traditional customs and ideas. I have not become governor to flatter public passions, nor to seek the solution of great political questions in a cloud of deceit which obscures the magnitude of real dangers, and leads the country from one error into another, until descending into the abyss where the public liberties are entombed. I have not assumed power merely to follow a routine, nor yet to waste my efforts in a struggle between self-love and conscience, between the desire to do good and the *vis inertia* of doing nothing. Finally, I have not accepted my position merely for ambition, or what men usually call glory; far from glory, it is a martyrdom for those who take office with the firm resolution of sacrificing everything to the impulses of duty and patriotism. No; you may fully believe me when I say that the only consideration which holds me to my post is the desire of serving my fellow-citizens, and not allowing their just hopes to be disappointed.

The impression caused by my words in the legislative assembly, and perchance among some of the citizens, is easily explained. In a country only recently emerged from a barbarous tyranny, the word "dictatorship" must have produced some sensation; but, if my speech had no other result, I should flatter myself for the same. I may have individually been the loser, but the country has after all been the gainer, and that is sufficient satisfaction. In the history of a nation, events occur at times that must be regarded as lessons, and neither the people nor its rulers should forget them: to call up such events is to do a public service. When a country like ours has emerged from a long reign of terror, and reposes confidently on its present enjoyment of liberty, abandoning all care of public interests with a reckless indifference, and suffering a lethargy to overspread the limbs of the body politic, then it is right that some voice should be heard to arouse the sleepers, and point to the page of history where sloth and torpidity prepared the steep incline that fatally leads to despotism. The word of alarm used to indicate the danger will be deprecated, the intention of the speaker will be subjected to various interpretations, but the cool judgment of the historian will in time place the matter in its true light. May God grant that the effect of my words be not momentary and fleeting, like the spasmodic convulsions of a corpse under galvanic agency.

As it cannot now be said that my explanation is with a view to disarm the severity of the chambers, I intend to make a few brief remarks which cannot fail to quiet public opinion, if it has really been at all a victim to a false alarm. My ardent desire being to remove as far as possible an unconstitutional emergency, I thought the best means of prevention would be to expose the plain, unvarnished truth, and I therefore proposed for the study of the chambers the problem of how to carry on a constitutional government without the legislature. Meantime the members of the assembly, yielding to an impulse of the moment, took for a constitutional solution the dilemma resulting from an unconstitutional state of affairs, forgetting, moreover, that I laid down the problem as incapable of solution in a moral point of view. They could not, therefore, suppose I would contradict myself so flagrantly as to draw from such antecedents two legitimate solutions.

Educated as I have been in the school of liberty, with an unextinguishable hatred of tyranny, and having served for some time in the ranks of those who saved Buenos Ayres and the whole republic, I can honestly assure the people that my conscience has never for a moment given ear to the accursed idea of raising a dictatorship upon the ruins of public liberty. Those rulers who aim at sundering all legal obligations between the magistrate and the people, and placing their will above the law, never give the signal of alarm to the citizens. On the contrary, they begin by lulling the public mind into a treacherous security, painting the present as most prosperous and the future as serene and unclouded; while the voice of flattery may be regarded as a canticle to the dying liberties of the country.

I have now fulfilled the object of my letter—to express to you my regret at the expressions used in the assembly, and to offer explanations for the tranquillity of even the most nervous minds.

Yours very sincerely,

ADOLFO ALSINA.

Messrs. AVELLANEDA and VARELA.

June 1.—* * * The following is also from the Standard of to-day: "There is great noise made by our colleagues about the firing of the Paraguayans on some of the allied troops, who, thinking they saw a white flag, approached the enemy's lines to see what was wanted. At first sight the matter seems to be a most traitorous act, but it appears now that the allied troops carried no white flag: therefore, the firing on them amounts to nothing very extraordinary. General Gelly y Obes reports the circumstance in an extravagant letter to the minister of war and marine, but it was plainly his duty, if he wanted to find out what the enemy required, to have sent an officer with a white flag. He forgot this, and for it he would, in Europe, have been brought to a court-martial."

June 2.—The mails from Rosario bring satisfactory news from the interior. In the province of Santa Fé, the chief matter of interest was the opening of the chambers by the governor, Oroño. In his inaugural address, he draws a very flattering picture of the affairs of his province, from which it will appear that no other province in the republic shows greater signs of vitality or progress than Santa Fé.

The mortality returns for last month show too clearly that the state of the city of Buenos Ayres is anything but healthy. In four days last week the interments numbered about 100, and many of these have been owing to cholera or colitis.

The Standard of to-day says:

"The last dates from Paraguay announce large desertions from the allied lines, and a tremendous battle impending."

The steam transport Brazil, arrived yesterday at Montevideo from Rio de Janeiro, brings 250 recruits for the army invading Paraguay.

June 3.—The ceremony of opening the national Argentine congress took place yesterday in accordance with a decree to that effect issued by the president of the republic late on Saturday, the 1st instant. All the members of the corps diplomatique, with the exception of myself, prevented from attending by severe illness, were present in full uniform. The foreign consular corps was represented by only one or two of its members, and the absence of the United States consul was remarked upon. Previous to the reading by the secretary of the senate of the message, a copy of which will be found in enclosure B, and its translation in enclosure C, with despatch No. 28, dated June 10th, 1867, President Mitre spoke as follows:

"FELLOW-CITIZENS OF THE SENATE AND CHAMBER OF DEPUTIES: I had thought and should have wished not to present myself before you until after a glorious termination of the war in which we are involved. Circumstances over which I had no control called me away temporarily from the post which honor and duty vindicate as mine so long as there is a single Argentine soldier or flag to lead to battle against the foreign foe that provoked us to the fight. Such circumstances alone cause me to assist at this solemn inauguration. But, I am happy to tell you that the objects for which I resumed the reins of power have been carried out; the peace of the country, disturbed by sedition, is again happily restored, and the efforts of traitors, who stopped not at the most execrable crimes, have been vigorously suppressed by the federal forces and the weight of public opinion.

"I feel confident that the day of final victory, and of solid and honorable peace, so much desired by all, and so much delayed by the effects of treason, is now near at hand; and that the Argentine Republic, as soon as its lawful aspirations be realized, and with a present and future all its own, will continue its onward march toward great destinies under the auspices of progress pregnant with liberty, and in the midst of peace obtained at the cost of such generous sacrifices.

"To consolidate our internal order under the rule of institutions by opposing good to evil; to strengthen nationality by the union of all legitimate interests; to save the present dignity of the country, and guarantee peace with our neighbors both for the present and future; to facilitate the march of whatever governments come after us—this is the task that has fallen on us in this period of trial.

"I trust that Heaven will bless our work and strengthen our principles; inspire the people with civic virtue, the army with courage, and the congress with wisdom.

"Honorable senators and deputies, the congress session is inaugurated."

June 4.—The Tribuna's correspondent from Brazil, in announcing the arrival of General Polidoro at Rio de Janeiro, asserts that the general has made the most extraordinary statements respecting the utter impotence of the allied army and navy in their present position and condition, and that there are only two courses open to the allies—either to withdraw from the struggle or to arm 50,000 more slaves. He says, moreover, that the allies cannot retire from Tuyuti for fear of the enemy falling on them, nor can they advance for want of men. The same authority says that it was currently reported that General Polidoro would be appointed minister of war.

The Diario do Rio, of the 25th May, publishes a leading article calling upon the government to free, in the provinces of Rio de Janeiro, Bahia, and Pernambuco a number of slaves and send them as soldiers to re-enforce the army. "Thus," says the writer, "we can form, in two months, a new army of 30,000 men, which may cost us 45,000 bonds, (of \$1,000 each,) and this army, advancing by Itapua, would at once bring the war to a close."

June 5.—The Tribuna of to-day announces that one of the first projects to be submitted by government for the approval of congress is the authorization to obtain from the provinces a further levy of 3,000 men, for the army in Paraguay.

The news from the seat of war is, that the waters of the Paraguay and Parana rivers have risen to an unprecedented height, and on the 30th ultimo the Brazilian squadron, taking advantage of the high water, entered Lake Piris and bombarded the Paraguayan positions for a whole day, without attaining apparently any important result.

The Tribuna of to-day publishes my last note to Señor de Elizalde, on the mediation question, dated 10th April, and Señor de Elizalde's answer, dated 22d of the same month, taken from the report of the minister for foreign affairs, which accompanies the president's message. In a few introductory remarks the editor of that paper commends my views, while it criticises Señor de Elizalde's note.

June 6.—The Standard says that "Gelly y Obes's decree about receiving despatches from the enemy with musket balls has been totally disregarded by the commander-in-chief, as we understand that despatches are coming and going for the French consul."

The Nacional (evening paper) announces the probability of Señor de Elizalde being elected vice-president in the place of Dr. Paz, whose resignation is daily expected to take place.

June 7.—By last accounts from the seat of war it appears that the unprecedented floods of the rivers Paraguay and Parana have caused new disasters in the allied camps. At Curuzú the water submerged the whole encampment, and the garrison only escaped destruction by a precipitate retreat on board the squadron. Many war supplies, particularly hay and ammunition, were either lost or rendered unserviceable. Great fears are entertained for Tuyuti, as the river was still rising.

An idle rumor has been published by the Tribuna of Montevideo, to the effect that General Gelly y Obes has written to General Asboth, United States minister in Buenos Ayres, stating that President Lopez has elements in Paraguay to carry on the war for ten years longer. The national government, on this account, held a cabinet meeting, in which the question of General Gelly y Obes was indignantly contradicted, and a reprimand sent to him for so lightly expressing such opinions to a foreign minister. "There is not the slightest foundation for this statement, and the only wonder is, what could have been the motive for such an absurd fabrication."

June 8.—A special telegram to the Siglo, of Montevideo, published the day before yesterday, states that the Argentine government has sent peremptory instructions to its agent in Chili to demand of the Chilean government the fullest compensation for the loss of life and property caused by the late revolution in the provinces, which seems to have taken its origin in Chili. This news we believe, if not altogether unfounded, is at least premature.

Besides the concession made by the national government to Mr. Hopkins for a telegraph line from Rosario to Chili, it appears by the report of the provincial minister of finance that the provincial government of Buenos Ayres has decided upon carrying, at its own expense, the telegraph wires as far as San Nicolas, from which point they will be continued to Rosario, at the expense of the national government.

June 9.—The Tribuna of to-day has a telegram giving an account of a rather inexplicable occurrence at the government house in Montevideo. It appears that as Dr. Gonnoilhon, a French resident, had old claims against the republic of Uruguay, which were so far admitted that bonds were given for indemnity—but which must have been subsequently repudiated, because they were selling for less than one-twelfth of their value—Don Gonnoilhon sent a letter to General Flores, with the draught of a decree recognizing his bonds, together with a check for \$250,000, for his signature of the decree. General Flores is reported to have been so incensed at this attempt to bribe him that he was determined to resign, and would have done so but for the interference of several friends. The affair, according to the telegram, threatens to become serious, and seems very complicated. Dr. Gonnoilhon, who is said to be acting in concert with several accomplices, has been sent to prison, and a criminal charge laid against him.

June 10.—Another disagreeable occurrence is reported to have taken place in the Montevideo government house. A Señor Tezanos (formerly editor of the Pueblo, of Buenos Ayres) called the day before yesterday on General Flores to say that he was going to start a paper in Montevideo. The dictator advised him that whatever he might write should be for the public good; but that if he preached dissension, and inflamed party spirit and civil war, the government would put down his paper, as they had the other day one published in Canelones. Whereupon Señor Tezanos, raising his voice, said that the constitution and the laws would protect him in telling the truth and resisting tyranny. General Flores at once had him arrested and sent to prison in the dragoons barracks, where he is now confined.

The news that Marquis de Caxias had ordered the burning of 3,000 bales of hay, which lay on the banks of the river at Itupira, has provoked great comment. It is understood, however, that this measure was rendered necessary by the fact that the hay, having got wet in the late high floods, was rotting and likely to produce a recurrence of the epidemic in the allied camp.

A. ASBOTH.

Mr. Asboth to Mr. Seward.

No. 32.]

LEGATION OF THE UNITED STATES.

Buenos Ayres, June 24, 1867.

SIR: In connection with my report No. 28, dated the 10th instant, I have the honor to inform you that, in the sitting of the Argentine senate of the 13th instant, a note from Don Marcos Paz was read, in which he formally and irrevocably resigned the vice-presidency of the republic, and that, in the sitting of the same body of the 22d instant, it was resolved that the said note should be taken into consideration by both houses of congress, met in assembly, to which they have accordingly been convened for the day after to-morrow. You will please find a translation of the above note in my daily memoranda of political events from the 12th to the 23d June, herewith enclosed, under date of the 14th.

In view of the explicit nature of this note, and of the fact that Dr. Paz has now for the third time expressed his determination to resign, it is not improbable that his resignation may be accepted, although public opinion deprecates the complications that would thereby be entailed upon the government if the Paraguayan war is not brought to a close.

Of this, however, there does not seem to be any immediate prospect, although it appears that the commander-in-chief *ad interim* has determined upon a change of tactics. Compelled by the floods, the greatest portion of the Brazilian garrison at Curuzu has been incorporated with the bulk of the allied army at Tuyuti, leaving only 1,500 men under Porto Alegre, who has his headquarters on board a man-of-war anchored in front of Curuzu. Lopez has been trying to extend his lines to Yataila Cora, which is half-way between the Paraguayan and allied lines, but the continuous fire from the latter has prevented his concluding the new works as yet. From the 30th ultimo to the 11th instant the Brazilian squadron had been bombarding Curupaiti without the intermission of a single day, and this continuous fire, though not producing any apparent result, must nevertheless keep the Paraguayans incessantly on the alarm, and cause them considerable damage. Meanwhile the Marquis de Caxias has been raising a strong redoubt between Lake Piris and Estero Bellaco, in which he intends to leave 4,000 men in charge of the materiel of war, while the rest of the army will, as reported, proceed up the river Parana and effect a junction with the 3d division, under the command of Osorio, at Itati.

Since the evacuation of Curuzu by the Brazilians the river has fallen considerably; but now that the waters have risen again, and the river become even higher than before, great fears are entertained respecting the military stores at the island of Cerrito, so much so that it is believed that the whole place, which cost millions to organize and arrange, will also have to be abandoned. But apart from the devastations caused by the floods and the unhealthy locality, the allies cannot have much hope of forcing, at present, the lines at Curupaiti. They are defended by the Estero Tuyuti, which is 500 yards wide and 10 or 12 feet deep. Then the Paraguayans have a ditch 30 feet wide and 18 deep, which communicates with Lake Piris, and is full of water, running six miles all around Humaita. In addition to this they have a line of abatis from 100 to 120 feet in width; then another ditch, like the first, 30 feet wide and 18 deep, before reaching their grand parapet fortification of Curupaiti, which is protected by "cheveaux de frise," and surmounted by splendid batteries of heavy guns, well served by expert gunners, and the whole defended by 30,000 valiant patriots determined to conquer or die for the independence of their country. Thus, if the allies still consider their honor engaged to continue this disastrous war, their abandoning Tuyuti, in spite of the enormous amount of life and money this position has cost them, and then invading Paraguay from Misiones by the pass of Itapua, seems now quite probable.

From the interior the last news show a somewhat gloomy state of affairs. The province of Rioja has again fallen into the hands of the Montoneros, and the local papers lately received teem with accounts of the murders, robberies, and all kinds of atrocities committed by them in various parts of that unhappy province. Felipe Varela, one of the most active reactionary chieftains, had crossed back from Chili, and was collecting men and issuing anew proclamations. General Paunero has been obliged to detach a strong column of the forces under his command with the view of restoring order. The general himself is unable to leave San Juan, where new troubles seem to be preparing, as the governor and provincial legislature are in open rupture. In the provinces of Catamarca and Cordoba the political horizon is very stormy and the renewal of a revolution hourly expected, while the sudden demise of the governor of Salta has compromised the tranquillity of that province also.

The house of national deputies was occupied last week with a debate of some importance, and in which a great deal of oratorical talent was displayed on the

motion for the expulsion of two of its members accused of complicity in the late revolution of Cuyo. The debate occupied five sittings, and ended by the adoption of the motion by 24 votes against 10. The expelled members are Señor Ocampo, deputy for the province of Entre Rios, and Señor Sarmiento, for that of San Luis, and it is very generally believed that the former will be returned again to fill the vacancy thus created, which may give rise to serious complications. Señor Ocampo, who is the principal editor of a paper called *El Parana*, published in Entre Rios, made in the course of his defence the following remarks :

The order of the day being entered on, Deputy Ocampo proceeded to reply to the speech of D. Montes de Oca, jr., of last Monday. He said: "It is with great pleasure I return him the compliment he paid me for forensic talent, but I have still more to thank him for the arguments he unwittingly threw into my hands. He spoke of a member of the United States Congress who stood up and declared for the confederates; but he forgot to tell you that, in spite of the sensation of the moment, the chamber did not venture to expel him who thus daringly asserted 'The Union is impossible.' My honorable colleague also cited the French Chambers in his support, and the case of Monsieur Manoel is one worth alluding to. The ushers of the chamber refused to comply with the order for removing him by force. A piquet of National Guards was called in, who also refused, point blank, to remove the deputy, when General Foy, an old and rigid veteran, exclaimed. 'All honor to the National Guards. They are here to protect the representatives of the people; not to violate the sanctuary of the Chamber.' Other deputies spoke similarly. Well, Mr. President, I shall not imitate M. Manoel, if ordered to leave this house. I shall submit to its decision and retire, if so directed, to the obscurity of a provincial town. But I have not the slightest fear of a result. I feel confident the Chamber will reject this absurd project, so suicidal in its tendency and so arbitrary in its conception. [Cheers.] If the constitution gives me a right to emit my ideas, you cannot take it from me; you cannot constitute this Chamber into a court for offences against liberty of the press. If you do, you will open a door for your own dissolution; you will choke the free utterance of opinion both in and out of this house, and gag the minority of honest, fearless members of the opposition. If I am to be condemned for the articles I have written, expel me at once, for I retract not a line, not a sentiment, and the same opinions I shall uphold so long as I occupy a seat here. If I am only suffered to remain here to obey the beck of the ministry, I scorn to remain an hour; it would be a treachery to my constituents in Entre Rios. Expel me and the people of Buenos Ayres will receive me with open arms. [Cheers.] But bear in mind that I shall not be the last victim; that the people see fully and clearly the erroneous policy of the national government in involving us in a war which no man can see the end of, and concluding a hateful alliance that has palsied the right arm of our gallant soldiers. [Great sensation in the galleries.] Expel me, but the nation will say, 'Deputy Ocampo was expelled not for any crime or infamy, but for talking too plainly.'" [Cheers and applause.]

A fire broke out in the national government house in this city on the morning of the 14th instant, which was not got under before it had completely destroyed the furniture, paper, and books of the offices of the ministers of the interior and education and caused considerable losses to the other offices. This catastrophe has disturbed the whole routine of official business, and it will require months before order can be restored in the several departments. The fire is attributed to neglect on the part of the servants of the government house and not to any intentional act.

The report of the Argentine minister of finance, which ought to have accompanied the president's message on the opening of congress, has not yet been published, so that nothing official is known about the financial affairs of the Argentine republic, actually. By what has been published in the Rio de Janeiro papers, it would appear that the financial deficit of the Brazilian empire for 1867-'8 is 150,000,000 reals, which, with former deficits, makes a total deficit of 275,000,000 reals, equal to about 137,000,000 hard dollars."

Judging from the general tone of the Brazilian press, the prevalent feeling in the empire is one of continued and daily increasing irritation and dissatisfaction, mainly due to the continuance of the expensive and inglorious Paraguay war.

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

A. ASBOTH.

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

DAILY MEMORANDA OF POLITICAL EVENTS ON THE RIVER PLATA FROM THE 12TH TO THE 23D JUNE, 1867.

June 12.—The Tribuna, commenting upon the note of the Brazilian minister, Señor Seal, to Señor de Elizalde, dated 29th August, 1866, and published in the annual report of the minister for foreign affairs, which accompanied the President's message, says: "What is the meaning of the explanations sought, more particularly after the information contained in the report of the Brazilian minister for foreign affairs, officially communicated to the Brazilian parliament, that the empire pays a monthly subvention to the Uruguay republic of \$30,000 to defray the expenses of its contingent at the seat of war, and that it has already advanced to the Argentine republic a loan of \$1,140,000? The only meaning we can discover," says the writer, "is the evident desire of the diplomats of the empire to establish beyond the possibility of doubt the fact that in the alliance it is only Brazil that has received no definite service from its allies, while it has been obliged to subvention and assist the republics of the river Plate to enable them to fulfil the obligations imposed upon them by that very alliance; thus showing that the said republics are performing a very secondary part, so secondary, indeed, that they ought never to have accepted it."

June 13.—On the 9th instant four Brazilian transports arrived at Montevideo, the San José, Itapicuru, Alice, and Silva, with 1,200 more men, destined as so much more food for powder and pestilence in Paraguay. A local paper, El Pueblo, states that from the 1st of January to the 31st of last month Brazil has sent 7,896 new recruits to Paraguay.

The same paper states that cholera had reappeared at Tuyuti, that several cases had proved fatal in the garrison, and that a great number of soldiers attacked by this disease were lying in the hospitals.

The last accounts from the seat of war say that it was currently reported that Osorio is to take command of the allied army at Tuyuti, and Porto Alegre of the 2d division, consisting of 5,000 men, who are now also at Tuyuti, the whole garrison having been fairly washed out of Caruzu. The loss of ammunition and stores in consequence of the late floods is represented as enormous, and not a trace is left of the fortifications made by the Brazilians at Caruzu.

June 14.—In yesterday's session of the senate, before proceeding to take up the order of the day, President Alsina informed the senate that he had received the previous night a note from Don Marcos Paz, communicating his resignation of the vice presidency of the republic. After a short debate on the question whether the note should be read or not, the result of a division was ayes, 10; noes, 7; whereupon the secretary proceeded to read said note, of which the following is a translation:

"To the honorable chambers of congress:

"Profound convictions urge me to lay before your honorable chambers my unalterable resignation of the post of vice president of the republic. Last year when I sent in my resignation it was refused by congress, and I bowed in silence to its decision; but now I feel bound to explain my motives in order that they be not misinterpreted.

"It is not that I wish to spare myself from the weighty cares of office, for God knows I would willingly devote my life's blood, if of any use, for the welfare of my country. But I am impelled by a conscientious feeling which has preyed upon my mind day after day, until it has forced me to resign the high post which I was unworthily chosen by my fellow-citizens to occupy.

"I am convinced that no government can be properly carried on when the chief magistrate absents himself for a lengthened time from the country. And this truth is so self-evident that in all constitutional states and kingdoms the absence of the chief ruler is strongly objected to, or if ever permitted, this is only for a brief interval. But the long-continued absence of the chief magistrate is most productive of disorder and prejudicial to the republic.

"A provisional government, when prolonged for any time, has a good deal to do even to preserve domestic tranquillity. It can never attend to the real interests of the country, or foster enterprise and industry. In a word, it is a *drag* on the state, instead of being a means of progress; and this is a state of things which cannot be prolonged. A provisional government can undertake nothing great or serious, seeing the insecurity of its administration, which may come to a close at any moment.

"For these reasons I now offer my irrevocable resignation of the vice presidency, in which step personal motives have no manner of influence, but simply my regard for what I consider the public welfare of the Argentine nation.

"I salute your honorable chambers, and remain

"MARCOS PAZ."

The local press is unanimous in condemning the step taken by Dr. Paz, both as showing want of energy and patriotism in him and as likely to create difficulties and complications in the cabinet.

The Tribuna reproduces that portion of the report of the Brazilian minister of war in which he asks that the army establishment of the empire in times of peace should not be less than 20,000 men, and that laws may be enacted to facilitate the transition of the imperial army from

a peace footing to one of war, concluding its remarks upon it in these words: "We may be mistaken, but in our judgment the tendency of the empire to establish a permanent army, sufficient to enable it at any time to bring the weight of its arms to bear in the questions which its diplomacy is constantly promoting, must not be lost sight of by our statesmen, if they wish that the Argentine republic should not lose the high ground to which she is entitled in the management of river Plata interests."

A new invasion of Indians is reported to have taken place in the province of Cordoba. About 900 of them entered at a place called Saladillo, and, although details are not at hand, they appear to have committed enormous depredations.

June 15.—A fire broke out yesterday morning in the government house, destroying all the papers, books, and furniture in several of the different offices, more particularly in those of the interior and of education. Some old documents in the foreign office were also lost. The cause of the fire appears to have been accidental and due to the carelessness of some of the porters leaving fire in one of the grates when closing the offices the day before.

From the seat of war it is reported that the river is covered in part with dead horses, and that the consequent loss to the army contractors is only surpassed by that of the Brazilian government in gunpowder, shells, balls, &c.

June 16.—The San José, Brazilian transport, with troops, arrived yesterday at Montevideo from Rio de Janeiro.

June 17.—In the national house of deputies, Señor Del Campo has made a motion for the expulsion of Señor Ocampo, deputy for the province of Entre Ríos, and Señor Sarmiento, for San Luis, charged with complicity in the late revolution in the province of Cuyo. The motion has been referred to a special committee, whose report is to be laid before the house and debated to-day. The question whether such a measure would be constitutional has been amply discussed by the local press, and public opinion seems in favor of it. The Tribuna brings forward precedents that have happened both in England and the United States in support of this view.

June 18.—The Tribuna reproduces the following from the Epoca of La Paz, Bolivia, under date 21st of April:

"To-day the treaty of amity, limits, commerce, and navigation between Bolivia and Brazil has been approved and ratified. Under the same date a legation of the first class has been created to Rio de Janeiro, Buenos Ayres, Asuncion, and Montevideo, and Colonel Don Quintin Quevedo has been appointed envoy extraordinary and minister plenipotentiary of the republic of Bolivia to the empire of Brazil, and the Argentine, Paraguay, and Uruguay republics, with Dr. Juan Francisco Velarde as secretary of legation and Don Julio Quevedo as attaché."

In the house of national deputies the committee to which the motion for the expulsion of the deputies Ocampo and Sarmiento had been referred brought up its report recommending its adoption with one dissentient voice. A large concourse of people attended to hear the debate which followed, and in which the best speeches were delivered by Señor Velez in favor of the nation and against it by Señor Ocampo and Señor Elizalde, brother of the minister for foreign affairs, and the dissentient member of the committee. The debate was adjourned to this day.

The Ibecuy, from Rosario, brings despatches from General Paunero, who is in San Juan. On the 26th ultimo Colonel Irrazabal had arrived in San Juan, summoned by General Paunero, for the purpose of conducting a new expedition against the province of Rioja, where the rebels had again appeared, committing wide-spread devastation and desolating the province. General Paunero was preparing to send a strong column in order to strike a crushing blow at the rebels, who spring up every day in different directions and commit most daring outrages. Some rebel bands have also appeared in San Luis, and committed the greatest atrocities in the department of Calamuchita.

June 19.—The debate on the expulsion of the two members from the house of national deputies was continued yesterday in a full house and before a large audience. Ocampo, Sarmiento, and Montes de Oca spoke, the two former against, the latter for the motion. The debate was again adjourned.

June 20.—Yesterday in the house of national deputies, before proceeding to the adjourned debate about the expulsion of the two members, the following project of a resolution was brought in and referred to a committee: "The president of the chamber will, in its name, ask the executive power for the additional stipulations relative to the treaty of the triple alliance against Paraguay, agreed upon in 1865 and 1866, as well as its protocols and other provisions having reference to said treaty and its execution." The adjourned debate was then resumed by Señor Ocampo, and listened to with increasing interest by a large concourse of people. Señor Tejedor and Señor Del Campo spoke in favor of the motion; Dr. Ugarte and Señor Acosta against it. The debate was again adjourned.

The arrival at Montevideo of another Brazilian transport, the Amalia, with 600 troops on board, is announced. The Standard states that during the last twelve months Brazil has sent no less than 19,000 recruits to the war, without counting the third division, now under the command of Osorio.

Mr. Goumouillon is still in prison in Montevideo, but it is currently rumored that the government will soon liberate him, and that he will be no sufferer in the long run.

The Standard states that on the 9th a flag of truce was sent over to the Paraguayan lines with letters and papers for Mr. Washburn, the United States minister.

June 21.—In yesterday's sitting of the house of national deputies the adjourned debate on the expulsion of two of its members was continued. Dr. Quintana made a brilliant and eloquent speech of two hours' duration against the motion. The concourse and excitement was, if possible, greater than on previous days, and the debate was once more adjourned.

June 22.—The debate in the house of national representatives, which has created so unusual an excitement and continued through so many days, was yesterday brought to a close, and on a division the motion of the expulsion of the deputies Ocampo and Sarmiento passed by 24 votes against 10.

Yesterday Señor Seal had an official interview with the President of the republic to present his letters of recall, and at the same time the new Brazilian minister resident, Señor Carvalho Borges, presented his credentials. The usual complimentary speeches were exchanged on the occasion.

June 23.—In yesterday's sitting of the senate a bill was passed authorizing the executive to employ the sum of \$400,000 in the purchase of rifled cannons of large calibre. The Tribuna applauds the measure and hopes the bill will readily meet with the approval also of the house of representatives. In the same sitting of the senate motion was made that the resignation of the vice president should be discussed by the two chambers met in general assembly, which motion was adopted by 13 votes against 8.

From the interior the news is that Colonel Segona surprised a party of rebels at Polanco, in the south of the province of Mendoza, killing 45 of them, taking several prisoners, and capturing upwards of 800 horses.

The Standard says, "It is rumored that Dr. Gounouilhon is at last set at liberty. We believe the bonds have not improved, however, and are at the same quotation, 92 per cent. discount."

A. ASBOTH.

Mr. Seward to Mr. Asboth.

No. 38.]

DEPARTMENT OF STATE,
Washington, July 1, 1867.

SIR: I have had the honor to receive from Mr. Flangini, minister of foreign affairs for the Oriental republic, a communication in which, while in the name of that republic he declines the good offices of the United States for the restoration of peace in the countries of the La Plata, he expresses high appreciation of those good offices and assigns the reasons for the course which the Oriental republic feels itself bound to pursue. You will please inform Mr. Flangini that his respected communication has been laid before the President. While he regrets the failure of his efforts to secure the restoration of peace, the President hopes at the same time that that consummation may be speedily reached in some manner which will be honorable and satisfactory to the belligerents, and he will hold himself at all times ready to contribute to that end in any way which shall seem likely to be agreeable to the parties and at the same time effective.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Seward to Mr. Asboth.

No. 39.]

DEPARTMENT OF STATE,
Washington, July 11, 1867.

SIR: I give you a copy of a communication which was addressed to this department on the 9th of July, instant, by Mr. B. Mitre, of Vidia, chargé d'affaires of the Argentine Republic near this government. I have replied to Mr. Mitre that the subject which he presents can be treated of more profitably in Buenos Ayres than here, and that an instruction would be given you for that purpose.

I have now, therefore, to authorize and request you to put into the hands of Mr. Elizalde a copy of my despatch to you, No. 36, together with a note which you will write, and in which you will inform Mr. Elizalde that the said despatch No. 36 furnished what I trust will be sufficient explanation of the views of the President concerning the matter brought to the attention of this department by Mr. Mitre.

You will also say to Mr. Elizalde that I am aware that it is difficult to conduct a correspondence of mediation between belligerents without inadvertently giving offence to one or the other of the parties.

Conscious that every care has been taken by this government to avoid misapprehension, I must be excused from entering unnecessarily into collateral discussion.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 34.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, July 11, 1867.

SIR: In connection with my report No. 32, dated 24th ultimo, I have the honor to inform you that the two houses of the Argentine congress having, as agreed, met on the 27th ultimo, in general assembly, refused by 49 votes against 7 to accept the resignation of Dr. Marcos Paz of the vice-presidency of the republic. In view of this very strong expression of the popular wish, Dr. Paz has withdrawn his resignation and addressed to congress a note announcing his consent to remain in office. You will please find a translation of this note, taken from the Standard, (enclosure A,) my daily memoranda of political events from 26th June to 10th July, under date 29th June. President Mitre will consequently be now able to carry out his announced intention of resuming the command in chief of the allied army in Paraguay.

The news from the seat of war is somewhat contradictory. Although, as reported in my despatch No. 32, above alluded to, the abandonment by the allies of their present position and the junction of their main body with the third division, under Osorio, in the upper Parana, to make a flank attack upon the Paraguayans, appeared probable. Later news seems to indicate that the Marquis de Caxias is now preparing for a general attack, and that he has resolved upon waiting for Osorio, who, with the force under his command, had arrived within 23 leagues of Tuyuti, on the 2d instant. An order of the day, of the same date, had announced to the army that all the forces were to be ready to march at a moment's warning. It was also said that the Brazilian fleet had received orders to ascend the river and pass Humaitá in spite of all obstacles, and even if half its ships were to be lost in the attempt.

The state of the interior provinces continues to be far from satisfactory. The province of Rioja is still in the hands of the rebels, although it is expected that General Taboada, who, at the head of the national forces, was advancing, will by this time have regained possession of it. A kind of revolution broke out in Cordoba on the 9th instant, all the prisoners in the public jail having risen against the guard and effected their escape. In the town of Parana also a manifestation somewhat revolutionary has taken place on the occasion of the return there of Deputy Ocampo after his expulsion from Congress.

The conferences reported in the newspapers to have taken place in London between our minister and Lord Stanley, on South American affairs, have given rise to the rumor of an intended joint mediation in the Paraguayan war of the United States, England, and France, which has called for the following note from her Britannic Majesty's minister :

RUMORED ENGLISH MEDIATION.

HER BRITANNIC MAJESTY'S LEGATION, *July 3.*

Mr. Buckley Mathew presents his compliments to the editors of the Standard; and observing in yesterday's paper reference to a mediation by England and France in the war in Paraguay, he cannot delay to inform them that the supposition is wholly unfounded as regards her Majesty's government, and equally so, he is assured, respecting the government of France.

He feels it right to notice the matter, and to request the insertion of this rectification of the statement, as he believes that erroneous reports of a similar nature have tended, and may further tend, to prolong the miseries of war.

In Montevideo a mine which penetrated beneath the government house has been discovered, by which it was contemplated to blow up the house, together with the Dictator Flores and all his ministers. Only a few hours more were wanting to complete the diabolical work when it was found out. A good deal of mystery hangs about this affair, and although numerous arrests have been made, it is premature to express at present any opinion respecting it.

The 9th of this month, being the anniversary of the swearing of the constitution in 1816, and the proclamation of independence of the Rio Plata regions, was kept as a public holiday. A Te Deum was sung in the cathedral, and attended by the president and vice-president of the republic, the ministers, the members of the provincial government, the corps diplomatique, and many other functionaries. I received an official invitation from the minister for foreign affairs to assist at this celebration, but was prevented by my continued illness from doing so.

* * * * *

In the evening there was a grand display of fireworks in the principal square, and all the public buildings were illuminated.

* * * * *

For further details relative to the march of political events here I beg respectfully to refer to enclosure A, above alluded to, which contains my daily memoranda of political events in the river Plata from the 26th June to the 10th instant.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM THE 26TH JUNE TO THE 10TH JULY, 1867.

June 26.—The Arica Liverpool steamer, which arrived at Montevideo on the 23d instant, brings news of serious riots in Rio de Janeiro, with loss of life. Although they originated in an affray not of a political character, between the police and the populace, yet they show the extreme irritation of the people, and, in conjunction with the riots in Pernambuco, Minas, Bahia, and San Paulo, constitute "signs of the times" far from satisfactory.

The Galgo transport, with 500 recruits for the army in Paraguay, arrived at Montevideo on the 23d from Rio de Janeiro.

June 27.—The Tribuna announces semi-officially that Señor Torrent has resigned his post of Argentine minister in Brazil, and is expected back in the course of a few days.

Three deputies, Messrs. Quintana, Ugarte, and Carrol, brought in yesterday before the national chamber of deputies a bill by which it is provided that in the event of the death, absence, or resignation of the president and vice-president of the republic, the president of the senate, or in his default, that of the chamber of deputies, shall fill the vacancy.

June 28.—Pursuant to arrangement the chambers of senators and deputies met yesterday in general assembly to consider the resignation sent in by Dr. Marcos Paz of the vice-presidency of the republic. No speeches were made. The proceedings consisted simply in putting to the vote whether the resignation should be accepted or not, and the result was 49 against and only 7 in favor of so doing.

The Tribuna states that from the 1st of May, 1866, to 30th of April, of this year, Brazil has sent 19,769 recruits to the seat of war in Paraguay.

June 29.—The vice-president has bowed to the almost unanimous voice of congress and withdrawn his resignation. The following translation of the note addressed by him to congress on the occasion is taken from the Standard:

THE VICE-PRESIDENT RESUMES OFFICE.

BUENOS AYRES, June 27, 1867.

To the honorable Legislative Congress of the nation:

I have had the honor to receive a note from the president of the senate, dated to-day, advising me that your honorable assembly has not thought fit to accept my resignation of the post of vice-president of the republic, which I handed in on the 12th instant.

Congress, it seems, has not considered well-founded the motives I alleged for such a step, and although I had firmly resolved to descend from the high position to which I had been raised by the votes of the Argentine people, I must nevertheless bow to the high decision of your honorable chambers; and I now consent to continue in office, while cordially thanking you for the honor done me by your decision, although this is contrary to my very ardent and sincere wishes to retire into private life.

May God preserve your honorable assembly.

MARCOS PAZ.

July 1.—In consequence of Dr. Paz having reaccepted office it is again currently reported that President Mitre will leave shortly for the seat of war to resume the command in chief of the allied army, and a day is even fixed for his departure, viz., the 10th of this month; still not only is there nothing officially known about his leaving, but from the fact that public opinion is unfavorable to his departure, and that a great majority of people consider that the presence of the president is more required here than in Paraguay, the probabilities are against his going yet.

From the seat of war great activity is said to be prevailing in consequence of the intended change of tactics; and it would also appear that the Marquis de Caxias is contemplating, before abandoning his present position, to make an attack which may become a general action.

Telegraphic news from Montevideo announce the discovery there yesterday evening of a diabolical attempt to blow up the government house and a great number of the surrounding buildings. A subterranean mine was discovered beginning in the cellars of a house contiguous to that of the government. A German, found where the mine was discovered, has been arrested as evidently implicated, but as yet the real authors are not known.

July 2.—In congress yesterday Deputy Quintana introduced the following bill, by which Rosario is declared the future capital of the republic:

REMOVAL OF THE CAPITAL.

Deputy Quintana has introduced into congress the following project:

ARTICLE 1. The city of Rosario is declared capital of the republic, comprising the territory between the Arroyos Saladello and Luduena, on the river Parana, with a league in depth inland.

ART. 2. All public properties and establishments within the federalized territory become national property.

ART. 3. The executive shall have two years to prepare the necessary buildings for the national authorities, which shall reside in the interim in the city of Buenos Ayres.

ART. 4. This law shall be forthwith submitted for acceptance of the provincial legislature of Santa Fé.

The bill was supported by several members and sent to committee.

From the interior we have the following news: Defeat and flight of Varela to Rioja, with the loss of almost all his men. The Montoneros in Catamarca have also been defeated, and General Taboada was marching upon Rioja to effect a junction with the forces under Colonel Igarzabal and Major Charras. General Paunero has passed notes to all the upper provinces calling for contingents for the Paraguayan war.

Señor Ocampo, the deputy for Entre Ríos, lately expelled from congress, has been received in Parana with a popular ovation. On the night of his arrival a number of his fellow-citizens went to serenade him at his own house. Some violent speeches followed, accompanied by several "vivas" for Ocampo and some "muera" addressed to the party at present in power.

From Montevideo further particulars with reference to the attempted blowing up of the

government house seem to implicate as the leader in this abominable plot one Eduardo Beltran, a native and the head of a section of the Colorado party called Conservadores; he has, however, absconded. The German arrested on the discovery of the mine is Pablo Newmayer, a person of intelligence, and by profession a land surveyor. An electric battery and a large quantity of gunpowder were seized at the place where the mine commenced.

July 3.—The advices from the allied camp, at the very latest moment, announce an intended move on the 29th instant. On the 27th ultimo the much-talked-of balloon made a successful ascent at Tuyuti, to the height of 80 metres; two men ascended in it. The balloon was secured to the ground by means of ropes. The Paraguayans were seen hard at work strengthening their positions at different points.

The mail just arrived from the interior brings news of another Indian invasion at Villa Uneva, province of Cordoba, with many whites killed, wounded, or missing. From the province of Rioja the accounts are every day more alarming. This unfortunate province is completely in the hands of the rebels, who are committing all kinds of excesses and carrying murder and devastation in all directions.

From Montevideo later news do not clear up the mystery of the late attempted plot. Bertran appears to have escaped. A General Suarez has been arrested, along with several others, accused of complicity.

July 4.—The national chamber of deputies here sanctioned yesterday the bill sent down from the senate for devoting 400,000 hard dollars for the purchase of heavy artillery to fortify Martin Garcia, the key of the affluents of the La Plata, and as such a stronghold would threaten the free navigation of the Parana and Uruguay rivers, it will no doubt prove a "Luxembourg question" with Brazil.

All the government buildings and foreign, diplomatic, and consular residences have their respective flags hoisted in honor of the day. A salute was fired from Captain Smyley's armed vessel, the Kate Sargent, and answered by the government land battery, 11 de Setiembre.

From Montevideo we have further details of the intended plot. General Suarez has been acquitted of complicity and released from confinement. The Republica, a paper hostile to General Flores, accuses him of having himself laid the mine in order to justify a prolongation of his dictatorship.

July 5.—Yesterday, besides the United States citizens resident in this city, a large number of natives and foreigners of all nationalities, prominent among whom were the President of the republic, Ministers Elizalde and Costa, several generals of the army, with the foreign diplomatic and consular bodies, honored the United States legation with a visit in commemoration of our great republican peace day.

July 6.—The Nacion Argentina, having stated positively that Dr. Rawson and Señor Gonzales had sent in their resignations as ministers respectively of the interior and of finance, the Tribuna of to-day states that the only foundation for the report is in the ill-will borne against Dr. Rawson and Señor Gonzales, who have been for some time past the objects of attack on the part of the Nacion Argentina, the organ of the foreign minister. According to the Tribuna, Señor Elizalde is anxious that Dr. Rawson's post should be occupied by Dr. Torrent, who has resigned his mission to Brazil. With Dr. Torrent in the department of the interior, Dr. Elizalde, according to the Tribuna, would have charge of the finance portfolio, and take advantage of the absence of General Mitre to carry on his canvass for the presidency of the republic. Dr. Rawson had some time ago manifested a wish to retire into private life, but now he considers himself in honor bound to retain his post, owing to the late fire which destroyed all the documents of his office, and renders his personal interference absolutely indispensable.

With regard to the future presidency of the republic, it is confidently asserted in some circles that the question has been settled, and that all parties agree as to Señor Sarmiento for president and Governor Alsina for vice president.

The following, having reference to the gunpowder plot in Montevideo, is taken from the Standard of to-day:

"Important from Montevideo—Demonstration to General Flores—Account of the infernal machine, &c.

"On Tuesday night the club Libertad and citizens of Montevideo proceeded to congratulate General Flores on his wonderful escape from the Neumayer gunpowder plot. It was the greatest demonstration since the battle of Yatay, (August, 1855,) the citizens marching in procession from the club-house, preceded by a committee of natives and foreigners, to the residence of the general. It was not the ebullition of party, but the spontaneous rejoicing of men of all shades of opinion at the salvation of the city from so terrible a catastrophe. There were over 3,000 persons present, carrying the flags of the triple alliance, (Argentine, Oriental, and Brazilian,) and accompanied by two bands of music. The greatest enthusiasm prevailed, all eager to get into the general's house and shake hands with him. Numerous speeches were delivered, to which Flores replied by thanking the citizens and declaring that he would never abuse the popularity now gained or turn tyrant. Don José Umaran said that such pledges raised the general higher than all his brilliant victories of Cañada Gomez, Yatay, &c. The old general seemed in great spirits, as the ovation was really most satis

factory. The assemblage then proceeded to the police department to congratulate Señor Bustamante, who has gained such popularity since his appointment, but unluckily he was absent at the time."

The chief of police has sent in the following *proces* in the matter :

"MONTEVIDEO, July 3.

"I have the honor to submit to government my summary report touching the discovery of the abominable plot to blow up the government house and the governor and ministers. The result shows the necessity for such report and reveals the nature of the crime. I am happy to say that, thanks to the noble sentiments of a German named William Haustoffer and of Mr. Honore, manager of the Foreign (German) Club, I was supplied with such exact information as to discover the plot and apprehend the criminals: it is only to be regretted that Eduardo Beltran, the chief ringleader, has escaped, notwithstanding the immediate steps I took for his arrest in all the rural departments. In conclusion I have to recommend to government the active assistance given me by all my subordinates, especially by Major Carraseo, chief commissary, Captain Quinteros, of the Sereno force, and the various police officers who labored so energetically for the apprehension of the conspirators. I also received every co-operation from Colonel Fortunato Flores and his officers. Mr. Thomas Havers, chief engineer, was employed in the scientific researches, examined the mine and premises, and will shortly submit his report.

"JOSÉ C. BUSTAMENTE."

The above was read at the government house in presence of a number of gentlemen specially invited, after which it was sent with all the documents to the *jues de crimen*.

The prisoner, Paul Nieuwayer, only made a full confession of the whole plot on Tuesday night when he heard of the capture of his cousin, who was caught in the cellar where he had been hid for 15 hours, the police not observing him in their first visit. The declarations of the former, says the official paper, reveal the fact that many friends and partisans of General Flores are more or less gravely implicated in the business. Several arrests have been made, but one of the chief accomplices (Beltran) escaped as soon as he heard of Nieuwayer's arrest. Beltran found all the money for the business, but the others no doubt contributed.

On Sunday night the governor and Bustamante were in the theatre when an urgent message came, and the gefe hurriedly left the box, but he knew of the plot from 6 o'clock the same evening. The gefe then took with him Major Carraseo, Captain Quinteros, and another commissary, all disguised, and ordered some policemen to be within call. Bustamante proceeded alone to the house indicated and saw Nieuwayer at the door waiting for some of the accomplices. The gefe gave the concerted whistle and Nieuwayer was instantly seized.

Mr. Havers reports the mine to be eight feet in length by 26 inches in width. It had already reached within six feet of the wall of General Flores's office, and in four hours more it would have been in readiness to have the train fired.

As an instance of the *sangfroid* of the conspirators it is related that one of the leaders was at a cock-fight on Sunday, the day before the intended explosion, and, on being appointed judge, said, "Very well, to-day I shall be judge in a cockpit; to-morrow I may be president of the republic."

The following description of the infernal machine or battery will be read with interest :

The apparatus contained 150 pounds of powder, and is one of Rumford's inventions for blasting, commonly called an electric multiplier. It is a powerful mechanism, fired by an electric spark, and much used in the art of war for exploding mines. The moving power consists of four of Bunsen's wires; and a number of bottles was found containing sulphuric acid and nitrate of acid. The conductors or copper wires are encased in gutta-percha, so as to convey the electric spark even through water if any should come into the sewer. The battery is small and not unlike those sold in M. Morin's shop for experiments in electric light; it is, however, sufficiently powerful to be easily fired at a distance of 400 yards. Very able reports have been handed in by the British minister and Señor Isola, both eminent chemists; and Mr. Oldham, manager of the telegraph company, is also making a report on the apparatus.

Escape of Beltran to Chili—Release of General Suarez and others.

The Noticias says that Beltran took passage on Thursday, under a feigned name, in the steamer Luxan, for Rosario. He will probably proceed at once to Chili. Letters from Montevideo mention the release of General Goyo Suarez, Colonels Manzina, Bergara, Torres, and others.

The same paper publishes in to-day's number the following letter from General Flores's private secretary :

"The Montevidean gunpowder plot.

"GOVERNMENT HOUSE, Montevideo, July 4, 1867.

"We have narrowly escaped falling victims to one of the most diabolical conspiracies ever framed. On Sunday, 30th ultimo, the plot was discovered, the ringleaders being enemies of

General Flores. It was arranged to blow up the government house next day (Monday) at 1 p. m., when all the ministers were in their offices; the mine was laid right under the building. A revolution was then to take place, a gang of armed men rushing through the streets and proclaiming the leaders of the plot as the new government. All this, and much more that I shall tell you in due time, appears from the *proces* now drawn up. The immediate director of this infernal plot was Eduardo Beltran, who has fled to your city.

"Governor Flores is determined to vindicate the cause of outraged morality, and to be inexorable with the criminals who planned the destruction of so many thousands of unoffending persons and the destruction of half the city.

"As your paper represents in the river Plata the press of one of the freest and greatest countries in the world, we trust that you will lend the weight of your influence in favor of a government that tries to administer justice fairly. Any clemency in the present case would be a fatal precedent, an outrage to common morality, and an encouragement to scoundrels who hatch such diabolical intents.

"The government has to-day commissioned Colonel Regules to demand from the authorities of Buenos Ayres the extradition of the criminal, Eduardo Beltran.

"The government of General Flores respects the frank and upright opinion of its adversaries, but this cannot fetter its action in protecting the lives of our citizens from the machinations of such wholesale assassins.

"I think I have now faithfully interpreted the wishes of General Flores, and beg to congratulate you and your respected countrymen on the miraculous escape of so many foreign residents here, owing to such a timely discovery.

"I remain, &c.,

"AMADEO ERRECART.

"Secretary to General Flores."

"The EDITORS OF THE STANDARD."

July 8.—The Standard of yesterday published the following editorial remarks in relation to the gunpowder plot in Montevideo:

"When the news of the plot first reached this city it was freely stated that the Blancos were the parties at the bottom of the whole affair, but to the credit and honor of that fallen party it must be said that not a single Blanco has been implicated. In fact, to give the Blanco party their due, we must say that they are too respectable a class for such hellish designs. As far as our knowledge of Oriental parties goes the Blancos represent the wealthiest and most respectable class in Montevideo. Had even a Paraguayan been the prime mover in the conspiracy there might be at least a desperate motive for such an act, but that men of Governor Flores's own party, some of whom are under immense obligation to him, should lend themselves to so infernal a plot shows how rotten at the core things must be in Montevideo. This appalling conspiracy proves the deep political animosity which has sprung up and the storm which is impending.

"The expulsion of Señor Ocampo from Congress has caused little short of an *emeute* in Santa Fé, and the newspapers of Entre Rios announce the general determination to re-elect him again."

July 9.—This being the anniversary of the swearing of the constitution of the Argentine Republic, it was celebrated by a *Te Deum* in the cathedral, attended by all the national and provincial authorities and the foreign corps diplomatique.

The accounts from the seat of war indicate that some movement of importance is imminent. All the army baggage was loaded and ready to start. The fleet is said to be under sailing orders and directed to force its way up the river and pass Humaita at all hazards.

July 10.—The last mail from the interior provinces brings news that the rebel leaders Varela and Medina, after being defeated by Major Charras, in their flight came upon a body of national troops under Barros and Linares. A fight ensued in which the rebels were victorious. The state of affairs in Rioja seems to be worse than ever; the rebels hold the city of that name, and General Paunero is obliged to recommence the campaign.

A. ASBOTH.

Mr. Seward to Mr. Asboth.

No. 40.]

DEPARTMENT OF STATE,

Washington, July 22, 1867.

SIR: Your full and very interesting despatch No. 28, of the 10th of last month, has been received. In reply I have to state that, in consequence of former instructions which have been addressed to you concerning the present

state of the controversy between the belligerent parties in your quarter, no further special instructions upon the subject seem at present to be necessary.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 36.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, July 26, 1867.

SIR: In connection with my report No. 34, dated 11th instant, I have the honor to inform you that President Mitre, having on the 19th instant delegated once more the chief magistracy of the republic to Vice-President Paz, sailed from Buenos Ayres on the 22d instant, to resume the chief command of the allied armies invading Paraguay. Before leaving he sent a message to congress, of which the following is a translation:

APPROACHING DEPARTURE OF GENERAL MITRE.

Note of his excellency to congress.

BUENOS AYRES, July 15.

To the honorable Chamber of Deputies:

Having fulfilled the objects which obliged me to resume the reins of power, and notwithstanding that the forces which I brought away from the seat of war to crush the rebellion are not yet ready to return to Paraguay, I have the honor to inform your honorable chamber that, in virtue of the authority given me by law of May 17, 1865, I am about to absent myself from Buenos Ayres, and leave the territory of the republic, in accordance with the necessities of the campaign in which we are engaged against the Paraguayan government, delegating, in the mean time, the national executive to the Vice-President of the republic, as the constitution directs.

May God preserve your honorable chamber.

BARTOLOME MITRE.

It is anticipated that he will reach Itapiru to-morrow, doubtless at a critical moment, when everything must be in the greatest confusion, as the main army of the allies has shifted its quarters preliminary to the long-talked-of decisive movement. The heavy rains and the repeated reconnoissances made by means of the balloon, seem to have been the cause of a change in the operations first intended. General Osorio's division, which was originally destined to invade Paraguay by Itati, has advanced to Itapiru, where it effected its junction with the main army on the 12th instant. The general is said to have brought with him 2,500 foot and 4,300 cavalry, the former of which crossed the river Parana a little above Itati, and the latter at the Paso de la Patria. He will now, it appears, take command of the first division of the army, forming a column of attack composed of 18,000 Brazilians, 2,000 Argentines, and 800 Orientals, and threaten the extreme left of the army, to the right of Tuyuti. Another column of attack is to be placed under the orders of General Gelly y Obes, while the old encampment in the Estero Bellaco, strongly fortified, will be defended by 10,000 men under Porto Alegre. According to the latest advices, the long prepared combined attack of the Marquis de Caxias is daily imminent, in which—while the Brazilian fleet is to run the gauntlet of the forts Curupaiti and Humaita, under cover of the iron-clads, as Admiral Farragut at Mobile, the main army, deploying to the right, is intended to outflank the extreme left of the Paraguayans at Las Rojas, and force its way to the rear of Humaitá, so as to cut off General Lopez from his supplies—a strategic movement which, if

successfully carried out, may lead to a decisive engagement and final struggle on terms more favorable to the allies than at Tuyuti. But, putting aside the dangers to which the fleet will be exposed, the very extended line of communication which the allies will be obliged to maintain in the enemy's country in order to secure their supplies from the river base, and the risk they will incur of being attacked by the Paraguayans in their own rear, will make the movement a very critical one, the more so as a field less favorable to military operations could scarcely be selected for an invading army, the line intended to be forced by the allies passing through the dense forests and treacherous marshes and jungles of Paraguay, which the foresight of General Lopez has rendered still more dangerous by torpedoes and all kinds of artificial hindrances. It is consequently open to doubt if this grand plan of attack will fully and finally accomplish the stipulations of the secret triple treaty, and will not have to be followed up by many subsequent attacks, with still further sacrifices of blood and treasure.

The interior provinces continue to be afflicted by the rebellious Montoneros, who appear and disappear, and require forces ten times their numbers to follow them up. By last advices it was reported that Generals Paunero and Taboada were preparing for a grand *battue* against them. The province of Tucuman has been for some time past groaning under the military despotism of a Catholic priest, Señor Campos, who, notwithstanding his sacred character, is a keen politician, and being minister of the government, kept the province under arms, having appointed himself general-in-chief of its forces. The Tucumanos, availing themselves of the absence of Minister Campos, who had come on a mission to the national government here, rose *en masse*, on the 30th ultimo, against their despotic ruler, and the constitutional governor, Dr. Posse, * * * * * having wisely given way before the manifest will of the people, and voluntarily resigned, a provisional governor was elected in the person of Don Octavio Luna, and the revolution triumphed without shedding a drop of blood, or the disturbance of public order for a single day. In the province of Mendoza the constitutional governor, Señor Arroyo, had also resigned, and the president of the provincial legislative chamber succeeded him provisionally. In congress here the chamber of deputies has held two secret sittings, in which it has been engaged in examining and discussing the articles attached to the treaty of the triple alliance. Next week is fixed for the debate on the question of the permanent seat of government, and it would appear that a large majority is pledged to vote in favor of the bill which establishes it in Rosario.

* * * * *

My daily memoranda of political events in the River Plata, from the 13th to the 25th of July, in enclosure D, to which I beg respectfully to refer, contains further detailed information with regard to the march of political affairs here since my last report.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM THE 13TH TO THE 25TH OF JULY, 1867.

July 13.—The publication of the following decree has given occasion to some severe comments in the Tribuna on General Mitre's prolonged absence from the seat of war when no justifiable reason can be assigned for his delaying in Buenos Ayres. He is urged most earnestly not to lose a day in returning to his post and taking part in the impending decisive operations in Paraguay:

Important decree of General Mitre.—Penalty of officers deserting.

WAR OFFICE, BUENOS AYRES, July 11, 1867.

1. All commanders and officers belonging to the army in the field, and at present absent from headquarters, whose furloughs may have already expired, or having previous passports, or who may be suitable for bearing arms and have not joined their regiments, shall be treated as deserters and forthwith put in prison, besides being suspended in rank and sent for trial, or otherwise disposed of as may be found convenient.

2. Any who may evade this decree shall be likewise suspended, and a list of them drawn up, to treat them according to their deserts as soon as they be arrested.

3. Whatever commanders or officers (as stated in Article 1) may be absent from their regiments when the next engagement occurs shall be set down as deserters, and submitted to trial as provided in Article 2.

MITRE.

JOSÉ M. MORENO.

July 15.—With reference to the gunpowder plot by which, as appeared, it was intended to blow up the government house in Montevideo, the following manifesto of General Flores has been published:

Manifesto of General Flores.

FELLOW-CITIZENS: Providence always defeats those criminal designs which involve deplorable consequences, and has just saved the republic from the immense and incalculable misfortunes that must have attended the diabolical plot recently discovered.

Designing and turbulent men plotting against my life, which is of so little value compared with the public welfare, did not hesitate to hatch in cold blood, and with murderous hearts, a most infernal conspiracy, which would have thrown half the city into mourning and caused numberless unoffending victims. This gunpowder plot will fill a black page in the annals of the river Plata.

Accustomed, as I am, to disregard all personal interest in fulfilling the sacred duties imposed on me by my beloved country, this horrid attempt will nowise influence me to falter in my fixed resolve of sustaining, by every means in my power, the cause of law and order.

In this sense I feel it my duty once again to assure my fellow-citizens and the republic at large that I shall remain firm in the programme of revolution and liberty, nowise deterred by whatever obstacles may rise up in my path, but upholding, with a steady and vigorous hand, the palladium of popular rights, till such time as a constitutional government can be safely inaugurated, which period I hope is not far distant, when I shall lay down the provisional powers now vested in me, and await with a quiet conscience and unalterable faith the sovereign decision of the people's representatives on my various acts.

VENANCIO FLORES.

MONTEVIDEO, July 10, 1867.

The following is taken from the letter of the Standard's correspondent from Rio de Janeiro: During last month (June) the following re-enforcements were despatched from this port to the seat of war by the imperial governments:

On the 4th by the transport San José	400 men.
On the 15th by the transport Galgö	233 men.
On the 22d by the transport Presidente	300 men.
Total.....	933 men.

Consequently during the first six months of the present year no less than 8,829 men have been sent forward to re-enforce the Brazilian army in Paraguay.

The Bourgoyne, the first of a new line of mail steamers between Marseilles and Buenos Ayres, arrived here yesterday, bringing 183 passengers and a full cargo.

July 16.—The newspapers from Chili announce that General Saa, with various other Argentine exiles, had embarked at Valparaiso for Cobja, with the intention of entering the Argentine Republic by Bolivia, to continue the civil war which has lately raged in and is still disturbing the upper provinces.

The arrival at Montevideo of the transports Itipiru, Guapari, and Arinos, is announced, bringing 600 more recruits from Rio Janeiro for the army in Paraguay.

July 17.—The Standard publishes to-day the translation of a note addressed by President Mitre to Congress, dated the day before yesterday, in which he announces that in virtue of the authorization granted to him by the law of May 17, 1865, he is about to leave Buenos Ayres to resume his post as commander-in-chief of the allied army against Paraguay, delegating in his absence the executive into the hands of the vice-president of the republic.

The following second decree on absentee officers has also been published to-day:

Second decree on absentee officers.

WAR OFFICE, BUENOS AYRES, July 15, 1867.

ARTICLE 1. All furloughs without fixed date, given to commanders and officers on service in the field, shall be considered to have terminated to-day, and all such officers shall be allowed 24 hours from this date to present themselves at the Inspeccion General de Armas to receive their passports.

ARTICLE 2. The only exception to the above shall be for sick and wounded actually under treatment, or who may have received special license to look after their health, but all such parties must produce the army surgeon's certificate in proof of their condition.

MITRE.

JOSÉ M. MORENO.

One of the local papers of this city states that the late losses of ammunition and fodder suffered by the allies in consequence of the floods were caused by Lopez's having opened some sluice-gates and thus completely inundated their camp. The same paper asserts that the Paraguayans are aware of Osorio's intention to cross the Panama at Itali, and are raising fortifications at that place.

July 18.—The Proveedor, arrived yesterday from Corrientes, brings news that on the 12th instant Osorio had disembarked at Itapiru with nearly 5,000 men. On the 8th instant the balloon made a second ascent with the Polish engineer Major Chosadiewiez, and a Paraguayan officer, Lieutenant Cespedes, who commands the guides in the service of the Argentine Republic. The balloon remained two hours in the air, and Major Chosadiewiez obtained a very clear view of all the Paraguayan fortifications. The Paraguayans fired at the balloon, but it was beyond the range of their artillery, and they only succeeded in killing four of the men who were at the ropes holding it.

A revolution had broken out in Tucuman on the 30th ultimo. It was made by the liberal party, and having been supported by the national guard *en masse*, had triumphed without any effusion of blood. It was expected that the deposed governor. Dr. Posse, would resign, and that a change of government would be effected without disturbing public order.

July 19.—Official despatches have been received by this government from that of Chili announcing that General Saa has undertaken a new expedition against the Argentine provinces, having started from Cobija for Salta. General Taboada, with a column of 1,000 foot and 300 horse, was, by latest accounts, moving against the city of Rioja, where Varela has his headquarters.

The national senate, in its yesterday's sitting, has confirmed the following promotions made by the president: to be brigadier general, General Paunero; to be generals, Colonels Conesa, Dominguez, Arredondo, and Martinez.

July 20.—Pursuant to a decree of the president of the republic issued the day before yesterday, enacting that, as he was about to absent himself on public service, in accordance with the leave granted by Congress on the 17th May, 1865, the vice-president should take his place during his absence, the chief magistracy of the republic passed yesterday into the hands of Vice-President Paz.

The committee of the national house of deputies to which had been referred the bill of Deputy Quintena, for fixing the capital of the republic in Rosario, has agreed, by a majority of three against two, to recommend a new measure, enacting that the capital shall be on the line of railway between Rosario and Cordoba, but not in either of those cities.

It is announced from Montevideo that General Flores will arrive here to-morrow, for the purpose of conferring with President Mitre prior to the departure of the latter for the seat of war in Paraguay.

July 22.—President Mitre embarked to-day at 12 noon to resume the command-in-chief of the allied army in Paraguay. He was accompanied to the mole by the vice-president, his ministers, the members of the provincial government, and a large concourse of people.

It appears that Dictator Flores changed his mind about coming to Buenos Ayles, and has sent in his stead Colonel Bustamante, chief of police, and his private secretary, D. Amadeo Errecart, to confer on his behalf with General Mitre.

The provincial chamber of deputies of Cordoba has sanctioned a bill authorizing the governor to offer that town to the national congress as the future capital of the republic.

July 23.—It appears that matters are rather unsettled in Montevideo, owing to which General Flores was prevented from carrying out his intended visit to President Mitre. His son, Colonel Fortunato Flores, who, by his brutal conduct, has become the terror of Montevideo, has been banished to Europe, and was to have left to-day.

Her British Majesty's gunboat *Dotterel* will leave for Paraguay on the 26th instant, carrying Mr. Gould, the secretary of the British legation. Through the kindness of Mr. Buckley Mathew, the British minister, she will take despatches and papers from this legation for the Hon. Chas. A. Washburn, United States minister in Paraguay.

Some of the Brazilian papers received by last mail seemed to be alarmed at the intention of the Argentine government to fortify the island of Martin Garcia, as shown by the vote of

Congress authorizing the expenditure of 400,000 hard dollars in the purchase of heavy artillery. According to their views the fortification of the island would be in direct violation of the treaties of 10th July, 1853, and 7th March, 1856.

July 24.—The press of Buenos Ayres has lately been discussing the question of fixing the permanent seat of the national government, and all the papers, with the exception of the *Nacion Argentina*, advocate the change from Buenos Ayres. In congress it appears that the majority is in favor of Rosario, and it is expected that the question will be settled in the course of a few days.

Late accounts from the interior show a very unsatisfactory state of things in the provinces, more particularly in those of Rioja and Catamarca. Rioja is said to have suffered terribly not less from the rebels than from the liberating forces of General Taboada. Within the last seven months Rioja has had no fewer than 15 governors. In Catamarca the vicissitudes of administration have been scarcely less remarkable; the liberal party have put into power 17 governors in less than four years.

July 25.—The mail from the interior brings news that the revolution in Tucuman had terminated peacefully, as was anticipated. The late governor, Dr. Posse, had resigned and a provisional governor named for two months, who had assumed power without public order having been disturbed, and without the loss of a single life. The rebel Varela had been again defeated by the national forces. The following official account of this action is taken from the *Standard*:

Captain Maldonado reports having defeated Varela, as follows:

“General ANTONIO TABOADA: I beg to inform you that, in fulfilment of your orders to pursue the bandit Felipe Varela, I overtook him and his forces at Chilecito. We had a dreadful fight in a *carrol*, my troopers having dismounted, and after killing nine of the enemy, and taking 30 prisoners, besides all their horses, we were masters of the place. Varela, Brandan, and two Chilian officers, with the rest of the rebels, cleared out towards the mountains, my men pursuing, although they had neither eaten nor slept for two days. My men fought bravely, and we had not a single man killed or wounded.”

The statement, however, of the reporting officer, that his men after a dreadful fight had become by their bravery masters of the field, and then pursued the enemy, although they had neither eaten nor slept for two days, while after all these deeds of valor not a single man of them was either killed or wounded, sounds too much like exaggeration to deserve much credit.

A. ASBOTH.

Mr. Asboth to Mr. Seward.

No. 37.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, August 9, 1867.

SIR: The latest papers from home have brought the intelligence that the long-talked-of cession to the United States of the Russian possessions in America has become *un fait accompli*, and has been made public by a proclamation of the President. I now therefore respectfully beg leave, as one of the representatives of the United States government abroad, in the name of my fellow-citizens here, to congratulate you most sincerely upon this very important national acquisition.

We joyfully hail in this an additional triumph of that high and patriotic statesmanship which, whilst it made you the leading spirit in the mighty struggle for the abolition of slavery in our great republic and enabled you to save, during the gigantic contest, our country from a foreign war, opens now the pathway to the peaceful possession of the Pacific coast from Mexico to the Arctic regions.

While recognizing the profound sagacity which has seen in Russian America an acquisition which will prove a material boon to the whole Union, particularly to those States nearer to the Pacific, your fellow-citizens here dwell with greater pride on the political foresight which has looked beyond material advantages and appreciated the opportunity for the further extension of democratic institutions and republican rule in this hemisphere, thus contributing to mould all its peoples into that spirit of liberty, of self-reliance and enterprise, of untiring activity and political and religious generosity which have made the United States prosperous and powerful, and conquered for them the admiration of the world.

When the vestiges of the mighty convulsion through which the great Union has had to pass are effaced, and the work of reconstruction, fully uniting it once more in heart and soul, is thoroughly accomplished, the whole mass of its people and all future generations will bless your name for having by this wise and farsighted policy added one more link to the long chain of patriotic services by which our country is bound to you in everlasting gratitude, and you must kindly allow me thus to record my own sincere thanks as well as those of our fellow-citizens here for the great boon you have conferred upon the whole Union by a treaty which secures such incalculable benefits materially as well as politically.

May you long live to give to the nation's councils the powerful assistance of your patriotic energy and matured wisdom, and may you have the satisfaction of witnessing to the full the blessings secured by your enlightened and humanizing policy.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Asboth to Mr. Seward.

[Extract.]

No. 38.]

LEGATION OF THE UNITED STATES,

Buenos Ayres, August 10, 1867.

SIR: In connection with my despatch No. 36, dated 26th ultimo, I have the honor to report that the long-looked-for account of a decisive action in Paraguay has not yet been received. By latest news the main allied army, consisting as is asserted of about 30,000 men, which, as anticipated in my above-mentioned report, began its flank march on the 22d ultimo, had on the 31st of the same month reached a place called San Solano, to the rear of Humaita, and about a league and a half distant from that fort. President Mitre, who had simultaneously landed at Itapiru following the somewhat original invitation of the Marquis de Caxias, which I beg to enclose, marked A, arrived at headquarters on the same day and at once resumed the command-in-chief. In their circuitous march the allies had met with no opposition from the Paraguayans, who seem to have fallen back within their intrenched lines round Huamita, setting fire to every camp as they retreated. The vanguard under the orders of Osorio had pressed forward to a place further north called Pilar, but the Paraguayans, lurking along the extended line of the invading army, had succeeded in carrying off a troop of 800 cattle, which proves the insecurity of the allied army's communications with its river base, and the great risk it runs of having its supplies cut off, unless it can put itself in contact with the Brazilian fleet above Humaita. No signs, however, of a movement on the part of the fleet is reported.

The state of affairs in the interior provinces gives room to fear new troubles. The government has received official intelligence that Juan Saá, one of the leaders in the late revolution, after reorganizing a force in Chili, had landed at Cobija and set out on an expedition against the Argentine Republic. Energetic measures to meet the occasion are said, however, to have been adopted, both by General Paunero and by the governor of Salta, by which province it was surmised that Juan Saá intended to invade the Argentine territory.

The house of representatives of the national congress has passed a bill making Rosario the future permanent capital of the republic. The bill is now before the senate, by whom also it will probably be approved.

On the night of the 27th ultimo, a second fire broke out in the government house here, and, with the exception of the documents and the cash kept in the iron safes, destroyed almost everything that had been saved from the former one. The cause of the fire is still a mystery.

The national government has applied to the Provincial Bank for a loan of 2,000,000 of hard dollars, which it will most probably obtain, since the provincial government is in favor of granting it.

* * * * *

Enclosed, marked E, you will moreover please find copies of another note of Señor de Elizalde, dated 1st instant, with the official announcement that Vice President Paz had once more taken charge of the executive, consequent on President Mitre's departure for the seat of war, and of my reply thereto.

For further particulars I beg respectfully to refer you to my daily memoranda of political events in the river Plata, from 27th ultimo to 10th instant, in enclosure D.

I have the honor to be, sir, very respectfully, your obedient servant,
A. ASBOTH.

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

—————
Marquis de Caxias to General Mitre.

[Translation.]

HEADQUARTERS, IN NEYUTE, July 23, 1867.

YOUR EXCELLENCY: I have been favored by his excellency, General Don Juan A. Gelly Y. Obes, with the announcement of your excellency's safe arrival at the camp in Tuyuti, for which I and the allied armies congratulate ourselves most cordially, awaiting the orders which your excellency as commander-in-chief may be pleased to transmit to me, in order that I may duly carry them out.

Meanwhile I beg herewith to inform your excellency that having undertaken a march at the head of the allied armies on the 22d instant, I took the direction of a pass called "Tio Domingo," and wading at that point the Rojas stream, we followed in a line parallel with it, seeking the left of the enemy's entrenched lines, where they have as it appears to me reconcentrated themselves, without, however, having up to now opposed any impediment to our march.

The position we occupy to-day is that of Neyute, which as your excellency knows is at about a short league distance from the Rojas stream and the Piris pass, and our communication with the base of operations remains as yet clear. This means that if your excellency, complying with the wishes of the allied armies, should decide upon coming and honor this camp with your presence, you can do so with the utmost safety.

It will be agreeable to me to hear that your excellency, notwithstanding the drawbacks generally attending a journey, has suffered no alteration in your health, which is so valuable.

I avail myself of this opportunity to renew to your excellency the sincere assurances of esteem and high consideration with which I have the honor to be your excellency's

MARQUIS DE CAXIAS.

His Excellency General DON BARTOLOMÉ MITRE,
*Commander-in-chief of the allied armies in
the field against the government of Paraguay.*

—————
DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM THE 27TH
JULY TO THE 10TH AUGUST, 1867.

July 27.—Another fire broke out last night in the government house here and destroyed what had been spared from the one which occurred on the 14th ultimo, as owing to the very defective arrangements for fire engines and water supply the flames were not got under until they had completely burnt out the whole building. All that was saved was the papers and cash contained in the iron safes. There are naturally some strong doubts of foul play, but they do not as yet go beyond unsupported suspicions.

July 29.—The Tribuna publishes the budget and custom laws submitted by the finance minister to congress. Expenditure for 1868, 8,000,000; ways and means, 10,500,000; extra

duties, 3,000,000; surplus income, 2,500,000. The custom laws remain unaltered both in imposts and exports.

The provincial government has offered to make room for the national government in its own house of business, but the latter has accepted accommodations only for the department of the interior.

July 30.—The Pueblo says that in the secret session held last week in congress, a very animated debate took place. Dr. Elizalde, the minister for foreign affairs, was questioned by the house, which was entirely opposed to him, and the result was the unanimous rejection of the articles of the protocol attached to the triple alliance treaty.

The Martin Garcia fortifications are the great topic of the day in the Rio papers, and the question is likely to assume alarming dimensions. The Tribuna of to-day reproduces and comments upon an article of the Diario de Rio, which insists that no fortifications should be allowed to be raised in Martin Garcia when the treaty of the triple alliance disarms Paraguay. The Tribuna maintains the perfect right of the Argentine Republic to fortify the island.

In Montevideo people look with considerable distrust upon the crisis which the coming elections in November will bring about in the capital. General Flores finds himself at present in a position which will require an extraordinary degree of talent to extricate himself from in any satisfactory manner. The daily increasing risk he runs of being assassinated, unless he puts an end to the present unsettled state of things, and takes some decided step to give to the country its constitutional form of government, is subject of open talk in Montevideo.

July 31.—The question of the permanent seat of government, which is to be brought before the House of National Representatives to-day, has for some time past been extensively discussed by the local press. To-day's Tribuna contains an article from the pen of Juan Carlos Gomez, one of the most talented writers of the day in the river Plata, advocating the fusion of the Argentine, Uruguay, and Paraguay republics into one nation, "the United States of the River Plata," having its capital in Montevideo. Señor Gomez is himself an Oriental who lives in voluntary exile because, although he belongs to the Colorado party, he is personally opposed to General Flores. The Tribuna makes some comments favorable to the idea initiated by Señor Gomez.

The following extract from a correspondence from the seat of war in Paraguay is taken from to-day's Standard, and gives the number of Paraguayan batteries and the strength of the allied army:

"Yesterday there was another grand balloon ascent, taking up four persons. Mr. James Allen is a clever aeronaut. We are on the eve of a dreadful battle, but it will not be the last. The Paraguayans are very strong, and, besides their parks of field artillery, we have counted from the balloon the following batteries:

Avanzada	24	Berges	1
Rancho	3	Mirador	2
Mme. Linch	8	Pererria	6
Lopez	7	Aguiar	6
Diez	7	Caray Guasaie	5
Barrios	10	Ultima (izquierda)	10
Hijo de Lynch	2	Angulo	9
Malacoff	3		
Naranjal	2	Total number of guns	109
Corrales	4		

"The allied forces on march are—

Brazilians	23,000
Argentines	6,000
Orientalis	1,500

"The division left to protect our camp at Tuyuti comprises 13,120, of whom 12,000 are Brazilians and the rest Argentines and Paraguayan prisoners of war.

"MATTOS."

August 1.—The Tribuna publishes the tables of exports and imports for last year, taken from the report of the finance minister, which show a steady increase over those of the preceding year. The total imports in 1865 were \$27,103,017; in 1866, \$32,269,082. The exports in 1865 were \$21,996,777, and in 1866, \$23,029,711.

The Standard says that the national government has obtained a loan of \$200,000 from the provincial government.

The provincial legislature of Santa Fé has sanctioned a law offering to congress the city of Rosario for the purpose of making it the capital of the republic.

August 2.—The following is taken from the Standard of to-day, announcing the advance of the allies in Paraguay:

THE WAR IN THE NORTH.—IMPORTANT LETTER FROM SINBAD.—ADVANCE MOVEMENT OF THE ALLIES.

ITAPIRU, July 26, 1867.

GENTLEMEN: On the morning of the 22d the long-looked for move was made at Tuyuti. Caxias, at the head of 20,000 men of all arms, left the encampment, following an easterly course, leaving the fens of Estero Bellaco wide upon his left. In the afternoon a junction was made with the vanguard that marched hence from this point yesterday, under the command of Osorio. The aggressive allied forces passed the night at a distance of three leagues from the starting place. The balloon was seen during the day a little above the horizon, accompanying the march. At sunset it had a very different bearing from the previous ascent. Up to a late hour of the day not a single Paraguayan had been seen by the invaders. Porto Alegre, with 8,000 men strongly entrenched at Tuyuti, remained in defence of the lines established there. A short half league hence is encamped a reserve force of 2,000 Brazilian cavalry. The earthworks that are being raised here are nearly finished. The extraordinary fineness of the weather favors the onward movement; the mornings and nights are cool; the days are calm and cloudless; the noonday sun, however, is a warning that summer is impending, when the thermometer will indicate 100° and upwards of heat; when fatal fevers, or perhaps the cholera, will be rampant; when every nook and corner will be swarming with millions of flies and gnats which give no rest by day, while myriads of mosquitos, with their detestable hum, and still worse painful bites, give no peace at night. At present we are free from these Egyptian plagues, but in their absence we have a dangerous insect to cope with, the "pique," known in tropical climes as the "jigger." At the present moment in the Argentine hospital there are several cases deserving pity; the sufferers are unable to move, owing to their heels and toes being lacerated in a shocking manner while extracting the hurtful vermin; in more than one instance lockjaw has supervened the operation.

August 3.—A decree of the national government published to-day grants to each of the provinces of San Luis, Mendoza, San Juan, and Rioja, on account of what they have suffered during the late revolution, an extraordinary subsidy of 20,000 hard dollars, to be paid in monthly instalments of 5,000 dollars.

In yesterday's sitting of the National House of Deputies the question of the future capital of the republic was decided. Dr. Quintana's bill removing it to Rosario was carried by a large majority. The debate was very animated.

The Standard says that the debate in the Senate on the triple alliance treaty has been kept a great secret, but it would appear that the Senate approves the vote of the lower house, and that the articles of the protocol will be cancelled.

The news from Rioja is of a most melancholy nature. The full detail of the plunder and rapine published by the newspapers are scarcely to be credited. Taboada is, however, in possession of the province, and there is now some law and order maintained. The Tribuna calls upon the deputies of Rioja to appeal to congress for a subscription in favor of the many families reduced to beggary in this unfortunate province, certain that it will be generously supported by the people and the government.

August 5.—The English steamer Georgia Belle brings dates from Paraguay to 31st ultimo. President Mitre had arrived at Tuyuti. The allied army was on the march, but was not supposed to have gone more than eight leagues from Tuyuti. The fleet had not moved yet to attack and pass Humaita. It is said the Marquis de Caxias has stated the Paraguayans have 40,000 men, and that he was deceived as to their numbers, having hitherto believed them only 20,000 strong.

The Tribuna publishes a long article to prove that the legislative assembly of the province of Santa Fé has violated its provincial constitution by passing the law offering Rosario as the future capital of the republic.

The same paper reproduces the note of the Brazilian minister in Paris, dated 12th June last, answering Señor Berge's note to the Hon. Chas. A. Washburn, of 24th March of this year, relative to the causes of the present war in Paraguay.

August 6.—The Cisne, arrived late yesterday afternoon from the seat of war in Paraguay, has brought dates from Itapiru of the 2d instant. On the 1st the main army had reached the village of Tuyuleu, distant only one league from Humaita. The vanguard, under Osorio, had had a brush with the enemy's cavalry, who attempted to dispute the pass called Tio Domingo. The Paraguayans are said to have fought valiantly, but were overpowered by numbers, and left more than 100 dead on the field. General Mitre joined the headquarters of the army on the afternoon of the 31st. He made a march across the country through very dangerous ground, having almost to cross through the enemy's advanced lines, at one of which they tried to impede his passage but were driven back. On his arrival the Marquis de Caxias surrendered the chief command, and the whole army was placed under President Mitre's orders.

In Entre Rios, Deputy Ocampo, who was lately expelled from congress, has been unanimously re-elected.

August 7.—Further details from the seat of war, published from private correspondence and other sources, do not tend to throw much light on the operations and present position of

the allies. It would even appear, according to some, that the army had advanced too far, and that it is in the most critical position, unless the fleet pass Humaita. But, by last dates, the iron-clads were at the same anchorage in the river Paraguay, abreast of the abandoned works at Curuzu.

August 8.—Reports that the government of Entre Rios had invested largely in the purchase of fire-arms gave rise, some short time ago, to an article in the *Nacion Argentina*, calling upon the national government to ask explanations from that provincial government about such apparently hostile measures. The *Uruguay*, a newspaper which passes for being the official organ of the Entre Rios government, has published a violent article in reply to the *Nacion Argentina*, in which it openly avows that the armament purchased by the government of Entre Rios is destined to combat and resist the intentions of the national government, which it goes so far as to style a "black tyrant." The *Tribuna*, in reproducing this article of the *Uruguay*, comments severely upon its undignified and irritating tone, and maintains that, if General Urquiza be driven by those who surround him to raise once more the banner of revolt against the national authorities, he can have no chance of success against the rest of the republic, and that his real enemies are those who may force him into hostilities, since no one, more than General Urquiza himself, feels the necessity of peace.

The *Tribuna* says that all the theatres are preparing to give patriotic demonstrations on the night of the day in which the news of the battle, expected to take place every moment in Paraguay, arrives, in case it should be favorable to the allied arms.

August 9.—The Susan Bearne, which was anxiously looked for with news from Paraguay, arrived here yesterday, bringing dates to the 4th. No fight whatever had taken place, and the fleet had not even attempted to pass Humaita. The army rests in the same place as by last accounts, and the Paraguayans continue to harass the line of communication. They had succeeded in carrying off a troop of 800 to 1,000 head of cattle, and General Hemos, at the head of a flying column, had been detached to protect the connecting army road.

August 10.—The following are extracts from a correspondence, dated Itapiree, August 4, published in to-day's *Standard*: "Although the Paraguayans never appeared in such force as to threaten our flank, still the extreme length and irregular nature of the road, occasionally traversed by streams and marshes, and covered here and there on either side by dense woods, offered shelter to the numerous small squads who prowled about to cut off stragglers." "I am inclined to believe that the campaign is far from being concluded. Lopez has shut himself up within a series of ditches and parapets, extending from Curupaity to Humaita and thence to his extreme left in Tuyuti." "The loss of the 800 head of cattle produced a fearful sensation in Tuyu Cue"; and, although there was no lack of provisions, the troops were immediately put on half rations."

The national government has received a *chasque* (special messenger) from the governor of the province of Salta, announcing that Juan Saa, who was already known to have disembarked in Cobija, had put himself in march at the head of a considerable number of followers and reached a place called Calama, in Bolivia, 30 leagues inland from Cobija, where, after refreshing his horses, he intended to invade the Argentine territory by the province of Salta. The government of Salta, as well as General Paunero, seem to have taken all the necessary measures to give the invaders a proper reception.

A. ASBOTH.

Mr. Asboth to Mr. Sevard.

[Extract.]

No. 40.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, August 26, 1867.

SIR: In connection with my despatch No. 38, dated 10th instant, I have the honor to inform you that the most important news received from the seat of war in Paraguay during the past fortnight is the movement of the first division of the Brazilian fleet, which, composed of 10 iron-clads and one small wooden steamer, the *Lindoya*, left its anchorage near Curuzu on the morning of the 15th to ascend the river. As the iron-clads passed Curupaity they sustained a terrific fire from its batteries, but proceeding at full speed with ports closed and bags of sand round their weakest points, they sustained less injury than was expected. The *Tamandaré*, *Columbo*, and *Herval* suffered most. The casualties amounted to only two men killed and 19 wounded—among the latter, the captain of the *Tamandaré*, severely. A strong iron chain placed diagonally across a narrow bend of the river just in front of Humaita obstructs the further progress of the fleet, which has now taken shelter behind a small island almost in

front of Humaita, from which position a continuous firing is kept up at the fortress and at the obstructions in the river.

The allied land army still occupies the same position as reported in my despatch above alluded to, and its complete inaction affords the Paraguayans time to strengthen their old fortifications and throw up new ones, and thus render an attack by the allies every day more difficult. The Paraguayans have also again occupied the Curuzo position, abandoned by the allies, and are busy mounting heavy guns there.

While matters stand in this critical position at the seat of war, the party of reaction in the Argentine Republic is again putting forth its hydra head of rebellion. A revolution broke out in Cordova on the 16th instant, pregnant with the most serious and alarming consequences.

It appears that Governor Luque, of Cordova, having suddenly determined upon a journey to Buenos Ayres for the purpose of conferring with the national government, had delegated the governorship of the province to Don Carlos Roca and left Cordova. He had, however, scarcely arrived in Rosario, on his way to Buenos Ayers, when a messenger from the governor delegate Roca overtook him, and informed him that the day following that on which he had started from the capital of his province, a revolutionary movement, headed by one Luengo, had successfully broken out; that the national minister of war, General Martinez, who happened to be in Cordova on a mission from the federal government, the commander of the national forces in the province, Colonel Ayala, and the federal judge, had been thrown into jail, and that he, the governor delegate, had been obliged to hide in a convent. On the receipt of this alarming intelligence, Governor Luque, seconded by Governor Oroño, of Santa Fé, at once proceeded to take the most energetic measures to put down this outbreak, and on the morning of the 19th started back again from Rosario towards Cordova, accompanied by Governor Oroño and a small force of Santa Fé national guards. The news reached the national government here on the 19th, when it immediately issued a decree against the authors and abettors of this new revolution, and appointed General Conesa to march at the head of an expeditionary force to re-establish order and release from jail the imprisoned national authorities. A copy of this decree you will please find in enclosure A, my daily memoranda of political events from the 12th to the 24th of August, under date of the 22d. Minister Rawson was, moreover, despatched yesterday to the theatre of disturbances under a commission from the national government. By latest accounts General Conesa had proceeded on the 24th instant from Rosario to Villanueva, where Governor Luque was waiting for him at the head of 1,200 men.

The news of this Cordova revolution seems to have had not a little influence upon the deliberations of the national senate on the question of the capital, inasmuch as on the very day of its arrival, the bill fixing the capital in Rosario, sent up from the lower house, where it had passed by a large majority, was thrown out in the upper house by the very narrow majority of one, the numbers being 11 for and 12 against the motion.

* * * * *

For further details I beg leave respectfully to refer you to enclosure A, already alluded to, containing my daily memoranda of political events in the river Plata from the 12th to the 24th of this month.

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

A. ASBOTH.

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

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM THE 12TH TO THE 24TH AUGUST, 1867.

August 12.—The mail steamer from Paraguay, arrived yesterday, has brought news of a partial engagement between a column of the allied and another of the Paraguayan army. A translation of the official document is herewith appended:

“SAN SOLANO, August 3.

“To his Excellency General MITRE, *Commander-in-chief*:

“Having returned from the commission intrusted to me, I have the honor to report as follows:

“Before daybreak I set out with my division, taking Colonel Rodriguez’s 11th regiment. Arriving near San Solano I ordered Colonels Sobrinho and Da Silva, with their respective regiments, to support Rodriguez. At 7 a. m., when within 1,500 yards of San Solano, Rodriguez came upon an enemy’s picket of 20 men, who fell back to Penimbu. Here the Paraguayans had a force of 600 or 700 cavalry, mostly badly mounted, which he drove back and pursued as far as Arroyo Hondo, some three miles from Penimbu.

“Brigadier Neves being then ordered up with three companies, the enemy were routed and put to the sword as far as Posta Chuché, some six miles below Villa Pilar. Many of the fugitives saved themselves in the woods.

“The enemy’s loss is estimated at 150 slain and 34 prisoners, besides a booty of 600 head of cattle, 360 horses, two wagons, 400 lances and carbines, seven swords, and a quantity of sappers’ implements. We have, moreover, cut their telegraph wires running from Humaita to Asuncion in 10 or 12 places, destroying their communication for about four leagues.

“At 11 a. m., being close behind Humaita, I ordered the advanced columns to fall back; and, when all my forces were reassembled, we marched back to San Salano and encamped here at 2 p. m. Our casualties do not exceed one man killed and eight wounded. In crossing the bridge over the Arroyo I detailed the Argentines and a Brazilian corps to cover our rear. This is all I have to report in the matter.

“ENRIQUE CASTRO.”

The national government has revoked the edict of punishment against Messrs. Navarro Viola, Plaza Montero, Lacalle, and others, who had been exiled on account of the supposed revolutionary movement said to have been discovered at Buenos Ayres in the month of February last.

August 13.—The following extract from a private correspondence from the headquarters of the allied army, dated Paso Canvas, August 6, 1867, is published in to-day’s *Tribuna*: “We find ourselves on the extreme left of the enemy’s lines, in sight of Humaita. It seems resolved that we are to besiege and not attack. Since the movement began all the army has felt confident of the good result of this operation. On our march we did not fire a single shot. Lopez has reconcentrated his men within his fortifications, and only a portion of the Rio Grande cavalry had a brush with the enemy and made a brilliant charge near the small village of Turulene.”

There are some flying rumors that a general citation of the Entre Rivo militia has been determined on, and that the whole of the provincial forces are to be called out about the 1st of September next. People, however, who come down from Entre Rios report everything quiet there and no sign whatever of any disturbance.

Pursuant to a printed circular from the Austrian consulate here, all the diplomatic and consular foreign agents of monarchical powers represented here hoisted their flags at half-mast to-day, in memory of the late Prince Maximilian, emperor, so-called, of Mexico. Neither the local government of the Argentine Republic nor the legations and consulate of the United States of America and of the republic of Chili have taken part in this manifestation.

August 14.—The *Standard* of to-day publishes a letter from its correspondent at the seat of war, dated the 9th instant, from which the following is an extract: “Respecting the battle, we will not attempt to predict when it may take place. It would seem to be the policy of Lopez to avoid fighting. It may answer his purpose better to make a network of ditches on all sides, to seek the shelter of the jungles and bogs, and from thence carry on a guerilla warfare. Perhaps in the whole universe there is not a spot of such peculiar fitness for a small force to dispute with a greater number than the Estero Bellaco and the circumjacent country.”

The diplomatic and consular agents of foreign monarchical powers represented here hoisted their flags at half-mast again to-day on account of the death of the late emperor, so-called, Maximilian.

August 15.—The following translation of an article from a Brazilian newspaper, the *Diario do Rio*, is published in to-day’s *Standard*:

“THE ISLAND OF MARTIN GARCIA.—The question which we raised relative to the fortification of Martin Garcia was frankly and opportunely represented to the chamber by the deputy, Joaquim Manuel de Macedo.

“His excellency announced his intention to address his inquiries on this subject to the min-

ister of foreign affairs, and it is to be expected that as far as diplomatic secrecy permits, the government will furnish at once satisfactory explanations.

"Under all its aspects this is a most serious question. It is the future menace, if not the announcement of a conflict which must turn out a sanguinary one.

"The fortification of the island of Martin Garcia by the Argentine government would, at the present moment, be the denial of its own policy in relation to the war with Paraguay.

"In this there would be a want of logic and a want of loyalty which we cannot expect from an allied and friendly government.

"The first gun fired from the new fortification, if it were carried out, would be in direct opposition to the treaty of the triple alliance and to the very declaration of war against the government of the dictator of Paraguay. Laying aside the affront to the two countries given by that tyrant, the Paraguayan war is carried on in the name of principles of humanity and civilization.

"The freedom of river navigation, upheld by Brazil, at the cost of her best blood, as a cardinal principle of her policy and a reciprocal guarantee to the commerce and to the peace of South America, can by no means ever again admit of sophisms.

"The want of action on the part of the empire, in the face of this monstrous and ill-timed measure adopted by the Argentine congress, would involve a lamentable complicity, and render the imperial government author and victim of an incurable error.

"The confidence which we still feel in the good sense and loyalty of the Argentine people and government leads us to expect a prompt and amicable solution of the difficulty which has so unexpectedly arisen."

This being the birthday of the Emperor Napoleon, the French minister gives an official dinner, to which all the diplomatic corps here are invited, as well as the Argentine minister for foreign affairs.

August 16.—The last steamer from the seat of war has brought the news that on the 11th instant a column of Paraguayans attacked a convoy of 30 carts within half a league of Tuyuti. They defeated the guard that accompanied it, and were carrying off the booty, when re-enforcements sent from the allied lines succeeded in recapturing a portion of the convoy.

August 17.—The Standard of to-day publishes the following:

"ARMY CORRESPONDENCE.

"*Private letter of an Argentine officer.*

"TUYUCÚ, August 6.

"We are now nearly 30 miles from our old encampment of Tuyuti. I do not think there is any chance of either party risking a battle, although our position is a difficult one. You can have no idea of the impenetrable nature of the country, and the bravery of the Paraguayans is beyond all question. Between us and Humaita there is an impassable morass, called Estero Ondo: at one narrow part, about six miles from the outworks of Humaita, our engineers are making a bridge. General Enrique Castro, with a division 3,000 strong, fell the other day on a body of 700 of the enemy's cavalry, who fought desperately, and many perished sword in hand, refusing to take quarter, the rest escaping in the woods. Enclosed is a likeness of Sergeant Gonzales, who maintained a terrible hand-to-hand conflict with 10 Brazilians. He was at last overpowered and his life spared, and when asked why he refused quarter, he replied, 'Because I am a soldier; and so are all Paraguayans!'

"AUGUST 8.

"P. S.—Yesterday and to-day the enemy have been bombarding us, and we have removed our artillery magazine to the rear."

August 19.—A bill has been introduced into congress by Dr. Granel respecting the civil marriage of Protestants, which, with slight alterations, would fully meet the wishes and desires of the Protestant clergy, who are the best authorities in the matter.

On Saturday the discussion on the bill for removing the capital to Rosario was begun in the senate. It is expected that the division will be a close one, as opinions are very much divided on the subject.

August 20.—News of an alarming character arrived yesterday from Cordova. It appears that Governor Luque had started from that city on his way to Buenos Ayres, arriving in Rosario on the 16th instant. The next day news overtook him that the moment he had left Cordova a revolution had broken out in that city, headed by one Luengo. The national minister of war, General Martinez, who happened to be there, had been made prisoner, together with the commander of the national forces, Colonel Ayala, the federal judge, and other notable persons. On the receipt of these news Governor Luque prepared to retrace his steps, and being actively seconded by Governor Oroño, of Santa Fé, started back for Cordova in the night of the 18th, at the head of 200 national guards.

From the provinces in the north there is nothing particular, except that active preparations were going on to crush Varela, who was being surrounded on all sides, and to oppose the invasion of Saa.

The Galgo, steam transport from Rio de Janeiro, arrived yesterday in Montevideo with 350 recruits for the Brazilian army invading Paraguay.

By last accounts from the seat of war it appears that the Brazilian fleet proceeded to ascend the river on the 15th instant, and passed Curupaiti under a heavy fire, in which the iron-clad Tamandaré was disabled and her commander severely wounded.

In yesterday's sitting of the senate, the bill fixing the capital in Rosario was thrown out by 12 votes against 11.

August 21.—The following is an extract from the Standard correspondent's letter from Itapiru, dated 15th instant:

"Commander Michell, commanding her Britannic Majesty's gunboat Doterel, with Mr. Gould, secretary of the British legation in Buenos Ayres, returned to-day from the camp of Casaas, apparently well pleased with the reception they had met with, having had the honor to dine with the Marquis de Caxias, visiting Porto Alegre, Mitre, and the camp of Osorio. They report the troops to be in excellent spirits, well clothed, contented, and anxious to be at close quarters with the Paraguayans."

August 22.—By latest news from Paraguay, it appears that the whole fleet has been brought to a stand-still in front of Humaita, owing to the canal being completely blocked up, and that to effect a passage with the iron-clads is utterly out of the question.

The national government has, on account of the Cordova revolution, issued a decree, of which the following is a translation:

"Decree of the national government relative to the Cordova rebellion.

"BUENOS AYRES, August 20, 1867.

"Whereas it appears from official communications and trustworthy information received by the government, that on the 16th a revolutionary movement broke out in the city of Cordova, which not only resulted in the deposition of the constituted provincial authorities, but reached the scandalous point of causing the arrest both of his excellency the minister of war and marine, who happened accidentally to be there in the discharge of a national commission, of the federal judge of that section, and of other national authorities; and considering that, in view of so grave an offence, doubly criminal on account of the aid it lends the foreign enemy, the promoters of this movement have ranged themselves in open rebellion against the constitution and the laws of the nation, that it is the sacred duty of the general government to afford those who act in its name, and in the name of the nation, the most ample and efficacious protection, without which the exercise of the public power is impossible; and finally, that on account of the violent proceedings adopted against the persons of the national authorities, the government has a perfect right to pursue directly their perpetrators in the province of Cordova, or in any other in which they might seek refuge, until the said national authorities imprisoned have been set at liberty, and its criminal authors punished: For all this the vice-president of the republic, in the exercise of the national executive power, decrees:

"ARTICLE 1. That the perpetrators of the criminal proceedings of the 16th of August, in the city of Cordova, are guilty of rebellion against the nation, and shall be pursued and punished wherever they may be found, with all the power of the nation and all the rigor of the law.

"ART. 2. That all the forces at the disposal of the nation shall march, without loss of time, upon the province of Cordova, to set at liberty the national authorities imprisoned, and prosecute, seize, and submit to the action of the national justice the perpetrators of criminal proceeding.

"ART. 3. That General Don Emilio Conesa be appointed to march at once at the head of all the forces to be sent into the field according to the provisions of this decree.

"ART 4. That the most peremptory orders shall be issued by the respective departments to the governments of Cordova, Buenos Ayres, Santa Fé, Santiago, and San Luis, to call out the national guard, which is to assist at this solemn reparation to the national authority and justice, and to lend to the said General Conesa all the co-operation he may require of them, with the activity and efficacy to be expected from their patriotism, and their determination shown in other circumstances in favor of the national cause, whose security would be endangered if all did not concur in repressing offences of this nature with promptitude and energy.

"ART. 5. Let this be communicated, published, and inserted into the National Register.

"PAZ.

"RUFINO DE ELIZALDE,

"LUCAS GONZALEZ,

"EDUARDO CORTE,

"M. MORENO,

"In charge of the war department."

August 23.—Passengers arrived from San Luis bring the news of another fight between the army of the north under Generals Taboada and Varela. The action was long and sanguinary, and the battle-field covered with dead and wounded, but it certainly was very incomplete, inasmuch as Varela and Zalazar both escaped.

August 24.—A special messenger, arrived yesterday from Cordova, brings the following news:

The revolutionary party had extorted from the national war minister, General Martinez, under threat of shooting him, an order to Colonel Obligado, in command of the national troops stationed in Villa Nueva, to retire with his force to Rosario, but the order was not obeyed. More national guards had been despatched by railway to Villa Nueva, where, by last accounts, Governors Luque and Oroño found themselves at the head of about 1,200 men. Luengo, the leader of the revolution, had sent out orders to all quarters to muster the national guards of the province, but the country districts seem not to have heeded his orders. Luengo is said to have a force of only 400 men in the city of Cordova. Governor Luque published the following proclamation on entering the province of Cordova:

“THE GOVERNMENT OF THE PROVINCE.

“CAMP ON MARCH, August 19.

“Having resumed the command of the province, in consequence of having been deposed by the revolt that broke out in the city of Cordova on the 16th instant, the delegated government, in use of its attributes, decrees:

“ARTICLE 1. The inspector general of national guards, Don Simon Luengo, as well as all persons employed by the government that have taken part in the late revolution, are hereby discharged from their offices.

“ART. 2. All persons who shall have obeyed any orders emanating from the revolutionists are hereby declared rebels against the legitimate authorities, and will be punished with all the rigor of the law.

“The province will not recognize the validity of any compromise contracted by the revolutionists, and which are hereby declared null and void.

“LUQUE.

“SATURNINO D. FUNES, *Secretary.*”

Mr. Asboth to Mr. Seward.

No. 42.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, September 10, 1867.

SIR: I have the honor to inform you that a modification of considerable significance has taken place in the *personnel* of the Argentine cabinet in consequence of the resignations tendered by Señor de Elizalde of the office of minister for foreign affairs and by Señor Corte of that of minister for justice, religion and education. The vice-president has appointed Dr. Don Marcelino Ugarte as minister for foreign affairs and Señor Uriburu as minister for justice, religion, and education. In enclosure A you will please find a copy of Dr. Ugarte's official announcement of his having assumed the charge of the department for foreign affairs as well as a copy of the respective government decree. Dr. Ugarte's note of yesterday reads in English as follows:

OFFICE OF FOREIGN RELATIONS,
Buenos Ayres, September 9, 1867.

The undersigned has the honor to address to your excellency the enclosed certified copy of the decree issued by the vice-president of the republic in charge of the national executive power by which he is appointed minister secretary of state in the department of foreign relations in lieu of Dr. Don Rufino de Elizalde, whose resignation has been accepted.

At the same time the undersigned takes pleasure in offering to the minister resident of the United States of America, General Alexander Asboth, the assurances of his distinguished consideration.

MARCELINO UGARTE.

His Excellency GENERAL ALEXANDER ASBOTH,
Minister Resident of the United States of America.

I have to-day replied to this note in the following terms, viz:

No. 21.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, September 10, 1867.

SIR: I have the honor to acknowledge the receipt of your excellency's note dated yesterday, with a certified copy of the decree issued by his excellency the vice-president of the republic in charge of the national executive power appointing your excellency to fill the office of minister for foreign affairs in lieu of Señor Dr. Don Rufino de Elizalde, resigned.

I seize this opportunity to offer my sincere congratulations not only to your excellency on your elevation to so important a trust, but also to the country at large on having obtained the benefit of your excellency's able and patriotic services, which, I feel assured, will happily contribute to secure the best interests and promote the prosperity and happiness of the Argentine Republic.

I beg leave at the same time to tender to your excellency the assurance of the high and distinguished consideration with which I have the honor to be your excellency's obedient servant,

A. ASBOTH.

His Excellency Señor Dr. DON MARCELINO UGARTE,
Minister for Foreign Affairs.

In order to account for these changes in the cabinet, I must allude to an incident which occurred some days ago. On the 26th of last month the vice-president, in pursuance of his determination to modify the general direction of the affairs of the country, resolved to suspend the monthly subsidy paid by government to the *Nacion Argentina* newspaper, the organ of Señor de Elizalde. The editors of that paper having privately received timely warning of the intended decree before it was issued, published in their number of the 27th, in conspicuous type, a notice, stating that, having been informed that the vice-president, Dr. Don Marcos Paz, had been speculating in lands in Rosario whilst he was taking advantage of his high position to influence the deliberations of the senate on the capital question, they had resolved to refuse henceforward the government subsidy. The vice-president, in consequence of so outrageous a proceeding, which, to say nothing of its malignant spirit and bad taste, threw so gratuitous a slur upon him, resolved to accuse before the bar of congress the principal editor of the *Nacion Argentina*, Señor Don José Maria Gutierrez, the intimate political partisan of Dr. de Elizalde and Señor Corte. This resolution, coupled with other circumstances which betrayed the vice-president's determination to impress a new character on the policy of his administration, led to the withdrawal of Dr. de Elizalde and Señor Corte, whose views were never in accordance with those of Dr. Don Marcos Paz.

Dr. Ugarte, the new minister for foreign affairs, is a member of congress and a lawyer of distinguished abilities, whose reputation is moreover characterized by a strict and generally acknowledged integrity. His appointment, as well as that of Señor Uriburu, who was elected president of the senate on the assumption by Vice-President Paz of the reins of the executive power consequent upon the return of President Mitre to the seat of war, has been hailed with general satisfaction, and it is confidently anticipated that the infusion of these new elements into the administration will be beneficial to the general interests of the Argentine republic in its present critical situation.

I have the honor to be, sir, very respectfully, your obedient servant,
A. ASBOTH.

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

Mr. Asboth to Mr. Seward.

[Extract.]

No. 43.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, September 12, 1867.

SIR: In connection with my despatch No. 40, dated August 26th, 1867, I have the honor to report that everything at the seat of war, from which the last dates are to the 5th instant, remains in *statu quo*, with the exception that the Paraguayans, making good use of the natural defences of their country, are every day strengthening their positions both by water and by land. The whole atten-

tion of the allies seems now to be engrossed by the measures necessary to keep open their communications, particularly those with the iron-clad division of the fleet, which appears to be penned in between Curupaiti and Humaita, without a chance of being able either to ascend or descend the river except at the risk of almost total destruction, Lopez having lately erected a stockade and planted torpedoes in front of Curupaiti. The Tribuna of to-day publishes two sketches of the respective positions of the belligerents in Paraguay, giving some idea of the natural difficulties which that land of impenetrable swamps and woods offers to the advance of the allies. There is moreover reason to believe that the whole plan of the present campaign will prove a failure; the three principal commanders Mitre, Caxias and Osorio, seem to have each his own scheme of operations. Meanwhile the peace party in Rio de Janeiro, Montevideo, and Buenos Ayres, is advocating its wishes more openly, and as the presidential election here is now approaching, none but a peace candidate has any prospect of success.

Affairs in the Argentine provinces are somewhat improving. The revolution in Cordova has been put down without the effusion of blood, Governor Luque reinstated, the minister of war, and other national authorities liberated, and the pacification of that province quite complete, thanks to the energy displayed by General Conesa, commissioned by the national government. In the upper provinces there are still rebels prowling about, but General Paunero is actively engaged in their pursuit. The 7th instant being the anniversary of the "Independence of Brazil," all the foreign diplomatic and consular agents here hoisted their respective flags, and a salute of 21 guns was fired from the Argentine government battery "*Once de Setiembre.*"

Yesterday was the anniversary of the revolution by which General Urquiza was driven from Buenos Ayres in 1852, and which led to the separation for seven years of the province of Buenos Ayres from the rest of the Argentine Confederation. It was kept as a holiday by all the provincial public offices, and in the evening Governor Alsina entertained at an official dinner the vice-president of the republic, with all his ministers and the diplomatic corps.

* * * * *

For further details relative to the march of political events here I respectfully beg to refer you to enclosure D, my daily memoranda of political events in the River Plata from the 27th of August to the 11th of September, 1867.

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

A. ASBOTH.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM THE 27TH AUGUST TO THE 11TH OF SEPTEMBER, 1867.

August 27.—The question of the capital is engrossing the attention of politicians, and is assuming every day a more complicated aspect. A bill is at present before the provincial legislature the object of which is to grant federal jurisdiction to the national government in Buenos Ayres until the final settlement of the capital question, while a new measure has been introduced into congress declaring Buenos Ayres the capital, and in case the provincial legislature refuses to grant federal jurisdiction at once naming Rosario the capital. It is, in other words, an attempt to introduce again the same bill which was thrown out a few days ago by the senate.

The Nacion Argentina publishes in conspicuous black letters an announcement stating that the editors of that paper, having learnt that the vice-president of the republic had been speculating in lands in Rosario whilst he was endeavoring by the weight of his opinion to influence the senate's deliberations on the bill which fixed the capital in that city, had determined to discontinue sending to the government the 200 copies of the Nacion Argentina to which the government was a subscriber. This accusation is branded by public opinion as a most vulgar intrigue.

August 28.—In the *Tribuna* of to-day Vice-President Paz publishes a reply to the extraordinary, and, as it would seem, most unwarranted charge preferred against him by the *Nacion Argentina*, apparently from motives of spite. The following translation is taken from the *Standard*:

“*To the Editor of the Tribuna:*

“*SIR:* The *Nacion Argentina* of to-day publishes an announcement informing the public that it will suspend sending to the national government the 200 copies for which the government was a subscriber, because it had come to the knowledge of the editors that the president of the republic had negotiated lands in Rosario to the amount of 100,000 hard dollars, whilst he allowed the weight of his opinion to influence the deliberations in congress in the question of the capital.

“Although I trust that the enlightened opinion of this city and of the entire republic, when informed of the facts, must view with indignation this proceeding of the editors of that paper, and look upon it as a stupid vengeance, and, overcoming the contempt inspired by a calumny so outrageous, I owe it to the dignity of the position I occupy, and to the respect due to my fellow-citizens, to give a frank and straightforward explanation of what has occurred.

“I ordered, yesterday, the sub-secretary of the interior to stop the subscription to the *Nacion Argentina* on account of the government. This resolution was communicated to the director of that paper, and gave rise to the announcement which has caused so great a sensation in this city.

“I have for more than thirteen years past held land in the city of Rosario, which I have sold whenever I met with a buyer. On account of the agitation connected with the question of the capital the demand in that city has become more active, and I was not aware that my being vice-president of the republic prevented me from selling. The sales, moreover, do not reach the tenth part of the amount so maliciously stated.

“I have manifested frankly and openly my opinion on the question of the capital, and I have charged the ministers to make it known to congress in very explicit terms, as if I had a presentiment that the fact of my possessing land in Rosario might give room to the doubt that I had preferred my own private interests to the public good in the manner which I understood it.

“I nevertheless appeal with a tranquil conscience to the testimony of the deputies and senators of congress. I have accidentally met with few of them since I left the presidency of the senate; they will, however, refute with indignation the suspicion that I have sought to tamper with their opinions, and will be able to say whether it be not true that if we have exchanged a few words on the question of the capital, my opinion about it has always been that which least consulted my own private interests.

“I confidently trust, moreover, that justice will punish the slanderer.

“Yours, &c.,

“MARCOS PAZ.

“AUGUST 27, 1867.”

August 29.—The *Standard's* Rosario correspondent writes as follows in regard to immigration from the United States:

“I think my ideas in reference to settling the Chaco with North Americans will not turn out a myth. We have intelligence from California that some 25 or 30 families will be here before the end of the year, and I hope they will be only the pioneers of hundreds of others.”

The following, taken from the *Standard*, contains some valuable information from the seat of war not very favorable to the allies, and, coming from a Brazilian, is worthy of consideration:

“NEWS FROM THE SEAT OF WAR.

“TUYUTI, *August 21, 1867.*

“MY DEAR FRIEND: Sunday, the 18th instant, I left Corrientes in the steamer *Pingo*, and reached the Brazilian wooden fleet, anchored in front of Curupaity, at 8 p. m.

“Monday the 19th, at 2 a. m., I entered the Riache Aquia (Dirty river) in a canoe, and, after navigating for an hour and three-quarters, reached a hill on the Chaco side, whose name I ignore, where I met a Brazilian force. Having shown my pass, I proceeded by a path along the left of the wood, and, after walking a good league and a half, I fell in with another Brazilian force, and some men finishing a bridge. Walking another league, I sighted the funnel and masts of a steamer, which proved to be the iron-clad *Hewal*. A few steps further led me into a military camp, occupied by another Brazilian force, near the ‘Barranca’ of the Paraguay river. A little below the *Hewal* I then saw the *Maria* of Barros, whose commander obligingly sent his gig for me. I remained on board till 2.30 p. m., waiting for the little steamer *Lindoya*, which was to take me up to the other iron-clads in front of Humaita.

“The *Lindoya* was the only wooden vessel that passed with the iron-clads under shelter of the Brazil, and as I was well acquainted with the commander, I had a long conversation with him respecting the forcing of the Curupaity pass on the 15th instant. From what I heard

then and subsequently, and without a particle of bias or exaggeration of facts, I have come to the clear conclusion, and I am borne out by the testimony and opinion of all who wear the Brazilian naval button, that the passage of Curupaity by the Brazilian squadron is a useless sacrifice whilst the army does not co-operate. It is said that the squadron is to force the pass of Humaita again, and then that the army will make the siege closer: this will be a sacrifice as painful and as useless as the first.

"I proceed with my narrative. At 4 p. m. the *Lindoya* was alongside of the Brazil, and a few minutes afterwards I was paying my respects to the brave Admiral Ignacio and his distinguished officers. Although the squadron is scarcely a mile from Humaita, and fronting its fortifications, I wished to go and observe it nearer, and obtained leave to proceed with a boat's crew and an officer. We went in front of the London battery, and so close that we could see through the apertures what was going on inside.

"This battery reminded me of the Buenos Ayres custom-house, as seen from the passenger's mole. I counted in it sixteen cannon without the help of a glass, and examined attentively the other batteries '*a la barbette*.' The chains across the river came out of a kind of tunnel diagonally, and are buried in the low grounds of the Chaco. The water is perfectly smooth at this point; the fires converge on all the points of the horseshoe; there is a sharp and short bend in the river, and the guns, which are of heavy calibre, can sweep any vessel presenting itself from poop to stern and from starboard to port-side. After two hours' careful observation I came to this conclusion, that to insist upon the squadron forcing the pass of Humaita, in order that the army should then begin to operate, is, in my view, a grave error.

"I am not one of those who have any doubts as to the result of the campaign, but what I should wish, and what every soldier and sailor in the allied army and navy asks for is, that a termination be put to this prolonged and sanguinary struggle by a decisive blow. The hesitation and tardiness of the allies is only prejudicial to the cause of the alliance. The enemy is now weak; and with all the elements at the disposal of the allies, let him receive a decisive blow, and not allow him time again to fortify himself. Every day that is allowed to pass, Lepez opens a new ditch in his fortifications, and every one of these ditches must be filled up with hundreds of victims.

"Since my return from my excursion, I have witnessed and heard so much that I cannot understand what is going on here. To-morrow, the 22d, I go to Tuyu-Cué, and I only wish that what I may see there may restore calm to my spirit, and give the lie to the presentiments of my heart. Should this not take place, and should my fears be well-founded, do not wonder at my silence. Rather than distort facts, or, by communicating them, make manifest shameful calamities, I prefer to deprive myself of the pleasure of corresponding with you.

"Yours, sincerely,

"M. A. DE MATTOS."

August 30.—The provincial chambers have been engaged with the question of the bank and national government. The bill granting to the national government a residence in Buenos Ayres, with jurisdiction over its municipality until the capital question had been finally arranged, was, after a brilliant speech of Minister Avellaneda against it, thrown out by a sweeping majority. This decides the capital question as regards Buenos Ayres, and it is therefore believed that Rosario will be fixed upon as the permanent seat of government.

August 31.—It is very currently rumored through town, on what is considered high authority, that official information has been received of the utter impossibility of the fleet passing Humaita.

September 2.—The steamer from Rosario that came in yesterday has brought the news that the Cordova revolution has been completely put down without any effusion of blood. General Conesa, by forced marches, came upon the rebels on the 27th of last month, before they had time to organize themselves. Luengo, at the head of about 800 men, came out of Cordova to meet him, but the General having by a masterly tactic got between him and the city, and aware of his advantage, addressed to Luengo the characteristic note, a translation of which and of the answer to it is as follows:

"SIR: My experience as a soldier and citizen induces me to address you. I am in command of the national troops, and come to re-establish the legal authorities. I believe the best thing for you to do is to liberate the war minister and other State prisoners, as their execution would only place an indelible stain on your name, and can only result in bringing on you and your associates the most condign punishment. I hope you will take this advice as coming from a frank and loyal soldier.

"Yours,

"EMILIO CONESA.

"Mr. SIMON LUENGO."

To this very sensible appeal Luengo sent the following reply:

"GENERAL: I received yours of to-day, and in reply beg to say that for my part with 1,700 good and true men at my back, I should have fought to the last, to fetch out the national authorities, who under some pretext or other have come up here to capsize the government; but everything of late has undergone a change; the governor has taken the field

and calls on the national government to keep him out, as he says he has been turned out by the rebels, which is, after all, a great mistake on his part, when, on the contrary, every man, woman and child in Cordova is fighting for him. The governor now disapproves of my conduct, and, according to decrees I hear of, has dismissed me. Such being the case, my mission is ended, and, therefore, I take your advice; and I have placed myself and men at the order of the war minister.

"Thanking you for your kind advice, I am, dear General, your obedient servant,

"SIMON LUENGA.

"General DON E. CONESA."

The next day, the 23th, General Conesa made his triumphant entry into Cordova, where he was received with joyful acclamations by the citizens. The war minister and the other national authorities imprisoned were liberated. Governor Luque reassumed the reins of government, and thus terminated the revolution. Luengo with his powerful accomplices succeeded in escaping, but is reported to have been fired upon and wounded by his own men.

September 3.—The steamer Cerro arrived from Paraguay yesterday with dates to the 30th instant. Everything remained in *statu quo*.

September 4.—News from Cordova is to the effect that Luengo and some of his associates have been caught 13 leagues from the city of Cordova. They will be tried by the federal courts, although some people insist that they should be brought before a court-martial. Dr. Rawson, the minister of the interior, arrived this morning from Rosario. The minister of war, General Martinez is quite unwell, and has remained behind in Rosario.

The following extract from to-day's Standard gives a resumé of the sad prospects of the allies in Paraguay, which is by no means exaggerated:

"To suppose that things can remain much longer as they are is to resist the most convincing evidence to the contrary. Our colleague, the *Nacion*, very properly says, 'it can only be done by calling out new levies; at least 15,000 more men are required.' We have all waited patiently for two and a half years, and at last we have learned the impotence of Brazil's strongest arm. Situated as at present the iron-clads are an inconvenience more than anything else—out of coal and ammunition."

Señor Ocampo, the rejected deputy for Entre Ríos, has returned to Buenos Ayres in consequence of his re-election. He has presented his diplomas for admission, which have been referred to committee. It is doubtful what course Congress will adopt although it is probable an attempt will be made to postpone coming to a resolution on the matter till next session, not to add new complications to the present critical situation of political affairs.

September 5.—The resignation is announced of Dr. Elizalde and Señor Costa, respectively ministers for foreign affairs and for justice, religion, and education, and of Señor Huergo, under-secretary for foreign affairs. The immediate cause is said to be in connection with the publication by the *Nacion Argentina* of the unwarranted libel against the vice-president alluded to above, under date of the 27th ultimo. This latter occurrence, however, can only be looked upon as itself the consequence of a serious split in the cabinet, due to the determination of the vice-president to inaugurate a new policy, and to his resolution to get rid of the members of his administration who do not thoroughly agree with him.

The following correspondence, from the seat of war, contains sufficiently interesting information and sensible appreciations to give it a place here:

NEWS FROM THE SEAT OF WAR.

[From the *Tribuna's* correspondence.]

"CAMP AT TUYU-CUE, August 29, 1867.

"From the moment that the fleet came within range of the Curupaiti guns to that in which it was beyond their reach, the time occupied was 40 minutes. The Brazil, which is the fastest iron-clad, took that much in performing the feat.

"It seems the Paraguayans displayed great coolness, and that the cannons, to judge by their slow fire, were not well served—that is, did not have their proper complement of artillerymen.

"The passage of Curupaiti has come to establish one of two things—either the Brazilian iron-clads are of an inferior class, or at pistol range a solid shot of 64, or a hollow one of 84 with a steel point, perforates at times the iron plates, and at other times makes depressions of from 10 to 11 centimetres—that is, four or five inches.

"In view of these antecedents, what will the iron-clads do ?

"The three foremost iron-sides are not in sight of the first batteries 'a barbette' on the left bank, nor of the fortifications above the London battery; all they can well see are the chains and this latter fortification.

"It is not known how many guns are mounted at Humaita, nor their calibre. But supposing there are 50 pieces of 64-pounders, we can make the following calculation: As the river is very narrow here the fleet must ascend in single file; it took 40 minutes to get beyond the range of the Curupaiti guns, and to go round the point of Humaita it will take 55 minutes; now granting that each iron-clad should only receive a minimum of two shots for each gun, it would follow that, after passing the fort with closed ports as was done at

Curupaiti, it will have received on its starboard side alone a shock equal to 100 times 64, viz., the weight of 6,400 pounds, impelled by the force of a cannon at pistol range.

"Not taking into account the chain obstruction, which is a most serious barrier, on account of the way in which it is placed, and its position being the converging point of all the fires; without mentioning the torpedoes which the enemy may at any moment set floating down the river, neither the accidents that may occur during the passage by confusion, explosion, or running aground—in short, ignoring many things that may happen in front of Humaita, granting that the chain is broken, and that the whole squadron above Humaita is beyond the range of its guns, as it is now beyond that of the Curupaiti guns, we ask, having passed Humaita without dismantling its fortifications, as was done with Curupaiti, what will the fleet do? Where will it get provisions? I don't ask whence it will get ammunition, because I take it for granted that it has passed without firing a single shot; nor do I ask where will it be able to repair, as I suppose the passage is effected without any serious damage, as stated by Admiral Ignacio in his official report of the passage of Curupaiti, though I am told the contrary to be the fact. * * * The opportunity has been lost, and in a war an opportunity lost is not easily regained. * * *

"The Paraguayan guns bellow forth at all hours, but without causing us any harm. There is sometimes a small cavalry skirmish. Deserters now and then come in, and all more or less say the same thing; but Lopez, like the wheel of Ixion, is still moving.

"There is no scarcity of meat nor biscuit, and the soldier is always a practical exemplification of the adage, 'A full stomach makes a happy heart.'

"General Osorio, thanks to Dr. Molina's assistance, is almost recovered. It has been reported that the relations between General Mitre and the Marquis de Caxias are not on the best footing. I can assure you that this supposition is perfectly gratuitous. * * * The sanitary state of the army is so-so."

The French gunboat *Decidée* left to-day this port for Paraguay, having on board the new French consul for Asuncion, M. de Cuverville, who goes to replace Mr. Cochelet. The *Decidée* took up despatches and papers for the Hon. Ch. A. Washburn, forwarded from this legation.

September 6.—It is stated, on good authority, that a new special Brazilian mission is expected in the river Plata, intrusted to Senator Paranhos, who is on all hands acknowledged to be the leading man of the Brazilian diplomatic corps. The official report of Marquis de Caxias to his government—a translation of which is herewith appended—is said to have created a very bad impression in Brazil, and to have led the Brazilian government to the resolution of endeavoring to obtain a modification of the treaty of the triple alliance, more particularly as regards the command-in-chief of the allied armies. The report of the Marquis de Caxias is certainly not very cheerful. It reads as follows:

"Marquis de Caxias's official report to his government.

*"HEADQUARTERS ON THE MARCH,
Camp of Tuyu-Cue, August 8.*

"EXCELLENCY: In the official report I had the honor to address to your excellency, under date of the 4th instant, I communicated all the events that had taken place from the time I left Tuyuti until the arrival of General Mitre in this camp. It is now my duty to bring to your excellency's notice all that has occurred since the date of my above-mentioned note.

"After consulting with the commander-in-chief, I ordered a force, composed of 2,600 Brazilian and 400 Argentine cavalry, under the command of the oriental general, Don Enrique Castro, to proceed, on the 2d instant, at 4 p. m., towards San Solano, where it was known that a force of the enemy lay, according to reports, with a great number of cattle and horses.

"Our troops passed the night at half a league distance from the above-mentioned place, and towards dawn they sighted the enemy, about 600 or 700 strong, composed of cavalry and infantry, and protected by a deep 'bañado.' Our contingent received the order to charge, and in the course of a few moments had passed the 'bañado,' and attacked and totally routed the enemy. The latter left on the field of battle more than 100 killed, 30 prisoners, 400 arms, ammunition, 600 head of cattle, and 260 horses and mares.

"I judged it proper afterwards to confer with the commander-in-chief, and I pointed out to him the necessity of our coming to an understanding relative to the plan of operations to be carried out, in order that we might take advantage of the opportunity of the condition of our horses, and the good disposition of our army.

"The commander-in-chief found my remarks reasonable and just, and agreed to meditate upon some plan of operation, which should be submitted to me in writing.

"The enemy has concentrated himself in the quadrilateral of his lines of fortifications, and all his prisoners agree in declaring that his forces are over 20,000 men, and that his communication with the interior is open at several points.

"We have flanked him a little to the rear of the angle of his left lines, and are threatening Humaita. Our horses are beginning to feel the effects of marching, and the want of good fodder and good grass, as only now the former are beginning to arrive from Tuyuti, together

with the provisions for the army, of which we must take eight or ten days' supply, in order to carry into effect any operation, as only by so doing can we be separated without inconvenience from our present way of communication with Tuyuti.

"The enemy, your excellency, against whom we are fighting, is shy, and counts upon the incalculable advantages derived from the knowledge of ground unknown to us, and upon the readiness of its tyrannized people to obey and carry out any orders given to it, however absurd and outrageous these may be. There is not a single house that has not been destroyed by fire or hand, according to Lopez's orders. This devastation also includes churches, one of which lies in front of us in this state.

"The invading army is obliged to make war at the expense of its own resources, because it finds nothing in the invaded territory; we cannot even use as remounts the horses seized, because they are very small and extremely thin. * * * * *

"God preserve your excellency.

"DE CAXIAS.

"COMMANDER-IN-CHIEF of all the Brazilian forces
in the field against the government of Paraguay."

September 7.—It is announced that the vice-president has appointed Dr. Ugarte minister for foreign affairs in lieu of Dr. Elizalde, and Señor Uriburu minister of justice, religion, and education, in lieu of Señor Costa. Dr. Ugarte is member of congress and a lawyer of the highest standing, both for ability and integrity. Señor Uriburu is said to hold the same political views as Dr. Ugarte, and was elected president of the national senate on the re-assumption of Vice-President Paz of the reins of the executive power consequent upon the return of President Mitre to the seat of war.

September 8.—Last dates from Rio de Janeiro are to the 31st ultimo. Great excitement about the Paraguayan war is everywhere manifesting itself in Brazil. Both in the senate and in the chamber of deputies secret sessions had been held relative to the treaty of the triple alliance. The press has assumed a tone hostile to the Argentine Republic, and is urging the Brazilian government to break off the treaty and prosecute the war against Paraguay single-handed.

From the interior province of Malto Grosso the news has come that the whole Brazilian population left Curumba, headed by the President, and Malto Grosso may be now regarded as completely Paraguayan territory.

September 9.—The notes in which Ministers Elizalde and Costa tendered their resignations are published, with the respective answers. Translations of these documents are as follows:

The ministerial crisis—official notes.

"BUENOS AYRES, September 3, 1867.

"In consequence of the determination of your excellency to appeal to the honorable house of national deputies and promote an accusation against the Nación Argentina for matters published by that newspaper, and as I do not participate in your excellency's views, I feel it incumbent upon me to resign my post as minister of foreign affairs.

"Whilst I beg that your excellency will be pleased to accept the resignation of the trust I hold, and with which I was honored by the President of the republic, I feel pleasure in manifesting to your excellency my sincere gratitude for all the consideration you have shown me while you have been in charge of the national executive power.

"RUFINO DE ELIZALDE.

"His Excellency the VICE-PRESIDENT OF THE REPUBLIC,

"In charge of the Executive Power, Dr. D. Marcos Paz."

"DEPARTMENT OF THE INTERIOR,

"Buenos Ayres, September 5, 1867.

"I have the honor to inform you that the vice-president of the republic has accepted your resignation as minister of foreign affairs of the nation, an office which you have discharged with the greatest intelligence and patriotism.

"I have been specially requested by the vice-president to manifest to you that, since the motive which you allege as the cause of the step you have taken had, so far as he was concerned, disappeared, as both the minister of finance and myself took the opportunity of explaining to you, by desire of the vice-president, he highly regrets that you should have thought yourself bound to insist on your resignation, thus depriving the government and the country of the valuable assistance afforded by your enlightenment and zeal.

"The vice-president, on behalf of the government, gratefully acknowledges the distinguished services rendered by you to the nation in the high post you have so worthily filled.

"Having thus acquitted the vice-president's commission, let me also be permitted to express to you the painful regret I feel at your separation, after having shared with you, for a lengthened period, the labors and the fatigues of the public service, and to renew herewith the assurance of my distinguished regard.

"GUILLERMO RAWSON.

"Señor D. RUFINO DE ELIZALDE."

“BUENOS AYRES, *September 3, 1867.*

“After the interchange of ideas with your excellency which took place at our last interview, I deem it my duty to leave entire freedom to your excellency in seeking to associate yourself in your councils with persons whose views will be more in harmony with the proceedings your excellency intends to adopt with regard to the occurrence due to what has been published by the *Nacion Argentina*, an occurrence which I deeply lament, and which I cannot but think deserving of condemnation.

“Whilst, therefore, begging your excellency will exonerate me from continuing to hold a share in the administration which you so ably preside, I only regret that the separation takes place before the termination of the struggle in which the republic is engaged in vindication of its outraged honor.

“It is moreover my duty to thank your excellency for the consideration with which you have ever honored me.

“EDUARDO COSTA.

“His Excellency the VICE-PRESIDENT OF THE REPUBLIC,
“*In charge of the National Executive.*”

“DEPARTMENT OF THE INTERIOR,
“*Buenos Ayres, September 6, 1867.*

“The vice-president has received your note, dated the 3d instant, by which, in consequence of reasons therein stated, you tender your resignation of the office of minister of justice, religion, and public instruction.

“I am desired by the vice-president to manifest to you, in reply, that he deeply regrets your action in the matter, and that, after the explanations he has given to induce you to desist from your resignation, he sees himself inevitably constrained to accept it.

“Whilst communicating to you the above, I have to add, that the vice-president thanks you most cordially for the important services rendered by you to the administration in the long period during which you have, with praiseworthy zeal and ability, filled your trust; and he grieves that you should not have continued in that post until you could have witnessed a glorious termination of the external struggle to which the country is still committed, and in which you have rendered important and special services, for which the government and the people will ever be grateful.

“In conclusion, I beg to express my own regret at parting with an enlightened colleague with whom I have shared the labors of the administration, and I have always acted in perfect unity and concord.

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

“G. RAWSON.

“Señor D. EDUARDO COSTA.”

September 10.—The *Tribuna* publishes various correspondence from the seat of war, which, in the absence of any news to communicate, dwells upon the unsatisfactory prospects of the campaign. The land army, with the approaching symptoms of an epidemic, that threatens its existence more almost than the bullets of the Paraguayans, is obliged to keep open its extended communications at enormous sacrifice, and remains perfectly inactive, waiting for the iron-clads to pass Humaita, whilst they are not only unable to ascend the river, but have allowed themselves to have their fluvial communications cut off, and are now obliged to secure a new and expensive line of land communication through the Chaco, which is certainly a new feature in naval operations.

Dr. Acosta was yesterday elected president of the national senate in place of Señor Uriburu, who has accepted the office of minister of justice, religion, and education.

September 11.—To-day being the anniversary of the revolution in Buenos Ayres, in 1852, against Urquiza, has, by a decree of the provincial government, been ordered to be observed as a civil festival. Governor Ahina celebrates the day by an official dinner, to which all the diplomatic corps is invited.

The national senate held yesterday a secret sitting, to discuss again the secret provisions of the triple alliance treaty.

The *Nacion Argentina* of to-day announces that Señor Don Lius Vanla, one of the editors of the *Tribuna*, will be probably appointed under secretary for foreign affairs.

The first number of an official paper, called the *Bolletin Oficial de la Nacion*, published by order of the national government as a register of all official documents, appeared yesterday.

Dr. Derqui, ex-president of the Argentine Confederation, died last week in Corrientes.

A. ASBOTH.

Mr. Asboth to Mr. Seward.

No. 45.]

LEGATION OF THE UNITED STATES,
Buenos Ayres, September 25, 1867.

SIR: In consequence of the wanton attack made upon the vice-president of the Argentine Republic by the *Nacion Argentine* newspaper, reported in my despatch No. 43 of the 12th instant, which was the immediate cause of a change in the cabinet denoting a very important modification in the policy of the government, I deemed it proper to manifest to Dr. Paz, the vice-president, by an official letter, the indignation with which I viewed the occurrence, and accordingly addressed myself to him in the following terms:

LEGATION OF THE UNITED STATES,
Buenos Ayres, September 17, 1867.

SIR: Watching with interest, although from a sick bed, the daily course of political events in the river Plata, I have seen with surprise and sorrow the attack made by the *Nacion Argentina* upon your excellency while in charge of the highest trust of the nation, and I regret exceedingly that I am unable to express in person to your excellency how emphatically I condemn so wanton an act.

Your excellency's standing in public as well as in private life is, however, too lofty, and the unbounded confidence and sincere esteem for your excellency in the hearts of the people at large is too strong to admit of any other issue to such an aggression but its recoil on the heads of those who attempt it. The mass of the people, natives as well as foreigners, is with you and against your assailants.

While, therefore, assuring your excellency again in my official capacity of the special regard of the government and people of the United States, I beg respectfully to express my own confident expectation that the measures taken by your excellency on this occasion will not fail to promote and secure the best interests of the Argentine Republic, as well as of the La Plata and Parana regions at large.

I have the honor to be, very respectfully, your excellency's obedient servant,
A. ASBOTH.

His Excellency Señor Dr. DON MARCOS PAZ,
Vice-President of the Republic, in Charge of the National Executive Power.

I received yesterday in reply from the vice-president a letter, of which the following is a translation, and I beg to enclose a copy, marked A, of the original Spanish:

BUENOS AYRES, *September 23, 1867.*

SIR: The words of your excellency, to which I attach great importance, both for the mighty standing of the country your excellency represents, for your excellency's own personal worth, and for the sympathy which I profess for the people and government of the United States, have given me great satisfaction.

The justice meted out by worthy and enlightened men is a healing compensation for the injuries which evil disposed people often sew in the path of public men.

I truly thank your excellency for your letter of the 17th, and assure you that I am, with the most perfect consideration, your excellency's obedient servant,

MARCOS PAZ.

His Excellency Gen. A. ASBOTH.

The change in the cabinet, as given in my report No. 42 of the 10th instant, replacing Señor de Elizalde as minister for foreign affairs by Doctor Don Marcelino Ugarte, and Señor Costa as minister for justice, religion, and education by Doctor Don José E. Uruburn, leaves no doubt of an approaching modification in the policy of the Argentine government more beneficial, I hope, to the general interest of this distressed republic.

The rumors of peace in connection with the prolonged stay of Mr. Gould, the secretary of the British legation in Paraguay, as alluded to in my report No. 43 of the 12th instant, and his repeated visits to President Lopez's camp, as well as to the headquarters of General Mitre and Marshal de Caxias, are gaining more consistence; indeed the principal conditions as a base for a peace treaty purporting to be already approved by the commanders of the several contending armies, and to have been referred for final decision to their respective gov-

ernments, are given with quite an official air, well calculated to make the Argentine people fully believe in the realization of what they are so anxiously longing for, viz., the speedy restoration of peace, even at the risk of the dissolution of the triple alliance.

For myself, however, I see too much mystery involved in so sudden a mediation of a single European power, applied *de facto* at the seat of war without preliminary official support, after the most formal offers of friendly mediation for the termination of this bloody war had been made by the United States of America and the Pacific republics to all the respective governments of the several contending parties, and had been emphatically rejected by the allies, to be able in the absence of anything like substantial proof to attach much weight to these flying rumors.

The following are the conditions as a base for a treaty of peace published in the *Tribuna* and the *Standard*:

PEACE WITH PARAGUAY CONFIRMED.

Terms of treaty the same.

The *Tribuna* published a bulletin yesterday evening confirming in almost every particular the bases of peace as given in our paper of Saturday. It is a remarkable coincidence that the *Tribuna* received a telegram from M. Video, and a letter from the seat of war, simultaneously, announcing the terms of arrangement in almost the same words. As our colleague takes the liberty of stating that our terms were not the correct ones, we now place the *Tribuna* and *Standard* versions side by side, for comparison; the difference is indeed very trifling:

TRIBUNA.

1. The allied forces shall retire from Paraguay on the ratification of this treaty.
2. Lopez to retire to Europe, and delegate his power to vice-president of Paraguay, according to the constitution of that country.
3. Paraguay abandons all claim to the Gran Chaco and Misiones, and evacuates Matto Grosso.
4. The navigation of the rivers is declared free to the flags of all nations.
5. The question of limits with Brazil to be settled by the new Paraguayan government, or, in case of difficulty, by the arbitration of a neutral power.
6. Paraguay is not responsible for the expenses of the allies.
7. All prisoners of war to be set at liberty.
8. Paraguay declares that she made war in self-defence, but, seeing her independence now safe, admits that justice was not with her but with the allies.
9. The independence of Paraguay is guaranteed.
10. Each of the belligerents is to send a diplomatic agent to settle all questions pending before the war.

STANDARD.

- Art. 1. The allied army immediately evacuates Paraguay, and the Brazilian fleet the Paraguayan waters.
- Art. 2. Marshal Francisco Solano Lopez, President of Paraguay and commander-in-chief of the Paraguayan forces, resigns the post of President to the vice-president, and that of commander-in-chief to General Barrios, and he, the said marshal, at once leaves for Europe for the term of two years from the date of the treaty.
- Art. 3. Paraguay yields up her claims to all and every portion or portions of the Gran Chaco territory.
- Art. 4. The free navigation of the rivers, from their source to the ocean, is granted, acknowledged and ratified by Paraguay and the allied powers, and said free navigation to be guaranteed by two European powers, (supposed England and Prussia.)
- Art. 5. The question of limits between Brazil and Paraguay to be referred to the arbitration of a neutral power.
- Art. 6. The expenses of the war to be borne by the various belligerents respectively.
- Art. 7. Prisoners of war of all grades to be exchanged without ransom.
- Art. 8. No claims for indemnity to be made or admitted by any of the belligerents.
- Art. 9. The obstructions in the river Paraguay to be removed by the Paraguayans within three months from the ratification of this treaty.
- Art. 10. Each of the belligerent powers engages to send a diplomatic agent or representative to conclude a treaty of commerce and amity.

11. (This article treats of the various Paraguayan fortresses.)

12. The Paraguayan army to be reduced to a peace footing.

These terms were brought by Mr. Gould from Lopez, and accepted (in the bulk) by General Mitre and Marquis Caxias, who have referred them to their respective governments.

Notwithstanding the rumors of preparation for peace, the Paraguayan war still drags along. There is no armistice, and fighting in the palm and orange grove, on the line of communication of the allies, continues with increased severity and daily loss of life.

The Brazilian iron-clad fleet rests still at anchor, as before, between Humaita and Curupaiti, bombarding Humaita, without, however, doing much harm to the fortress, but affording ample time to the Paraguayans to hem in more and more the Brazilian fleet in their isolated position, and to secure daily a fuller control over the river above and below Humaita.

By her Majesty's steamer *Dotorel*, daily expected from Paraguay, I hope to receive interesting news for your department from our minister in Asuncion.

The condition of the interior provinces is again very alarming. Reactionary leaders, Saá, Videla, and Varela, are all on their march to invade the Argentine confederation from Chili and Bolivia with troops newly organized and well armed.

For further particulars I respectfully beg to refer to enclosure B, my daily memoranda of political events in the river Plata from the 13th to the 23d of September, 1867.

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

A. ASBOTH.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

DAILY MEMORANDA OF POLITICAL EVENTS IN THE RIVER PLATA FROM THE 13TH TO THE 23D SEPTEMBER, 1867.

September 13.—The senate of congress sat yesterday in secret session, and ratified sundry stipulations in connection with the triple alliance treaty.

The Montevidean government has published a decree prohibiting subalterns obeying any orders save those of the chief of police, which seems to imply that there is something wrong with the military men. Governor Flores, it is said, is about to visit the country districts, and has absolutely and positively declined to give another man to the war. The Tribuna states that its candidate for the presidency of the Argentine Republic is Sor Sarmiento, and not Governor Alsina.

September 14.—The following relative to the return of cholera, and the perilous condition of the Brazilian iron-clad in front of Humaita, is taken from to-day's Standard:

"The next advices from Paraguay are looked for with the greatest anxiety, not as respects the war but touching the cholera. Should the news be unfavorable we hear the government is prepared to take the most decisive steps, and close this port to all vessels coming from Itipiru or Corrientes. Something must be done, as the warm weather is setting in. All who can are going to the country for the summer.

"The mail has brought positive orders to Admiral Ignacio to return with his iron-clads as fast as possible, and a letter in one of the Rio papers, which we shall publish to-morrow, gives a very terrible version of what the iron-clads suffered going up. The return now promises to be an episode in our naval history. Should anything happen to the first iron-clad, so that she founders in the stream, then the remainder are locked up. However, as orders have been sent to come down, we suppose the admiral will not disobey."

Congress here has finally passed the bill subscribing to 15,000 shares for the Central Argentine railway. This railway, due entirely to the indefatigable exertions of our worthy countryman Mr. Wheelwright, is intended to connect Rosario with Cordoba. It is now open from Rosaria as far as Villanueva, a town thirty leagues from Cordova. Mr. Wheelwright has been obliged to suspend the works for want of funds, but after the passing of the above

bill it is to be hoped that he may soon bring to a termination this important undertaking which contributed so powerfully to put a speedy end to the revolutionary outbreak in Cordova of the 16th of last month.

September 15.—Senator Navarro has brought into congress a bill for the abolition of imprisonment for debt. The measure meets with the support of the principal organs of the press.

September 16.—Alarming news arrived yesterday from the interior provinces of the north. It appears that Varela, the indefatigable chief of the Monteneros, who was reported to have been completely routed by the national forces in Rioja, has succeeded in reforming his forces, and when least expected has burst into the province of Salta with 1,300 men. A few provincial militias, amounting to about 600, endeavored to make head against him, but were completely defeated, and the greatest portion of them passed over to Varela's ranks. Thus a whole department remained at the mercy of this active chieftain. The governor of Salta informs that of Tucuman that if Varela marches on the capital of the province he will be obliged to evacuate it, and fall back upon Tucuman, as he has no elements with which to oppose Varela's forces.

The Standard, in commenting on this news, makes the following remarks:

“THE INVASION OF SALTA.

“Whatever may be the sequel of the Paraguayan war, it may be doubly memorable in the history of this republic as the precursor and mould of the rudest political throes this country has ever witnessed. Scarcely had we dispelled the rebel force under Juan de Dios Videla, and congratulated ourselves on the success of Paunero, when the astounding intelligence of an uprising in Cordova, attended with the grossest mob violence, arrived by special *chasque* in this city. As the circumstance attending this second edition of rebellion compromised more than the ordinary routine of things in Argentine civil strife, since the minister of war had been kidnapped by the rebels, a most immediate effort was made to subjugate the disturbers. Thanks to the fealty of Luque and the discretion of Conesa, law and order were restored with rapidity only to be equalled by the suddenness of the outbreak. Conesa and his troops have come back, are fêted in Rosario, and the joy-inspiring rockets from the office of the Nacional, but a few days past, told the glorious news of peace in the provinces; Cordova quiet and orderly; Rioja and Iujuy rid at last of every vestige of the rebels; Paunero and Arredondo on their way back; special commissioners in Rosario appealing to the charity of the people for relief of the ruined, houseless, homeless inhabitants of Cuyo; dealers coming down in every steamer to purchase goods in this city, and everything conspired to persuade us that the civil strife had happily been extinguished, and no ally to the country's progress and prosperity save the Paraguayan war, when in an instant the scene changes. Saa and Varela, with a heterogeneous band of rebels, have crossed the mountains of Bolivia, and burst like “a wolf on the fold” on the once happy, prosperous, and contented province of Salta. On their march they impressed all; none were too old or too young. They swept the whole male population before them, and huddled them into their ranks. The lovely valleys of Salta have as yet been the scene of these feats; not a farm, not a house has been respected. The few who could, left their homes and rushed into the city of Salta.”

September 17.—With regard to the intelligence from the provinces the Standard of to-day says:

“The news of Varela's invasion of Salta was confirmed to-day. Every one was annoyed at the frivolous manner in which official despatches are written in the interior. Hardly have the public finished reading of the utter destruction of the rebels in Rioja, when facts prove that the same depredators are advancing in force at Salta or Catamarca. The most alarming feature in this case is that several dealers from the provinces have returned goods recently purchased, and, in one instance, actually disembarked goods, paying the freight to Rosario, acting on advices from the interior. These dealers are generally the best informed on this head, and evidently fear that a storm is brewing. Don Uladislaio Frias has been named national commissioner to Salta, to endeavor to quiet that province.”

The Nacion Argentina published to-day a well-written and powerful article, signed Gutierrez, drawing a most gloomy picture of the state of the country, and proving with a great deal of truth and reason that things in the Argentine Republic were never so much out of joint as at present. The writer says that Varela and Saa will have at least 15,000 men under their orders by this time, and that President Melgarejo, of Bolivia, has lately concluded a loan for six millions of dollars and supplies the rebels with arms, ammunition, and funds to carry on the war. By last accounts from the seat of war in Paraguay it is reported that Mr. Gould, secretary of the British legation, passed over the lines to the allied camp, accompanied by three of General Lopez's aides-de-camp, and, after holding a conference with President Mitre and Marquis de Caxias, recrossed the lines and went back to Lopez's camp.

September 18.—It appears that there are at present at the seat of war an English, a French, and an Italian gunboat.

With regard to the affairs in the interior provinces the Standard publishes the following remarks:

“THE SITUATION.—The invasion of Salta by Varela and Saa has caused little short of a panic in the republic. The few peaceful inhabitants who, reposing confidence in the official

despatches of our generals, and believing that the rebels had been pulverized and law and order restored to her throne, find with a pang that all these victories and triumphs have been in fact but slight skirmishes, which, by Argentine generals, have been inflated into decisive struggles. Hypocrisy holds such undisputed sway that until events declare themselves the deluded citizens know but imperfectly what is the real state of affairs. Had the governor of Salta placed less importance on the recent victories over Varela, had he valued the despatches of the national government officers at their proper estimate, he would not now cut the despicable figure of a runaway Argentine ruler. He may, and doubtless will, survive his passing troubles, but in the eyes of a discriminating public he has proved himself the arbiter of his own misfortunes. Unlike the other cities and provinces of this republic, Salta is peopled by an industrious, hard-working class. The valleys where the invaders have made such a fell swoop are teeming with fertility and plenty. The towns are clean, orderly, and populous. The city is represented as second only to Cordova in its streets, public buildings, and population. Political rancor and anarchy have never before obtained such foothold there as in other provinces; and ruled by a man of energy and decision of character, no ruffian band such as that under the command of Varela could ever successfully carry out an invasion."

September 19.—The rumors of peace are gaining consistence, and the principal conditions of a peace treaty, approved by President Mitre and Marquis Caxias, referred to their respective governments, are even mentioned. These are, 1st, that Lopez should resign in favor of the vice-president of the republic of Paraguay, and go to Europe for a fixed period; 2d, that Paraguay shall renounce all claim to the Grand Chaco territory; 3d, that the navigation of the river Paraguay is to be free in all its course under the guarantee of European power; 4th, that the question of limits with Brazil is to be referred to the arbitration of a neutral power. These rumors, however, are all lacking official confirmation.

With reference to the interior provinces the Standard of to-day says:

"Precisely as we anticipated, the rebels under Varela have taken possession of Salta and levied heavy army contributions. Some of the principal families fled along with the governor to Tucuman, but we read with deep regret that in the whole province of Salta there is nothing to oppose the revolutionists, and the party opposed to Governor Ovejero have all joined Varela and Saa. All the riff-raff of the provinces, the scum of the country, is in arms. People are now leaving Tucuman, as it is greatly feared the rebels will make a dash on that province before the government party will be able to make headway: in fact, things never looked worse. Varela and his officers are enlisting the whole population, and they are not short of arms since supplies are obtained from Bolivia."

From the same paper the following regarding the war in Paraguay is also taken:

"The steamer San José, with ball cartridges, shot, shell, and gunpowder from the Rio arsenal, has arrived at Montevideo bound up for Itapiru.

"In Montevideo it is stated that three more iron-clads are coming down to the Plata, and on board of one of them comes the Duke de Saxe, son-in-law of the Emperor, to take supreme command of the Brazilian army, vice Caxias, who retires into private life."

Two important measures were yesterday introduced into congress: one requiring the executive to account in a special message for the use made of the *habeas corpus* suspension act; the other calling upon the executive for a report on the general state of the Paraguayan war.

September 20.—News of an alarming character has come by the last mail from the Pacific coast. Letters from Chili state that Colonel Videla, who took so prominent a part in the Mendoza revolution, which broke out in November of last year, is preparing to invade the province of Mendoza by the Pass del Planchon, for which purpose he has got, together with the promise of unlimited booty, 2,000 Chileno miners, all well armed and accoutred.

The Tribuna to-day states that the Argentine government sent, about a fortnight ago, instructions to its agent in Chili to demand explanations with regard to the warlike preparations said to be carried on there by Argentine exiles resident in that republic with a view of invading the Argentine territory.

September 21.—The Rio Janeiro papers mention the appointment of his Excellency Condeheiro Sinumbu to a special mission to the river Plata from the Brazilian government.

It is reported that the object of the mission is to make peace.

There are no less than eleven Brazilian transports in Montevideo awaiting orders.

The following Brazilian version of the passage of Curupaiti by the iron-clads, taken from to-day's Standard, is highly interesting:

CURUPAITI—INTERESTING BRAZILIAN VERSION.—The passage of the iron-clads past the batteries of Curupaiti took place upon the 15th of August.

"At 6.35 a. m. the division of the iron-clads received orders to proceed towards Humaita, and in a few minutes afterward the leading vessels were under the enemy's fire.

"The order was as follows: The Brazil, carrying the admiral's flag, and with the little steamer Lindoya on her larboard side; the Mariz e Barros; the Tamandaré; the Colombo; the Cabral, towing a flat carrying a mortar; the Barroso; the Herval; the Silvado; and the Lima Barros, with the flag of Commodore Alvim.

"When the movement commenced the wooden vessels drew up and opened their fire on

Curupaiti, whose batteries, however, paid no attention to the wooden vessels, but rained the missiles of their 33 cannons upon the iron-clads passing at gunshot from the batteries.

"The time occupied in the passage was about two hours and a half, and the foremost vessels were already cannonading the great casemated stone fort called the 'London' battery, built for the first Lopez by an English engineer, while the rear vessel, the Lima Barros, was passing Curupaiti. The division received more than 240 80 and 63-pound shots during the passage. Some of the vessels broached to in the rapid current, and some even turned completely round, but finally succeeded in recovering their direction. Of these accidents the Paraguayans ably availed themselves. The Tamandaré's engine got out of order, and the vessel became disabled while in front of the batteries. A shot from one of the enemy's cannon entered one of the casemate ports and severely wounded Captain Elisario Barbosa and four of the crew. The Colombo, broaching to right under the principal battery, received considerable injury, and the Lima Barros, bringing up the rear, received 47 shots, some of which did much harm to the vessel. The loss of the division was 33 men killed and wounded. The vessels had their decks and weak parts protected to some extent with bags of sand.

"It is said that the channel furthest from the batteries had 10 torpedoes laid down, but as the iron-clads took that which was close to the other bank, they escaped that danger.

"In the order of the day of the 14th, the admiral, in referring to the passage to take place next day, used the following language:

"Brazilians! Be full of hope. The patron saints assigned by the holy church to preside over the 15th of August are the Holy Virgin of Glory, our Lady of Victory, and Assumption of the Mother of God.

"It is therefore with glory and with victory that we will go to Asuncion."

The iron-clads lie about one and a half mile from the casemated stone fort Huamita, and maintain a constant fire on it and a barbette battery close to it. Some of the vessels go within half a mile to give their fire greater effect. Meanwhile, as the Paraguayan batteries are constructed to cross their fire at particular points, they are able to do little against the vessels, and these can batter at long range almost with impunity.

"Before the stone fort and its supporters are silenced, no probability of success would occur to an attempt to force the passage by Humaita, as the casemate alone has 25 heavy cannon, and all the batteries some 60 pieces. The channel is narrow and tortuous, and besides a strong diagonal boom, consisting of three chains twisted together and partially supported by three boats, the river is reported to be obstructed, and sown with torpedoes.

"The communications of the division are effected by the Chaco, and some 500 men are employed in that duty and in making a road. The vessels have large supplies of munitions and coal, and have six months' rations of food. Wood is also abundant on the banks of the river.

"The Tamandaré when disabled was taken in tow by the Silvado, and she and all the other vessels had repaired their injuries."—*Anglo-Brazilian Times*.

Yesterday the three following bills were introduced into congress and referred to committee:

1. Authorizing the national authorities to reside in Buenos Ayres, and providing that congress shall designate the permanent seat of government at the beginning of the sessions of 1868.
2. Authorizing the national government to offer a prize of 8,000 patacones to the inventor or introducer of the best method for preserving meat for exportation.
3. Authorizing the government to employ the sum of 1,000,000 hard dollars in the purchase in the United States of 10 iron-clads fully armed, &c.

September 22.—The news which arrived yesterday from the provinces have a more cheering character. It appears by last accounts that the governor of Salta left the capital of his province to take up a very advantageous position a few leagues from it, where he was fortifying himself, and expected to make a successful resistance against the rebels, as forces were hurrying to his assistance, both from the province of Injuy and from that of Tucuman, and General Taboada, on the first news of Varela's invasion, had taken active measures and was hastening to advance from the province of Santiago to the theatre of disturbance.

General Arredondo arrived yesterday in Buenos Ayres from the province of Cuyo. It is said he comes on a special mission to the national government, although his absenting himself from his command at this moment gives rise to various comments.

The Tribuna of to-day publishes an article by the pen of a prominent lawyer, Dr. José F. Lopez, headed "The municipality, the cholera, and the alliance," in which he pictures the Argentine Republic as a flying phantom with the alliance on its back, crossing in mid air over the once happy country, now a desert chasm, filled with the shed blood of 12,000 brave Argentines, while among those shattered bones are seen a few lonely palaces of the originators and contractors of the Paraguayan war, who are the only parties benefited by this bloody drama, and concludes with the words "More than a year ago, when our army was stuck in the mud at Estero Bellaco, and the fleet was of no use, being convinced of the sterility of the sacrifices imposed by the war, and seeing the ferment of anarchy to which it gave rise, we urged its being brought to a termination either by a decisive deed of arms or by peace, and thus we might have been spared the disaster of Curupaiti, the civil war, the pillage and destruction of towns and villages, and the anarchy which is dragging us into an abyss. And if, to-day, in order to put down the conflagration of our home we can suc-

ceed in obtaining peace, it will be as welcome as a brigade of firemen. And since the government has not been successful in putting out its own fire, it may still rehabilitate itself by extinguishing that of the nation."

September 23.—The Nacional of to-day reviews the political career of Dr. Rawson, and endeavors to prove that his administration as minister of the interior has been one series of blunders, and that he will leave behind him no trace either of his talents, energy, or statesmanship, but only carry with him his undoubted reputation of honesty, which is all that remains to him. It concludes with these words: "When Dr. Rawson retires into private life the Nacional will make it its duty to praise, and recognize in him the eminent physician, the philanthropist, and the disinterested gentleman. Such is our opinion and may Heaven pardon us if we have erred with the best possible intentions."

These attacks upon our able and popular premier seem, however, to emanate, not from any leading parties in power, but only from some retired malcontents.

A. ASBOTH.

Mr. Seward to Mr. Asboth.

No. 46.]

DEPARTMENT OF STATE,

Washington, October 30, 1867.

SIR: Your despatch of the 9th of August, No. 37, has been received. It tenders your congratulations and those of the citizens of the United States residing in Buenos Ayres upon the acquisition of Russian America. I now have the pleasure of informing you that commissioners have proceeded from St. Petersburg and from Washington to Sitka, and that we are hourly expecting to hear of the formal transfer of that territory by the Emperor of Russia to the United States. Energetic commercial movements already made on the Pacific coast indicate a high appreciation of this acquisition.

Your letter has been submitted to the President for his special perusal, and he not only permits but enjoins me to thank you for the kind assurances of personal esteem and consideration which it contains.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Seward to Mr. Asboth.

No. 47.]

DEPARTMENT OF STATE,

Washington, November 12, 1867.

SIR: Your despatches, Nos. 40, 41, and 42, of August 26th, September 2d and 10th, have been received.

The daily memoranda of political events in the river Plata attached to your communications are extremely interesting, and your assiduity in keeping this department well informed in relation to the state of political and military affairs within your observation is highly commendable.

It is gratifying to see that the spirit of enterprise among the Argentines is alive, as evinced in the recent exploration of the hitherto unknown Indian territories on the Salado river, and it is hoped that it will be still further aroused until the whole interior unexplored regions of South America are laid open to commerce and the industrial arts.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

Mr. Seward to Mr. Asboth.

No. 48.]

DEPARTMENT OF STATE,

Washington, November 25, 1867.

SIR: Your despatch of the 25th of September, No. 45, has been received.

The reply of Vice-President Paz, of the Argentine Republic, made to the friendly note which you wrote to him, evinces not only a favorable consideration for yourself and for your country, but also a high elevation of personal character.

I thank you for your notes upon the military situation on the La Plata. By collating these notes with Mr. Washburn's despatches, I am able to form a much clearer judgment than that which is given by the public journals of Buenos Ayres.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALEXANDER ASBOTH, Esq., &c., &c., &c.

CORRESPONDENCE WITH THE LEGATION OF THE ARGENTINE REPUBLIC.

Señor Sarmiento to Mr. Seward.

[Translation.]

ARGENTINE LEGATION IN THE UNITED STATES,

New York, December 17, 1866.

MR. SECRETARY: My government, in communicating to me the notes it has exchanged with the honorable Charles A. Washburn, minister plenipotentiary of the United States, accredited near the government of Paraguay, says:

The government is pleased with the termination of the affair to which the notes refer, and which will be communicated to that government by General Asboth, who has already been received as minister resident by the government of the republic.

In giving you notice of this happy termination, I join my government in its congratulations, inasmuch as they are the expressions of the ardent desire to preserve the most benevolent relations with the government of the United States.

For the Argentine Republic, it would have been the most painful of the incidents that daily occurrences often bring about unexpectedly, to see itself forced to differ in the estimation of its causes or of its legitimacy. Fortunately every difficulty has been removed for the passage of the minister accredited near the government of Paraguay, and the suspense in which the minister plenipotentiary of Brazil and myself were left, after the interview you had the kindness to grant us, is happily concluded.

With assurances of the most high consideration, I have the honor to sign myself, your excellency's most obedient servant,

D. F. SARMIENTO.

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

Mr. Seward to Señor Sarmiento.

DEPARTMENT OF STATE,

Washington, December 20, 1866.

SIR: I have the honor to acknowledge the receipt of your note of the 17th instant, in which you inform me of the favorable termination of the correspond-

ence between your government and Mr. Washburn, the minister resident of the United States to Paraguay, which has been communicated to you officially by the former, with expressions of satisfaction.

Be pleased to inform your government, that this government is equally satisfied at the final removal of the obstacle to the passage of Mr. Washburn to Asuncion. I avail myself of this occasion, sir, to offer to you the assurance of my high consideration.

WILLIAM H. SEWARD.

Señor DON DOMINGO F. SARMIENTO, &c., &c., &c.

Señor Mitre y Vedia to Mr. Seward.

[Translation.]

ARGENTINE LEGATION IN THE UNITED STATES,

Washington, July 9, 1867.

MR. SECRETARY: By virtue of instructions recently received, and by agreement with you in our interview of the 6th instant, I propose in this note to give you some explanations in relation to the conduct observed by the Argentine government, on occasion of the offer made by the government of the United States, of mediation in the war with Paraguay, and at the same time calling your attention to certain acts of the American agents in the Plata, which not only diverge from the uses and practices regulating diplomacy, but might have injured the impartial character that certainly moved the President of this republic in his reply to the proposed mediation.

This is not the time to enter into an examination of the causes of the present war with Paraguay, but, for the better understanding of the facts, it may be well to remind you that in the midst of perfect peace, and without a previous declaration of war, the nations now allied were invaded by Paraguayan armies, their vessels were seized, and their independence and sovereignty seriously threatened by acts of conquest, of which I must presume you are not ignorant.

United, in fact by these offences and dangers that were common to them, those nations concluded an offensive and defensive treaty of alliance for more effective action, and to devise means to prevent future aggression, which experience had taught was very difficult to foresee. Keeping this primordial object in view, they bound themselves to enter into no agreements with the enemy, except on terms expressed in the treaty, as the only way, in their judgment, to secure a solid and lasting peace.

During the two years that have elapsed since the beginning of the war various efforts have been made for an amicable arrangement between the belligerents, but always unfortunately without satisfactory results. The last of these was made by his Excellency the President of the United States of America, at the request of the House of Representatives.

The offer of American mediation which you made to the Argentine government, in terms communicated to this legation in your note of the 4th of January of this year, having been discussed by our government with the allies, the government, with expressions of gratitude for the offer, informed Mr. A. Asboth, minister resident of the United States in Buenos Ayres, that it regretted to be forced, for powerful reasons, to refuse the good offices of his government.

But Mr. Asboth, actuated perhaps by a lively desire to see the hopes of his government satisfied, did not think the single declaration of the government of the Argentine Republic sufficiently conclusive, and so renewed his offers, in a note bearing the date of the 10th of April.

This step, under other circumstances, might have been taken for a praise-

worthy excess of zeal to see the end of a contest that had already cost so many and painful sacrifices; but it was construed in such a strange manner that the Argentine government has thought best not to pass it in silence.

In the despatch referred to, the American minister does not confine himself to insisting on the acceptance of the good offices of his government, as he should have done, and to the demonstration of the benefits of peace; but he thought proper to enter into a discussion of the war, our home policy, the state of public opinion and the finances of the country, which, it is presumed, were duly weighed and considered previously by the Argentine government.

In the fulfilment of his laudable duty, the Argentine government does not think the United States minister had any right to discuss the situation of the country, pictured by him in such gloomy colors, in his aforementioned note.

To pass this act in silence would be to admit that Mr. Asboth, despite his brief sojourn among us, was a better judge of our condition and wants than a government chosen by the people, whose duty was to be acquainted with that condition and provide for those wants. Even admitting the government was in error, it was not the duty of a foreign diplomatic agent to point it out; the most ardent desire to promote the happiness and comfort of a country to whose government he is accredited does not justify such a proceeding.

Another fact to which I must call your particular attention is a letter addressed by Mr. C. A. Washburn, United States minister resident in Asuncion, to the Marquis de Caxias, present general-in-chief of the allied army, on the same subject of mediation.

The general-in-chief of the allied army is not authorized to interfere in diplomatic affairs, nor has the American minister in Paraguay any official right to address a military agent of another nation. Moreover, this note, and other documents that have been published, confirm some prejudices in Mr. Washburn, not calculated to inspire the allies with entire confidence in his impartiality.

The Argentine government, in instructing me to submit these observations to your careful consideration, is sure they will be received as a proof of its wish to preserve the strict bonds of friendship by which the two countries are united in an unaltered and permanent condition. It is to be confidently hoped, therefore, that your government, which has given such eminent proofs of its intention not to permit its agents to exceed the limits of their faculties, will know how to appreciate the justice of these observations.

I will not close this note without saying to you for the information of the President of your republic, that the Argentine government is very grateful for the noble efforts the United States has made to put an end to the war that has afflicted for two years the country watered by the Río de la Plata. Convinced that the pending question can only be settled by arms, the Argentine government considers its painful but unavoidable duty to be to decline the good offices of your republic, while acknowledging these additional inducements to its friendship and gratitude.

In thus accomplishing the instructions of my government, it is pleasing to me to subscribe myself, with sentiments of particular esteem, the honorable Secretary's most respectful and obedient servant,

B. MITRE Y VEDIA.

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

Mr. Seward to Señor Mitre y Vedia.

DEPARTMENT OF STATE,

Washington, July 11, 1867.

The undersigned, Secretary of State, has the honor to acknowledge the receipt of a communication from Mr. Mitre of the 9th of July instant, in which

communication Mr. Mitre makes known to the undersigned some opinions of the government of the Argentine Republic, in relation, first, to a letter which was addressed to the Argentine government, on the 10th of April last, by Mr. Asboth; and secondly, to a letter which was heretofore addressed by Mr. C. A. Washburn, United States minister resident at Paraguay, to the Marquis of Caxias on the subject of a tender by the United States of their good offices in bringing to an end the war on the La Plata.

The undersigned being of opinion that the questions raised by Mr. Mitre will be considered with more convenience and advantage to both governments at Buenos Ayres than here, has given instructions to Mr. Asboth to communicate thereupon directly with the government of the Argentine Republic.

The undersigned entertains no doubt that such proceedings will prove entirely satisfactory to the Argentine government.

The undersigned avails himself of this occasion to offer to Mr. Mitre the assurance of his high consideration.

WILLIAM H. SEWARD.

Señor DON B. MITRE Y VEDIA, &c., &c., &c.

Señor Mitre y Vedia to Mr. Seward.

[Translation.]

ARGENTINE LEGATION IN THE UNITED STATES,

Washington, July 17, 1867.

MR. SECRETARY: I have just received your esteemed note of the 11th instant, in reply to mine of the 9th, informing me that you think it would be better for both governments to have the affair to which my despatch relates settled in Buenos Ayres, and that you have instructed Mr. Asboth to confer with the Argentine government immediately, hoping they will have good cause of satisfaction.

In reply, all that I have to say is, that I will inform my government of that determination, hoping the result may be as you desire.

I remain your attentive and obedient servant,

B. MITRE Y VEDIA.

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

BRAZIL.

Mr. Webb to Mr. Seward.

[Extract.]

No. 25.]

LEGATION OF THE UNITED STATES,
Petropolis, January 24, 1867.

SIR: I have the honor to acknowledge the receipt of despatches Nos. 191 and 192; and on the 21st instant I forwarded a copy of No. 192 to the minister of foreign affairs, with a despatch, a copy of which is enclosed, marked A.

I have asked for a conference on this subject next week, when I shall go to the city for that purpose.

On the 2d of January, I had a long conference with the minister of foreign affairs, Senhor Albuquerque, in regard to our claims, and your despatch No. 189, which I had enclosed to him during my illness. It reached me when there existed but little probability of my ever having anything more to do with worldly matters, and I sent it to the foreign office, as indicating our friendly feelings, well knowing that was not the time for offering mediation, even if I had been authorized then to make such an offer, which I certainly was not. He inquired in substance:

Do you now offer mediation? I hope not, because it would embarrass us, as we should be compelled to decline it.

I was then assured that this government expected to have 50,000 men at the seat of war about the 1st of March, when the fleet would threaten the fortress of Humaita, while the bulk of the army would ascend the Parana, land on the Paraguayan shore, and march round the fortress to the Paraguay river and Asuncion. To this I replied, that I certainly *did* not offer mediation, knowing it would be refused, as it was when mediation was offered, at my instigation, between Brazil and Uruguay, which, had it been accepted, would have avoided all the existing difficulties growing out of a war that had so greatly taxed the resources of Brazil, at the sacrifice of tens of thousands of lives drawn from the labor of the empire, and at a cost ruinous to its credit. And I called his attention to the clause of the despatch in which you say:

The President authorizes me to say, that if *all* or either of the belligerents should *distinctly intimate* to this government a willingness to accept its good offices, with a view to securing a peace that would be just and honorable to all parties, those good offices would be promptly exercised.

Upon this I remarked that it was apparent from the tenor of the despatch that it was intended I should do nothing calculated to embarrass the belligerents, or which might have an aspect even of dictation, when nothing was further from the intentions of our government. But at the same time it should not be overlooked that the President, speaking the sentiments of the American people, and in the interest of commerce and civilization, expressed the strongest desire to have this war terminated; as being not only hostile to commerce and civilization, and to the progress of the age, but as injurious "in a political sense, because all republics, and all American states, (including Brazil,) are suffering by wars on this continent, which are either unnecessary or unreasonable in their beginning, or which are unnecessarily and unreasonably protracted."

I admitted to the fullest extent the right of the allies to proceed in their great effort to bring the war to a close in March, undisturbed by the interference of other powers, whether European or American; but if that effort failed,

what then? Was this war to continue indefinitely? Would it not then become the duty of the commercial powers to interfere and demand its cessation? And, above all, would it not, more especially, become the duty of the United States government, the leading American power, holding, as it does, that the pending war is "politically injurious to all republics and to all American states," to demand its cessation?

* * * * *

But if they cannot accomplish their purpose, so much to be desired in the interest of civilization, then all parties should be *compelled* to terminate the war, and all the great rivers should be open to the navigation of the world. And in addition, the different governments now at war should be prohibited from erecting fortresses anywhere on the banks of the great navigable rivers, which would command their channels; and all existing fortresses, of such a nature, be destroyed.

On learning from your despatch No. 190, dated the 23d of October, that a copy of your 189, to me, had been forwarded to General Asboth and Mr. Washburn, I saw, or thought I saw, that the general might misapprehend its purport and offer mediation, instead of merely indicating our readiness to interpose with our good offices when requested so to do.

I thereupon addressed a private note to the general, and pointed out to him that I construed the despatch as a notice of a willingness to act, and *not* as an *offer* to interpose; well knowing that such offer at this time must, of necessity, be refused, and thereby weaken our position when an offer should be made with an intimation that it must be accepted. But my letter arrived too late, and I am glad that it did. On the 1st of January he offered mediation, in a despatch so admirably conceived and so kindly worded, that I am sure it will do good instead of harm.

Indeed, I learn from Admiral Godon, Governor Mathews, the British minister, and other sources, that both the people and the government of the Argentine Republic are getting tired of the war. If this be so, (and I believe it,) the offer of mediation by the American minister, which fact is loudly proclaimed by the press of Buenos Ayres, will do good. The fact is re-published in the Rio press, and the inference is that I offered mediation at the same time. So the public mind will gradually be prepared for an interference, after the failure of the next attempt of the allies to "conquer a peace." I believe that in such an event we should indirectly be asked to compel all parties to make peace, and thus get rid of the ridiculous treaty by which the allies bind themselves, under no circumstances and in no contingency, to treat with Lopez. But this is only conjecture. At present all in authority in Brazil think, or pretend to think, that theirs success in March is certain. A failure, therefore, will have a most depressing tendency on all parties.

I learn from Mr. Thornton, the British minister, that then, if *we* do not *compel* an abandonment of the war, England and France most assuredly will. He says he has urged his government to do so; and it was to avoid any such interference by European powers that I have urged action by our government.

That our present proposition will be rejected *now*, is a certainty; and so to speak, a necessity. And if it should be accepted after defeat, is it such an one as we *then* should desire? Should we not have another prepared in view of such a contingency? Beyond all possible peradventure, if Paraguay and the allies met in a Congress in Washington, they could *disagree by agreement made in advance*. That is to say, the allies would not yield anything. What then? Why, the President is to appoint an umpire—a European power, of course, because there is no American power to whom the question could be submitted; Peru and Chili having committed themselves against the allies, and Bolivia being *interested* and looked upon as an *enemy* of Brazil.

So that your proposition is, in effect, no more nor less than saying, "Declare

an armistice and let the President of the United States appoint an umpire, whose decision shall be binding upon all the belligerents."

And a very good proposition this is; but pardon me for saying that, this being an American question, I desire to see the United States have something more to do with its settlement, if *outsiders* are to take it in hand; as they most assuredly should or will, if the allies fail in their assault on Paraguay in the coming month of March.

With great respect, your obedient servant,

J. WATSON WEBB.

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

A.

Mr. Webb to Senhor Albuquerque.

No. 1.]

LEGATION OF THE UNITED STATES,
Petropolis, January 21, 1867.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to enclose to his excellency Senhor Antonio Coelho de Sa'e Albuquerque, councillor to his Imperial Majesty the Emperor, minister and secretary of state for foreign affairs, a copy of a despatch received from the honorable William H. Seward, Secretary of State for the United States, and a proposition forwarded therein from the President of the United States to the respective governments of Brazil, Uruguay, the Argentine Republic, and Paraguay, in the hope of bringing to a speedy and honorable conclusion the pending war between the allies and the republic of Paraguay.

The undersigned indulges the hope that this proposition for a conference at Washington, based upon the wishes of the people of the United States, and in the interest of peace, commerce, humanity, and the progress of civilization throughout the continent, may be accepted by Brazil in the spirit in which it is offered, and he avails himself of this occasion to reiterate to his excellency assurances of consideration and respect.

J. WATSON WEBB.

His Excellency Senhor ANTONIO COELHO DE SA'E ALBUQUERQUE,
*Councillor to his Imperial Majesty the Emperor, Minister and Secretary
of State for Foreign Affairs.*

Mr. Webb to Mr. Seward.

No. 28.]

LEGATION OF THE UNITED STATES,
Petropolis, February 23, 1867.

SIR: I have the honor to enclose a translation of a despatch from the Foreign Office, acknowledging the receipt of your offer of mediation.

Very respectfully, your obedient servant,

J. WATSON WEBB.

HON. WILLIAM H. SEWARD,
Secretary of State.

Senhor Albuquerque to Mr. Webb.

No. 1.]

MINISTERIO DOS NEGOCIOS ESTRANGEIROS,
Rio de Janeiro, January 31, 1867.

The undersigned, from the council of his Majesty the Emperor, his minister and secretary of state for foreign affairs, received the note which, on the 21st instant, General James Watson Webb, envoy extraordinary and minister plenipotentiary from the United States of America, did him the honor to forward.

General Webb encloses in his note a copy of a despatch from the honorable Secretary of State of the United States, and expresses the hope that the proposition contained in the

honorable Secretary's despatch, of a meeting for a conference in Washington, with the view to put an end to the war with Paraguay, will be accepted.

The government of his Majesty receive with gratitude this proof of the friendly feelings of the United States, and will answer after having consulted its allies.

For this reason the undersigned just now limits himself to acknowledging the receipt of the note from General Webb, to whom he reiterates assurances of his high consideration.

ANTONIO COELHO DE SA'E ALBUQUERQUE.

Mr. Webb to Mr. Seward.

[Extract.]

No. 34.]

LEGATION OF THE UNITED STATES,

Petropolis, May 3, 1867.

SIR: On the 29th of April I received from the minister of foreign affairs a despatch, of which the enclosure, marked A, is a copy. The mail from the river Plata, which arrived on the 22d, brought the official replies of the Argentine and Paraguayan governments to the notes of Messrs. Asboth and Washburn, our ministers resident, urging the acceptance of our offer of mediation. How far it was wise to address letters to the belligerents, urging in very pressing terms the acceptance of our proposition, is not for me to determine, except so far as my own conduct was controlled by my judgment in the premises. Brazil is the soul of the alliance between her, the Argentine and Uruguay, and she is expected to furnish the money, the men, and the materials of war, with which to carry on the campaign against Paraguay, and of course it is for Brazil to say when and how the war shall cease.

But this is not all. It is virtually Brazil's quarrel. Brazil and Uruguay, after a protracted diplomatic controversy, went to war. Pending the negotiations, and before war was declared, Lopez threatened to declare war against Brazil, if she invaded Uruguay. Brazil and Uruguay did go to war; Brazil did invade Uruguay, and after a struggle of some months, Brazil conquered a peace honorable to both parties. Brazil then had it in her power so to adjust her southern boundry by taking to herself the narrow strip of territory bordering on the province of Rio Grande de Sul, and inhabited exclusively by Brazilians, speaking the Portuguese, and not the Spanish language, as would have effectually guarded against the recurrence of war from the same causes which had produced the one then pending. So important to Brazil, in my judgment, was this small strip of worthless territory, in order to guard against future complications between the two countries and the establishment of a permanent peace, that I did not hesitate to advise the Emperor to retain it, as it was really of no practical value to Uruguay and would be cheerfully ceded to Brazil, much to the satisfaction of its inhabitants, who, as I have said, are all Portuguese, while the Uruguayans are Spaniards. But the Emperor, who is not only the ablest but probably the purest of all the public men in Brazil, said *no!* He had declared that he waged not a war of conquest; and desirable as was the small strip of territory alluded to, occupied by Brazilians, he could not with honor accept it from Uruguay at the termination of a war in which his arms had been victorious. So a peace was concluded just and honorable alike to both parties.

During the continuance of this war, Paraguay remained neutral, notwithstanding her threats to the contrary before the war commenced, and at the close of the war, or pending its being waged, a minister resident was accredited to Paraguay by Brazil, who was courteously received by Lopez, and took with him from me a letter of introduction to our minister resident, Mr. Washburn.

Some time after the conclusion of the peace with Uruguay, a change of ministry took place here, and Carneiro de Campos became minister of fazenda, [treasury,] and his brother was appointed governor of Matto Grosso. On ref-

erence to a map of Brazil, you will perceive that the very extensive, but sparsely inhabited province of Matto Grosso extends from latitude 8 to 20 south, 12°, and from longitude 50 to 65 west, embracing 15° and covering quite one-half of the territory of Brazil in its greatest width. It is bounded on the west by Bolivia and the river Paraguay, on the south by the republic of Paraguay, and on the east by the river Parana and the Brazilian provinces of Parana, St. Paulo, Minas Geraes, &c., &c. To reach its capital by land is only practicable over a mule-track of more than a thousand miles, while steamers of a large class may, at nearly all stages of the river, ascend the Paraguay to the city of Curumba, in latitude 18 south; and north of it Rio de Janerio is in 23 south, and a steamer destined for Matto Grosso runs down the Atlantic coast 12° to the river Plata, in latitude 35; thence up the Plata to the junction of the Parana and Paraguay; thence up the Paraguay, and through the territory of that republic, passing its capital, Asuncion, until it reaches Bolivia lying on one bank of the river and Matto Grosso on the other, thus passing through 29° of latitude and 23° of longitude.

The newly-appointed governor of Matto Grosso, Senhor Campos, was directed to take the Brazilian steamer, The Marquez d'Olanda, and proceed to his government; and inasmuch as he must of necessity pass Assuncion, the capital of Paraguay, a government on terms of amity with Brazil, and where was residing one of her duly accredited ministers, he was entrusted by the Emperor of Brazil with an autograph letter to President Lopez, announcing in very friendly terms, and as an act of courtesy, the then intended marriage of the Princess Imperial and her sister, the Princess Leopoldina. Just such an announcement, in fact, as his Majesty made to the President of the United States, and to every government of the civilized world with which he entertained diplomatic relations. This letter Governor Campos was directed to deliver, in person, to President Lopez, and to proceed on his way to Matto Grosso.

Arrived at Asuncion, Governor Campos, through the Brazilian minister, demanded an audience of the President, Lopez, to deliver an autograph letter from Don Pedro the Second, Emperor of Brazil, to the President of Paraguay. The audience was promptly granted, and the letter duly received, accompanied with an appropriate speech. Judge, then, of the astonishment of all present, at President Lopez's reply. He proceeded to remind Governor Campos that before the war with Uruguay (which had long previously happily terminated with honor to both parties) he (Lopez) had declared that if Brazil presumed to make war upon Uruguay he should declare war against Brazil. True, he had not done so at the time, but he was not unmindful of his threat, which Brazil had disregarded as if he was not a power in South America; and therefore he announced that from that moment war existed between Paraguay and Brazil, and that the steamer Marquez d'Olanda was seized as a prize, and Governor Campos and all on board would be held prisoners of war. The steamer was accordingly seized, and Governor Campos imprisoned and sent into the interior, and from that day until now, nearly three years, he has never been heard from, and his fate is unknown.

In consequence of this outrage, the Brazilian minister, as a matter of course, promptly demanded his passports. They were granted without delay, but at the same time an order was issued prohibiting under any circumstances, or on any plea whatever, any boat or vessel departing from the port of Asuncion, either up or down the river. Thus De Lima, the Brazilian minister, as well as Governor Campos and the officers and crew of the Marquez d'Olanda, became prisoners of war.

Our minister, Mr. Washburn, very properly intervened in behalf of De Lima, and resented the insult offered to his diplomatic character in thus detaining him a prisoner in fact, though not in terms; and the result was permission for his return.

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Lopez at once invaded the defenceless province of Matto Grosso, *
 * and next demanded permission of the Argentine Republic to march troops across its territory for the purpose of invading Uruguay, and through that government, Brazil. Permission was refused, and Lopez declared war against the Argentine and Uruguayan republics.

Then it was that Brazil, the Argentine and Uruguayan republics, entered into an offensive and defensive alliance, not against Paraguay, its institutions, its people, or the integrity of its territory, but against Lopez. * *

By the terms of the tri-partite treaty between the allies, the sole object of the war is declared to be the driving away of Lopez, and the restoration to the people of Paraguay of their right to elect their President. * * * *

Of the manner in which the pending war in Paraguay was brought about, there admits no doubt, and Lopez explained to Mr. Washburn that his object in declaring war against Brazil, Uruguay, and the Argentine, was to demonstrate that he, Lopez, was a power in South America. This, he said, had always been ignored, and his threat to make war upon Brazil if she invaded Uruguay was treated with contempt, utterly disregarded, and even unnoticed. He said he could readily bring 60,000 men into the field, who would cost him nothing, as he did not pay them, and he would make those whom he left at home furnish the cattle for their support. With this force he would prove to his enemies that he was a power to be respected, and *that* accomplished, he would make peace, and in the mean time he would be civilizing his people. He had ordered all the lazy, idle, and worthless hangers-on about the villages, and all who did not faithfully cultivate the number of acres designated in the manner prescribed, to be put in the army, where two or three years of military discipline would civilize them to a certain extent, and make them more valuable citizens. * * *

The allies, it must be remembered, do not aim to accomplish more than to drive away Lopez, and give freedom to the people of Paraguay. And, as the war is at and above the mouth of the Paraguay river, where Lopez is the only recognized merchant, the commerce of the world is in no wise injured or embarrassed by this war in the Plata. It is most onerous to Brazil, because seriously injuring her in the point where she is most vulnerable, her labor. And yet her honor and the cause of civilization demand that she should persevere in her effort to accomplish her purpose. Her people anxiously desire peace, but the most intelligent among them are prepared for any sacrifice sooner than come to terms with Lopez. And I am informed, upon authority which is entitled to consideration, that not only is the Emperor resolved to accomplish the work in hand, but it is said that the remark has fallen from him that if the people of Brazil are determined to have peace at any sacrifice, the duty of assenting to such a peace will necessarily devolve upon his daughter. In other words, that in such an event he will abdicate.

I do not vouch for the truth of this rumor, but at the same time, from my knowledge of the Emperor's character, I can readily believe it. Much, therefore, as one may desire peace, in all human probability the war will continue until Lopez is driven away. In the mean time, our people and our Congress should be officially enlightened in regard to the purpose of the war in the river Plata, and the character of the parties respectively engaged in it. The people of the Argentine Republic and of Uruguay are civilized, intelligent, enterprising, and by profession at least, moral and religious. A very large portion of them are Scotch, English, and American, embarked in commerce, and in raising sheep and cattle in the finest wool-growing region of the world, and where men count their sheep, cattle, and horses, by tens, and even by hundreds of thousands.

True, Brazil is in name a constitutional monarchy; but her constitution, her legislature, her judiciary, and all her commercial laws and regulations are based upon, and, in most cases, copied from us. Make her executive *elective* instead of hereditary, and her constitution is ours in spirit, if not in letter, and in some of

its features even preferable to ours. In my judgment—and it has ever been the same—the greatest improvement of which our institutions are capable is to render far more permanent our elective executive, with ministers always directly responsible to the representatives of the people.

Brazil is, next to ourselves, the great power on the American continent, and in imitation of us she is considering the means of immediately commencing the gradual manumission of her slaves. She cannot determine upon a *gradual prospective* abolition of slavery too soon, and she cannot be too careful to make it the work of time, extending through a generation, at least, and thus avoid the rock of “immediate abolition,” a far greater curse to both master and slave, as well as to the country, than slavery itself. No country can boast of better and wiser laws, and although there are great faults in their administration, every man of intelligence will bear witness to the truth of my observations, that each and every year evidences improvement in the administration of laws which are equally wise and just. Brazil is rich, powerful, and progressive, and it is only the ignorant and prejudiced who can find an excuse for their sympathy with Lopez because he calls Paraguay a “republic;” while one of the three powers which in the interest of civilization seeks to drive him out of the country is a constitutional monarchy based upon the principles of government recognized and elaborated in the Constitution of the United States. The Argentine and Uruguay are both free, prosperous, and progressive republics, boasting of a moral and religious people; and liberty in constitutional Brazil is as well guarded by wise laws, based upon those of the United States, as it is under the government of her allies.

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By the last news from the river the commander of the allied forces is preparing for a combined movement upon Paraguay, which it is earnestly hoped may be successful. Assuredly the government of Brazil anticipates success, but I am bound to say the almost universal opinion is that another failure is at hand. This, however, is the result of past failures and the non-performance of promises heretofore made with quite as much confidence as at present; but, in my judgment, with means so lavishly placed at the command of the general-in-chief, there exists no earthly reason why he should fail in the coming fight. But in the event of a failure, what then? Can Brazil, in the present temper of the public mind, organize another army of 50,000 men composed of similar material, that is, of free whites and mulattoes? I think not, and if so she has but one of two courses to pursue: she must either abandon the attempt to drive out Lopez, or she must at once resort to her slave population to do the work for her. And why not? The only answer I have ever heard to this suggestion, when I have made it, is its expense. If that plea be adhered to, then this government richly merits defeat, and will have no sympathy in her misfortunes, or what she deems her dishonor.

When *we* wanted to raise additional men to put down the rebellion, did our government or our people count the cost of doing so? Far from it. Our government, our States, our cities, our counties and our towns with one voice proclaimed, “If the rich and well-to-do will not shoulder their muskets and defend the Union, *their money* must be made to do it;” and we offered bounties to men who would enlist varying from \$500 to \$1,000 for every man enlisted, and what *we* did Brazil can, must, and I verily believe *will* do. She is considering the question of abolishing slavery. Let her begin the work by at once manumitting 50,000 of her able-bodied negroes. Let her, if need be, follow our example and *buy* them from their masters at our bounty rate of \$1,000 per head, give them their freedom, and make them earn that freedom as soldiers and as freedmen. Even if the 50,000 able-bodied soldiers should cost \$1,000 each, which they would not, the whole amount thus expended would be only \$50,000,000, and thus Brazil could promptly accomplish her purpose in the most

economical manner possible, and would at the same time be giving freedom to 50,000 slaves.

There can be no doubt that Brazil will get rid of slavery altogether within the next 30 years, and the very general conviction that slavery in Brazil is doomed would very probably enable the government to purchase the soldiers required at three-fourths the price named. But be this as it may, the imperial legislature meets to-day, and if another reverse should befall the Brazilian arms on the Paraguay I feel a well-settled conviction that the legislature will be called upon to act upon a suggestion somewhat similar to what I have foreshadowed. It is at once the only feasible and economical mode of promptly bringing the war to an end. If, as is possible, and in the estimation of the public probable, the new commander of the allied armies is destined to a fate similar to that of his predecessors, in that event the legislature of Brazil will, no doubt, make one great and last effort to drive out Lopez, but of course the war would necessarily be prolonged another year. But come what may, the Plata, the Uruguay, the Parana, and the Paraguay must, like the Amazon, be thrown open to the commerce of all nations; the fortifications on their banks must be destroyed, and the erection of others be forever prohibited. Brazil, in opening the Amazon in September next, has clearly indicated her policy in this regard, and the commercial nations of the world have only to exercise a little patience, not only to witness the restoration of peace in the highly favored regions of South America wherever war now rages, but the removal of the men and the causes to which that war is solely attributable. From the moment I became satisfied that Brazil would not, and indeed could not, accept our offer of mediation, and, assured as I am that we would *not* attempt to enforce that mediation upon her by an armed intervention, I deemed it unwise and incompatible with our national dignity publicly and earnestly to press upon her our good offices, with a certainty that they must be refused. Nothing could be gained by such a proceeding, although I have verbally urged the acceptance of our proposal and the great desire of all civilized nations to see this unduly protracted war brought to a close. In my heart, however, I confess that I am glad our friendly interposition in the mode suggested has been courteously rejected, because our offer of necessity makes a European ruler the final arbiter in a purely American question. Such, probably, was not your intention, but recent events render it a necessity. You propose that after agreeing upon a statement of their case by a congress at Washington, the protocol of their doings shall be submitted by the President of the United States to an umpire, to act as referee, whose decision shall be final. Now, it so happens that Peru, Chili, and Bolivia have disqualified themselves from acting by reason of their protest against the treaty of the allies. Mexico is not in a condition to act; and the questions at issue are of too great a magnitude to be submitted for final settlement to Central America, or the minor American powers. It follows, then, that the President would be compelled to refer the whole matter to the settlement by arbitration of a European power. The states engaged in this war would very much prefer that the President should himself become the final arbiter in the premises; whenever, in their judgment, events, now buried in the future, may render such reference either necessary or expedient.

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

J. WATSON WEBB.

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

P. S.—I should have stated in the body of this despatch that the Emperor is the head and front, the very soul of the movement for the emancipation of all slaves within thirty years—the work to commence now, by immediate

legislation. Of course, if he should abdicate, the movement ceases, and therefore the advocates of the slave interest would be well pleased to get rid of him on any terms. They'll not succeed.

J. W. W.

Señor Albuquerque to Mr. Webb.

[Translation.]

MINISTRY OF FOREIGN AFFAIRS,
Rio de Janeiro, April 26, 1867.

The undersigned, &c., &c., has already had the honor to acknowledge the receipt of the note which, under date of 21st January, was addressed to him by General James Watson Webb, &c. &c., offering the good services of the United States of America, and proposing the reunion of a conference, with a view to put an end to the war between Brazil and Paraguay.

That offer could not but be received with thankfulness. In fact, it conveyed to the imperial government another and highly prized proof of the friendly sentiments of the people and government of the United States; but a reference of the case to her allies being necessary, this duty of loyalty was complied with.

This is the reason why the undersigned is only now enabled to wait upon General Webb with the reply which is due to him on this important subject-matter.

The government of his Majesty the Emperor is the foremost in deploring the war in which it is engaged, and in longing for the arrival of the moment for an honorable and just termination of the same. The sincerity of these sentiments is witnessed by the manner of its procedure in its relations with the neighboring countries, including Paraguay itself, which is its debtor for numerous and very important services.

This, notwithstanding the imperial government has already once been forced to constrain itself, in not accepting the good offices which have been tendered to it, with the object now promoted by the United States of America. The same reply was then given to the government of Peru, which it now cannot but give to the American government.

The war which Brazil now wages against Paraguay was not provoked by her. The truth of this assertion is evident to those who, with the slightest attention, follow the events which from the commencement have come to pass. It is unnecessary to chronicle here those events.

For the purpose of the present note it suffices to call to mind that in the midst of full peace; without having been in any way offended; without the necessity of guarding against any danger whatever, and only from the impulse of unbounded ambition of dominion and renown, the President of Paraguay captured a Brazilian merchant steamer, and made a prisoner of the president appointed to the province of Mato Grosso; invaded that province and that of Rio Grande do Sul, and during that invasion committed acts which strike at the rights of nations, and are repugnant to modern civilization.

Brazil has to repel her gratuitous enemy as had the Argentine Republic, whose territory was in the same manner invaded, and the Oriental republic of the Uruguay, whither the Paraguayan forces were marching when detained during the devastating inroad.

One part of the province of Mato Grosso is still occupied by Marshal Lopez's forces. The great distance which separates that province from the centre of the empire, and the want of proper means, do not permit its being easily wrested from the enemy, except by the manner in which he is attacked by the allies.

The foregoing reasons are doubtless sufficient to deprive Brazil of the satisfaction of assenting to the invitation which, in the interest of peace, has been addressed to her by a friendly government.

But, besides, such a peace would not meet with sufficient guarantee from the antecedents of the actual President of Paraguay, and, therefore, without the complete victory which the allies hope to gain within a short time, neither order nor tranquillity will ever be established in that country, nor the only true principles of liberty which alone can promote its happiness.

The imperial government thus trusts that that of the United States of America will view in its proper light the reply which, by order of his Majesty the Emperor, the undersigned presents to General Webb.

The imperial government is thankful for, but cannot have the satisfaction of accepting, the offer in so friendly a manner made to it.

The undersigned avails himself of this opportunity to reiterate to General James Watson Webb the assurances of his high consideration.

ANTONIO COELHO DE SA'E ALBUQUERQUE.

Mr. Seward to Mr. Webb.

No. 208.]

DEPARTMENT OF STATE,

Washington, June 17, 1867.

SIR: While there is much which is not unworthy of consideration in your despatch No. 34, there is more that can neither be commended nor allowed.

Messrs Asboth and Washburn, our representatives in Buenos Ayres, Uruguay and Paraguay, are responsible to this department, which, under the President's direction, is specially and exclusively authorized to approve and commend or to disapprove and censure their proceedings. It is inconvenient and undesirable that the records of this department should be made a receptacle for disputation, controversy, or even criticism between the several representatives of the United States and foreign countries.

It would be unreasonable to expect that, dwelling in foreign countries whose governments and people are at war with each other, they could be able to see questions which affect those countries in a common light. Impartiality between foreign belligerents is attempted by this department; but the department is not so unreasonable as to expect to find always an agreement of views between its several legations in countries unhappily involved in war.

The business intrusted to you and to the ministers in Paraguay and Buenos Ayres was a simple tender of the good offices of this government to bring about, if possible, a fair and equal conference under an armistice for the termination of the war of the La Plata. It was nothing more. The wisdom of the proceeding was not submitted to the representatives charged with the execution of the measure. The manner as well as the spirit in which the proposition was expected to be made was the subject of precise instructions. The instructions in the present case did not require from those representatives an examination and report upon the merits of the respective states in the original controversy, or upon the character, pretensions, and claims of the several belligerents. What information either representative may think himself able to give concerning the claims and the character of the government and people among whom he resides, is unobjectionable, and may be useful. On the other hand, it is unnecessary for the representative near one of the belligerents to go out of his way to argue against the case and draw an injurious character of the opposing parties in the conflict. Nor is it seen with what propriety the past relations and transactions between the United States and either of the belligerents, altogether foreign from the present war, are drawn into review and made the subject of discussion now. Such discussions, especially when contradictory, have no tendency to advance the humane and single object of the United States, namely, the restoration of peace, just and honorable to all parties, by means of a conference to be opened between them. If the effort fails through the disinclination of the parties, our responsibility ends, while we shall have given no just cause of offence to either party.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WATSON WEBB, Esq., &c., &c., &c.

Mr. Seward to Mr. Webb.

No. 210.]

DEPARTMENT OF STATE,

Washington, June 17, 1867.

SIR: Your despatch of the 3d of May last has been received, together with the note of Mr. Albuquerque, minister for foreign affairs, in which, in behalf of Brazil, he declines the proposition which was made by this government to the

several belligerents with a view to the establishment of peace in the region of the La Plata. It is not within the province of the United States, nor would it be consistent with the impartiality and friendship which they maintain towards all the belligerents, to pronounce an opinion upon either the original merits of the war, or upon the wisdom or necessity of its longer continuance.

You will express to the imperial government the regret of the President and people of the United States that the allies do not find it compatible with their rights and interests to avail themselves of the good offices of the United States, which were conceived in a spirit of entire respect and friendship for the several belligerents, and an earnest desire for the restoration of peace throughout the American continent.

Not at all wedded to their own proposition which has thus been disallowed, the United States will yet indulge a hope that the wisdom of the belligerent states will be competent to devise measures within a reasonable period which may enable them to afford to their people the advantages and benefits of peace. Such measures being devised, any good offices that may be at any time required of the United States will be cheerfully rendered.

I am, sir, your obedient servant,

JAMES WATSON WEBB, Esq., &c., &c., &c.

WILLIAM H. SEWARD.

Mr. Seward to Mr. Webb.

No. 213.]

DEPARTMENT OF STATE,
Washington, July 18, 1867.

SIR: I enclose to your address by this mail the resolution of the United States Congress in reply to the resolution of the Brazilian chambers of senators and deputies on the death of Abraham Lincoln.

You will be pleased to deliver it to the minister for foreign affairs with the request to give it the proper direction.

I am, sir, your obedient servant,

JAMES WATSON WEBB, Esq., &c., &c., &c.

WILLIAM H. SEWARD.

A RESOLUTION thanking the chambers of senators and deputies of Brazil for their resolutions of sorrow and sympathy on the death of President Lincoln.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States has received with respect and gratitude the resolutions of sorrow and sympathy which the chambers of senators and deputies of Brazil have adopted on the death of President Lincoln, and hereby tenders to those chambers the thanks of the people of the United States.

SEC. 2. *And be it further resolved,* That it shall be the duty of the President of the United States to forward a copy of this resolution to the Emperor of Brazil, with a request that it be communicated to the two chambers.

Approved, March 2, 1867.

Mr. Seward to Mr. Webb.

No. 220.]

DEPARTMENT OF STATE,
Washington, November 26, 1867.

SIR: Your letter of the 24th of October has been received. The continuance of the war on the La Plata is a subject of deep concern in the United States.

Generally when rumors of negotiations for peace thicken they indicate an approach towards the conclusion of war. This government not only perseveres in its wishes for peace, but also it adheres to the proposals which it has heretofore submitted. At the same time it is neither tenacious of its own views nor jealous of the good offices of others. It belongs to the belligerent sovereign powers not only to choose the terms of peace, but the forms which will be adopted to secure it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WATSON WEBB, Esq., &c., &c., &c.

CORRESPONDENCE WITH THE BRAZILIAN LEGATION.

Senhor Azambuja to Mr. Seward.

[Translation.]

IMPERIAL LEGATION OF BRAZIL,

New York, January 22, 1867.

With the intuitive purpose of promoting the aggrandizement of the empire by facilitating every day more and more its international relations, his Majesty the Emperor, my august sovereign, by decree, copy whereof is enclosed, has deemed proper to open at and from the 7th day of September next to merchant vessels of all nations the navigation of the river Amazon to the frontier of Brazil; of the river Tocantins to Cameta; of the Tapajos to Santarem; of the Madeira to Borba; and of the Rio Negro to Manáos.

The same date will also determine the navigation of the river San Francisco to be opened to the city of Penedo.

The navigation of the affluents of the Amazon in that portion wherein only one of the shores belongs to Brazil remains dependent on a previous agreement with other river states, about respective limits and political and riparian regulations.

I have the satisfaction of addressing this important and gratifying communication to Mr. William H. Seward, Secretary of State of the United States, and avail myself of the occasion to reiterate to him the expression of my high consideration.

JOAQUIM MARIA NASCENTES DE AZAMBUJA.

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

Opening of the Amazon and San Francisco.

[Translation.]

The decree of December 7th is as follows:

“With the intent of promoting the aggrandizement of the empire by facilitating more and more its international relations, and by animating the navigation and the commerce of the river Amazon and its tributaries, of the Tocantins, and of the San Francisco, I am pleased, after hearing my council of state, to decree the following:

“Article 1. The navigation of the Amazon to the frontier of Brazil, of the Tocantins as far as Cameta, of the Tapajos to Santarem, of the Madeira to Borba, and of the Rio Negro to Manáos, will be open to merchant ships of all nations from the 7th of September, 1867.

“Article 2. The navigation of the San Francisco to the city of Penedo will be likewise open on the said date fixed in article 1.

“Article 3. The navigation of the affluents of the Amazon, in the part in which only one of the banks belongs to Brazil, is depending on a previous agreement with the other river states as to the respective limits and police and fiscal regulations.

"Article 4. The present dispositions in no way alter the observance of what the treaties of navigation and commerce existing with the republics of Peru and Venezuela may prescribe, according to the regulations already in force for this end.

"Article 5. My ministers and secretaries of state will promote the agreements necessary for the effective execution of this decree.

"Antonio Coelho de Sa e Albuquerque, of my council, senator of the empire, minister and secretary of state for foreign affairs, so have it understood, and cause it to be put in execution.

"PALACE OF RIO DE JANEIRO,

"December 7, 1866, (46th of independence and the empire.")

With the seal of his Majesty the Emperor.

ANTONIO COELHO DE SA E ALBUQUERQUE.

Mr. Seward to Senhor Albuquerque.

DEPARTMENT OF STATE,

Washington, February 2, 1867.

SIR: I have had the honor to receive Senhor d'Azambuja's note of the 22d ultimo, communicating to me the decree of the Emperor of Brazil of the 7th of December, by which, after the 7th of September next, the navigation of the rivers Amazon, Tocantins, Tapajos, Madeira, Rio Negro, and San Francisco is opened for a certain distance to merchant vessels of all countries.

Permit me to express to you the appreciation of my government of the liberality and enlightenment which governed the Emperor in the grant of the privileges conferred by the decree, the effect of which cannot fail to be promotive of the commercial and national prosperity of Brazil, while it will at the same time advance the interests of civilization in the hemisphere.

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

WILLIAM H. SEWARD.

Chevalier Senhor H. C. D'ALBUQUERQUE, &c., &c., &c.

BOLIVIA.

Mr. Hall to Mr. Seward.

No. 62.]

LEGATION OF THE UNITED STATES,
Cochabamba, February 6, 1867.

SIR: Protracted indisposition has prevented me from writing for some time back. I am even now confined to my house, and write this short despatch not without pain.

Since my last, your despatches down to No. 47 have been received. No. 47 was received on the 30th ultimo, and on the 2d instant I transmitted a copy to the minister of foreign affairs at La Paz. I presume that this government will be guided entirely by Peru and Chili in regard to the propositions submitted for its consideration in the circular letter.

Since my last despatch nothing of special importance has occurred here.

I hope to be able to write you more fully by the next mail, as my physicians say that if nothing untoward happens, I shall have entirely recovered in eight or ten days.

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

ALLEN A. HALL.

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

Mr. Seward to Mr. Hall.

No. 48.]

DEPARTMENT OF STATE,
Washington, February 19, 1867.

SIR: I send you herewith for your information a copy of a * note which has been addressed by this department to the minister of Colombia, protesting against the decree of the President of that republic of the 17th of last month.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALLEN A. HALL, Esq., &c., &c., &c.

Mr. Seward to Mr. Hall.

No. 49.]

DEPARTMENT OF STATE,
Washington, March 8, 1867.

SIR: I transmit to you herewith, for your information, a copy of a despatch† which was addressed by this department to the United States minister at Madrid on the 25th of last February.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALLEN A. HALL, Esq., &c., &c., &c.

* For enclosure see correspondence with the legation of Colombia February 13, 1867.

Same, *mutatis mutandis*, to United States minister to Chili, Ecuador, and Peru.

† For enclosure, see instruction to United States minister to Spain, No. 59.

Same, *mutatis mutandis*, to United States ministers to Chili, Ecuador, and Peru.

Mr. Seward to Mr. Hall.

No. 50.]

DEPARTMENT OF STATE,
Washington, March 9, 1867.

SIR: Pursuant to the last paragraph of the enclosure, [despatch No. 59 to Mr. Hale] contained in my despatch to you, No. 49, of yesterday, I transmit to you herewith a copy of two notes* which the minister for foreign affairs of Chili and Ecuador, respectively, addressed to the minister of the United States in their country, in reply to his note transmitting a copy of the propositions contained in our offer of mediation, which is embodied in the despatch to you, No. 47, of the 20th of last December.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALLEN A. HALL, Esq., &c., &c., &c.

Mr. Hall to Mr. Seward.

No. 64.]

LEGATION OF THE UNITED STATES,
Cochabamba, Bolivia, March 24, 1867.

SIR: I have received a note from the minister of foreign affairs, at La Paz, saying that this government must consult with the government of Peru and Chili before it can come to any determination with respect to the propositions contained in your despatch No. 47. I think it may safely be assumed that this government will readily agree to any arrangements that Peru and Chili may consent to.

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

ALLEN A. HALL.

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

Mr. Seward to Mr. Hall.

[Extract.]

No. 52.]

DEPARTMENT OF STATE,
Washington, May 8, 1867.

SIR: I have to acknowledge the receipt of your despatch, No. 62, of the 6th of last February. The department is gratified at your recovery from your illness.

In that despatch you state that you received my circular despatch, No. 47 on the subject of our offer of mediation, on the 30th of January, and that you transmitted a copy of it, on the 2d of February, to the minister for foreign affairs. We have had nothing from you since on the subject, and are surprised at your silence on a matter of so great importance.

* * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALLEN A. HALL, Esq., &c., &c., &c.

* For enclosures, see correspondence with the legations of Chili and Ecuador. Same, *mutatis mutandis*, to United States minister to Peru.

CHILI.

Mr. Seward to Mr. Kilpatrick.

No. 22.]

DEPARTMENT OF STATE,

Washington, October 2, 1866.

SIR: I have to acknowledge the receipt of your despatch, No. 17, of the 16th of last July, containing the claim of Messrs. Wheelwright & Company and Loring & Company, for losses sustained by the bombardment of Valparaiso, which was referred by this department, together with your account of the bombardment contained in your despatch, No. 3, of the 2d of last April, to the Attorney General, for his opinion as to whether the government of the United States would be justified, under the law of nations, in demanding, on behalf of the claimants, from either Spain or Chili, indemnity for the losses they sustained by the bombardment.

I transmit to you, enclosed, a copy of the reply of the Attorney General containing his opinion in the premises, which you will consider as the decision of the department and act upon accordingly.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, Esq., &c., &c., &c.

Mr. Stanbery to Mr. Seward.

ATTORNEY GENERAL'S OFFICE,

August 31, 1866.

SIR: It appears from your letter of the 29th instant that the American commercial houses of Wheelright & Co. and Loring & Co., domiciled for commercial purposes at Valparaiso, sustained losses of their merchandise in the conflagration caused by the bombardment of that city by the Spanish fleet on the 31st of March last.

The question presented for my opinion is whether a case is made for the intervention of the United States on behalf of these citizens for indemnity against Spain or Chili.

I do not see any ground upon which such intervention is allowable in respect to either of those governments.

The bombardment was in the prosecution of an existing war between Spain and Chili. Although under the circumstances it was a measure of extreme severity, yet it cannot be said to have been contrary to the laws of war, nor was it unattended with the preliminary warning to non-combatants usual in such cases.

It does not appear that in carrying on the bombardment any discrimination was made against resident foreigners or their property; on the contrary, there was at least an attempt to confine the damage to public property.

Then, as to the Chilian authorities, it does not appear that they did or omitted any act for which our citizens there domiciled have a right to complain; or that the measure of protection they were bound by public law to extend to those citizens and their property was withheld. No defence was made against the bombardment, for that would have been fruitless, and would have aggravated the damage, as Valparaiso was not then fortified; and no discrimination was made by those authorities between their own citizens and foreigners there domiciled; all shared alike in the common disaster.

The rule of international law is well established that a foreigner who resides in the country of a belligerent can claim no indemnity for losses of property occasioned by acts of war like the one in question.

The bombardment of Copenhagen by the British in 1807 is a notable illustration of this rule. Immense losses were sustained by foreigners domiciled in that city. There was no previous declaration of war against Denmark, and no reasonable ground upon which the bombardment could be justified, and yet no reclamation upon the footing of these losses was ever admitted by Great Britain.

The bombardment of Greytown, in May, 1854, by the United States sloop-of-war Cyane, is another instance of this rule. Losses were sustained by French citizens there domiciled, from the fire of the Cyane.

A petition to the United States from those parties for indemnity was presented through the French minister then resident at Washington, but without the express sanction of his government. Upon full consideration this petition was refused. Mr. Marcy, then Secretary of State, in answer to the claim, holds the following language:

"The undersigned is not aware that the principle that foreigners domiciled in a belligerent country must share with the citizens of that country in the fortunes of the war has ever been seriously controverted or departed from in practice."

I have, therefore, to repeat that I am of opinion no ground is laid for the intervention of the United States in favor of these parties.

I have the honor to be, very respectfully,

HENRY STANBERY,
Attorney General.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Kilpatrick to Mr. Seward.

No. 38.

LEGATION OF THE UNITED STATES,
Santiago de Chili, January 2, 1867.

SIR: A few weeks since the representatives of England and France at this capital received instructions from their respective governments to present to the government of Chili a proposition which it was thought would bring to a peaceful settlement the war between Spain and the allied republics. This proposition had already been submitted to and accepted by the government of Spain.

The proposed arrangement naturally caused great excitement in this country and in Peru. Many cabinet meetings were held to consider the subject, and the ministers of foreign affairs for Peru and Bolivia visited Santiago for the purpose of consultation, and, finally, Mr. Covarrubias visited Peru on a similar mission.

After an absence of two weeks he has returned, and yesterday, at an interview had with him and Mr. Pardo, the minister from Peru, I was informed that the proposition had not been accepted, nor would be, and that the negotiations were, virtually, at an end.

I also learned, in the course of the conversation, that the proposition for an adjustment of the difficulties was not rejected so much on account of the terms proposed as of the manner in which the proposition was made, and of a want of confidence that the allied republics have in the sincerity of the friendly feeling manifested by the governments of England and France.

You must know that I have watched, with no little anxiety, the efforts that have been made by the representatives of England and France to adjust this difficulty, knowing as I do the great advantage it would give those two powers on this coast if their efforts proved successful.

While I have been thoroughly informed of all that has transpired during the progress of the negotiations, I have not written you, because I did not wish to trouble you with despatches that could be of no service; but now that these would-be mediators have utterly failed—at this time when the government of the United States is more highly respected and appreciated by the allied republics than any government on earth—I believe the opportunity has arrived when we, by our friendly interference, can peacefully end this long and useless war, and win for ourselves the gratitude of all the belligerents.

I know that the good offices of the government of the United States will be at once accepted by Chili and Peru, if offered. Of this I am satisfied from the conversation I had with the President of this republic, the secretary of state, and with Mr. Pardo, the Peruvian minister at this capital.

All are heartily sick of the war, and, while they are vigorously preparing for effective operations, they are constantly looking for some friendly interference.

Peru and Chili, I am assured by their respective representatives, ask no indemnification for losses sustained by the bombardment of Callao or Valparaiso. They only demand security for the future; they simply wish the world to understand and Spain to acknowledge that it was an unjustifiable act to bombard a wholly defenceless city, and that arrangements may be made that will secure them from a similar calamity in the future; that Spain shall disavow all intentions of conquest on this coast, and yield all her alleged rights to jurisdiction over any portion of the territory of the republics forming the alliance. Representatives on the part of Spain will then be received at the capitals of the republics, and all previous questions of difficulties can be settled by diplomacy.

Spanish pride alone prevents an amicable adjustment at once. Spain and her offspring on this coast fear what the world would say, and prefer war rather than have it said that either had gained any advantage in the adjustment.

No arrangement can ever be made by despatches and diplomatic correspondence, but I am well assured that it can be accomplished in the following manner: Be pleased to instruct me to extend to Chili, which stands at the head of the alliance and controls it, the good offices of the government of the United States. This offer will be accepted. Permit me then to occupy a few days at this capital in officially learning the precise views and wishes of this government, and then, in company with Mr. Covarrubias and Mr. Pardo, proceed to Lima, where I will have an opportunity to positively inform myself of the exact wishes of the entire alliance. If, then, you will arrange a meeting between yourself, Mr. Hale, our minister at the court of Spain, and myself, (taking it for granted that Mr. Hale can induce that government to accept the good offices of the United States,) I assure you that we can agree upon a proposition that I will undertake to have accepted on the part of the allied republics. As I said before, Spanish pride and want of confidence in those who have thus far undertaken to settle the difficulties will effectually prevent any amicable adjustment except by the United States.

Several months since, but for the unexpected opposition on the part of those who should have assisted in the matter, Commodore Rodgers and myself had nearly effected an amicable arrangement, and that, too, at a time when we were unknown and viewed with suspicion.

I now have reason to know that I have gained the confidence of this people, and that any terms that you, Mr. Hale, and myself propose, will be taken for granted at once as honorable, and will be accepted.

I have the honor to remain, very respectfully, your obedient servant,

J. KILPATRICK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Kilpatrick to Mr. Seward.

No. 38 bis.]

LEGATION OF THE UNITED STATES,

Valparaiso, Chili, February 2, 1867.

SIR: I have the honor to inform you that on the 10th ultimo I presented in public audience the letter of his Excellency President Johnson congratulating President Perez on his re-election to the chief magistracy of this republic.

I enclose you a copy of the remarks made by me on the occasion, (A,) and also the reply of President Perez, (B.)

The audience chamber was filled on the occasion of the presentation, and the

letter of the President was most enthusiastically received, and will be the means of cementing yet more closely the already well-established friendship of the two republics.

The extreme illness of Mr. Cooke, secretary of this legation, rendered it impossible to forward you this account by the mail of the 17th ultimo.

I have the honor to remain, with great respect, your obedient servant,

J. KILPATRICK.

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

A.

Speech of Mr. Kilpatrick.

MR. PRESIDENT: His Excellency Andrew Johnson, President of the United States, has directed me to present in person to your Excellency a letter of congratulation on your re-election to the chief magistracy of the Republic of Chili.

Be pleased to know that my government could not have conferred on me a more pleasant task.

The kind attention I have received from you and from the officers of your government, in their official character, and the generous and open hearted hospitality I have met with from the people of Chili, have long made me desirous of an opportunity to publicly express my thanks.

This letter from the President of the United States, who, speaking for the American people, congratulates you on your re-election and asks that the blessing of Heaven may rest upon you and your endeavors to promote the well-being of Chili, gives me the wished-for opportunity.

It is less than one year since I came to your capital, a stranger, to you, your people and your language: yet in the short space of two months, in spite of many adverse circumstances, and the deliberate wicked endeavors of professed but insincere friends and common enemies to destroy the long-established friendship between two republics by insinuations and by nature friends: in spite, I say, of all this, that friendship has not only been preserved, but it has been strengthened, and we, who were strangers a few months since, are now firm, true friends.

The policy of the United States, which has been misunderstood and misrepresented, is now, I feel, well known to you and to the republics of the world, and will soon, I have reason to believe, be better understood by those nations who, during our recent great struggle for national life, acted as if they were in total ignorance of its existence.

That policy, sir, in relation to our sister republics, is all that they can reasonably desire; if it were not so, with my great love for republican institutions, I could not, I would not, be the representative of my country abroad, no matter how great others might consider the honor. In conclusion, sir, I desire to say, that in the future, as in the past, I shall labor unceasingly to preserve and strengthen the present well-established friendship and to promote the best interests both of Chili and the United States.

I shall watch the progress of your war with Spain with all the interest of a true friend, neglecting no opportunity to assist in securing an honorable peace; and finally, honored sir, I shall never forget to invoke for you and for your people the blessing of kind Heaven, and for you, as the head of the young republic of Chili, that God in His infinite goodness may give you health, strength, and wisdom, that you may successfully fill the high position to which a free people have for the second time called you.

B.

Speech of President Perez.

MR. MINISTER: The felicitations which the President of the United States sends me on account of the honor which the people of Chili have conferred upon me by calling me again to the presidency of the republic, are to me so much more pleasing and satisfactory because you are the agent for expressing them, which you have just done in words full of cordiality and sympathy for Chili.

The reception which this country has given you, the evidences of appreciation, friendship and good will which you have received from the people and government of Chili, are no more than a homage corresponding to your noble character, your friendly and conciliatory

spirit, and your laudable efforts which you have made to preserve intact the good intelligence between this republic and the United States. You can always, as up to now, safely count upon being seconded in these attempts by my government, since I consider of the greatest importance the reciprocal friendship of the two countries.

I acknowledge most cordially the felicitations with which the President of the United States has favored me, and the sympathetic invocations he has been pleased to make for Chili and for me personally.

Mr. Kilpatrick to Mr. Seward.

No. 39.]

LEGATION OF THE UNITED STATES,
Valparaiso, Chili, February 2, 1867.

SIR: I have the honor to state that being in this city no my way to Talcahuano to fulfil instructions received from the State Department, despatches Nos. 25 and 28, your important despatch* No. 30, extending the good offices of the United States to the allied republics met me.

Most of the cabinet were in Valparaiso, and I had an interview with them in the evening of the same day in which I received your despatch, having previously forwarded a copy of your communication to the minister of foreign relations, accompanied by a note, a copy of which I enclose, marked A.

Each member of the cabinet, with the exception of Mr. Covarrubias, he not being present, expressed himself much pleased at the kind resolutions of Congress and the friendly overture made by the government, but at the same time expressed much doubt as to the propriety of accepting that article in your proposition which provides in case that the representatives of the belligerent states cannot agree that the President of the United States shall name another state, not the United States, nor one of the belligerents, to act as umpire. With this exception the proposition seemed to meet with their approbation.

I was also informed that after the representatives of France and England had failed to induce the allied republics to accept the propositions of their respective governments, they were instructed to propose, and *did* propose, that the war might be suspended by an armistice or truce, which, being indefinite as to its duration, might ultimately result in bringing about a satisfactory arrangement of the existing differences, and that this proposition was now being considered by the allied republics.

I was assured that the propositions made by the United States should receive their immediate attention, and that they would give me a reply in time for the steamer of the 3d February.

I proceeded to Talcahuano, and after having made the investigations there, returned to Valparaiso on the 1st instant, receiving the same evening the enclosed reply of Mr. Covarrubias, B.

From the reply of Mr. Covarrubias it appears that the government of Chili is waiting the action of the other republics, and cannot give a definite answer until she hears from them on the subject.

I have the honor to remain, very respectfully, your obedient servant,

J. KILPATRICK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

* For this despatch see instruction No. 36 of December 20, 1866, to United States minister to Peru.

A.

*Mr. Kilpatrick to Mr. Covarrubias.*LEGATION OF THE UNITED STATES,
Valparaiso, Chili, January 23, 1867.

SIR: I have the honor to transmit to your excellency a copy of a communication received from my government, containing important and amicable resolutions passed by the Congress of the United States, relative to the war between the allied republics and Spain, and also a proposition of the United States government, having for its object a friendly, honorable, and satisfactory settlement of the existing difficulties.

In referring to your excellency the aforesaid documents, I indulge the hope that the good offices of my government therein expressed may be accepted, and that peace with all its blessings may be the result.

I avail myself of this opportunity to renew to your excellency the assurances of the high consideration with which I have the honor to remain,

Very respectfully, your obedient servant,

J. KILPATRICK.

The MINISTER OF FOREIGN RELATIONS of the Republic of Chili.

B.

Señor Covarrubias to Mr. Kilpatrick.

[Translation.]

SANTIAGO, *January 30, 1867.*

SIR: I have had the honor to receive the note which your excellency has been pleased to send me, dated the 23d instant, transmitting to me, by order of your government, the basis which it presents to the belligerents for bringing to a pacific termination the war which the allied republics are carrying on against Spain.

I have informed his Excellency the President of the republic in regard to the note of your excellency, and he has instructed me to say in reply to your excellency, that as soon as he has come to an understanding with the other allied republics he will give to your excellency an answer in regard to the propositions which you have been pleased to submit to his consideration.

I avail myself of this opportunity to offer to your excellency the assurances of the distinguished consideration with which I am your obedient servant,

ALVARO COVARRUBIAS,

The ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY
of the United States of North America.

Mr. Seward to Mr. Kilpatrick.

No. 32.]

DEPARTMENT OF STATE,
Washington, February 2, 1867.

SIR: I have received your despatch No. 38, of the 2d ultimo, in which you give an interesting account of the efforts made by the representatives of France and England at Chili, by direction of their respective governments, to bring about peace between Spain and the countries with which it is at war on this continent, and of the reasons which have prevented their success. You also make some suggestions for an offer of good offices of the United States, which if adopted would, in your opinion, insure its acceptance by the belligerent powers.

You will have received, before this reaches you, my despatch* of the 20th of last December, No. 30, which anticipates your suggestions. We intend to do nothing further in the matter until proper replies reach us to the propositions contained in that despatch.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, &c., &c., &c.

* For despatch referred to see instruction to United States minister to Peru, No. 36.

Mr. Seward to Mr. Kilpatrick.

No. 36.]

DEPARTMENT OF STATE,

Washington, March 9, 1867.

SIR: I have received your despatches Nos. 38, 39, and 40, of February 2d and 3d last. The proceedings on the presentation of the President's congratulatory letter to the chief magistrate of Chili, which you report, are very gratifying.

As regards your despatch No. 39, a copy of Mr. Covarrubias's note to you will be sent to the ministers of the United States at Spain, Peru, Bolivia, and Ecuador, pursuant to the last paragraph of the enclosure contained in the despatch* to you, No. 35, of yesterday.

I send you herewith a copy of a note from the minister for foreign affairs of Ecuador in reply to the note of the United States minister there, transmitting our offer of mediation embodied in the despatch† to you, No. 30, of December 20th last.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, &c., &c., &c.

Mr. Kilpatrick to Mr. Seward.

No. 49.]

UNITED STATES LEGATION,

Santiago, Chili, May 1, 1867.

SIR: I have the honor to forward you by this mail the long-delayed reply (A) of the government of Chili to the generous offer on your part of the good offices of the government of the United States in arranging for Spain and the allied republics an honorable adjustment of their present difficulties. I can only say that I most deeply regret that the kind offer has not been more frankly and less conditionally accepted. You are already well informed of the efforts I have made from time to time, as opportunity offered, to bring to an end a state of war so detrimental to our sister republics and the commercial world. How nearly successful were the mutual efforts of Commodore Rodgers and myself to arrange terms of peace before the bombardment of Valparaiso is well known at the State Department. How we labored to prevent that bombardment, and through whose fault we failed, is equally known; and I need only to add that your instructions, accompanying your kind letter approving of my conduct after that sad affair, to let no opportunity pass to renew my efforts for a peaceful adjustment, have been most earnestly carried out. Everything has been done, both by official communications and personal interviews with the cabinet at Santiago, consistent with dignity and respect for my government, to induce an acceptance of your proposition, so fair and honorable alike for Spain and the allied republics. As I understand the communication of Mr. Covarrubias, it is equivalent to a rejection of the proposed conference altogether; for, after his lengthy remarks upon the character of the conference, he gives it as his firm opinion that it will end in arbitration pure and simple; and after his decided expression of want of faith that the conference will result happily for those interested, he adds:

Although the republic of Chili has always been partial to this method of solution, [meaning arbitration,] it believes it would not be able to accept it without certain reservations.

* For this instruction see despatch to United States minister to Bolivia, No. 49, March 8, 1867.

† For this instruction see despatch to United States minister to Peru, No. 36, December 20, 1866.

An examination of these reservations will, I think, convince you that the conference can never be had. While Spain accepts the conference with the condition that she must know what questions are to be settled by arbitration, should arbitration be necessary, Chili accepts the conference with the condition that certain important points shall be admitted by Spain. First, "that the bombardment of Valparaiso was an act of inexcusable hostility, and merits the most severe reprobation." Second, that Chili must be allowed to explain in a precise manner the different situations which the contending parties in the present war occupy, namely :

That there is only one aggressor, which is Spain, and four injured parties, Chili, Peru, Bolivia, and Ecuador—the first two in a manner direct, and the last two indirectly. Whatever might have been the motives of complaint which the Spanish government had against those of Chili and Peru, it is an evident and incontrovertible fact that to make them of value she did not begin by exhausting the pacific means of diplomacy, nor did she respect the laws of international right; and that the occupation of the Chinchas on the 14th of April, 1864, and the blockade of the port of Valparaiso on the 25th of September, 1865, were acts of unnecessary hostility, irregular in their form and unjust in their motives.

This explanation is to be made for the information of the state chosen as arbitrator, and Spain must accept it. In the third place, the question of the rendition of the Covadonga shall not be entertained in the arbitration; and finally, as a last condition, Chili and her allies will not renounce the reparations which they claim their enemy owes them, nor the right of fixing by themselves the kind and magnitude of those reparations.

These conditions will, I am certain, prevent a consummation of the honorable efforts made by you and your representative here, and he must be compelled to look helplessly on while this useless, half-waged war continues; a war which, although inoffensive in its character, influences with all its ruinous effects the commercial interests of the belligerents and unoffending neutrals.

Very respectfully, your obedient servant,

J. KILPATRICK.

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

A.

Mr. Covarrubias to Mr. Kilpatrick.

[Translation.]

SANTIAGO, *April 17, 1867.*

SIR: In conformity with the instructions which I have received from my government, I have the honor to reply to the note which your excellency was pleased to address me on the 21st of January last, transmitting me the propositions of settlement which the cabinet at Washington has judged proper to indicate to the different belligerents in the war in which Chili finds herself engaged at present.

According to those propositions, Chili and her allies on one side, and on the other Spain, should appoint plenipotentiaries in Washington authorized to meet together in conferences, presided over by the person whom the President of the United States should designate, with the object of agreeing upon terms of a permanent peace, which should be equitable, just, and honorable to all the belligerents. In case that they should not arrive in the conferences at a unanimous agreement, the same President of the United States should designate a third state or sovereign, who should decide, as arbiter, the differences which the plenipotentiaries should not succeed in arranging.

Even now it is easy to foresee that the manner of convention proposed by the government of your excellency would lead necessarily to an arbitration pure and simple, the same as occurs frequently between two nations at difficulty with one another, with the sole difference that in this case it would not be the parties themselves, but the President of the Union who would elect the arbiter.

To justify this foreknowledge, it will be sufficient for me to call to mind the extravagant and unjust pretensions which Spain has presented even before the commencement of the present war, and the tenacity with which she has adhered to them until she has involved the

republics of the Pacific in a long and disastrous contest. It is not to be hoped, then, that in the conferences at Washington Spain would show herself more favorable to the voice of justice and conciliation. This is so much the less probable, since the government of Spain has not followed the course of conduct in the present war which belonged to a civilized belligerent, but rather has augmented, by her manifest violations of international right, the grievances collected by her adversaries, and which are subject to reparation.

However moderate should be the demands of Chili and her allies, they could not cease to be proportionate to the magnitude of the insults and damages which they have received, and, in consequence, they would be too painful to the pride of Spain to presume, with reason, that they would be accepted by her willingly. The object of the conference being frustrated, which would give the recourse of arbitration, and although the government of the republic has always been partial to this method of solution, it believes it would not be able to accept it without certain reservations.

These reservations are inspired as much by the irregular conduct of the enemy, to which I have just alluded, as by the basis of convention which previously other mediatory powers have made, and which she has not hesitated to reject.

First, she considers the bombardment of Valparaiso an act of hostility inexcusable and worthy of the most severe reprobation, whether it is judged in the light of the general principles of international right under the criterion of the ideas and sentiments prevailing in our epoch, or, finally, with reference to the consequences and sad precedents which it may tend to create. The opinion of the civilized world has universally execrated this deed, and after so incontestable a sanction it would not be possible to agree that it should be submitted to the judgment of one arbiter the qualification of the odious character of the bombardment.

So, therefore, my government believes that in this point it only would be able to be matter for arbitration the fixing of the kind of reparations which Spain may be obliged to make to Chili and her allies in consequence of the bombardment of Valparaiso, but in no manner a decision upon the legitimacy or illegitimacy of that vituperable abuse of power.

In the second place, I cannot fail to take into account, that in the propositions of convention which previously have been made by other mediatory states, there figured the condition that the belligerents should reciprocally return the prizes made during the course of hostilities. According to this condition, Spain would gratuitously receive the steamer of war Covadonga, captured by the Chilean corvette Esmeralda, in good and fair combat, and Chili would renounce, without compensation, that lawful as well as valuable trophy. I say without compensation, for Spain would not be able to return to the republic even the merchant ships captured by her naval forces, burned as they have been by those same forces.

It would consider necessary, also, the previous step of explaining in a precise manner the different situations which the contending parties in the present war occupy—situations which have been wont to be confounded in the propositions of settlement before alluded to.

In the present war there is only one aggressor, which is Spain, and four injured parties, which are Chili, Peru, Bolivia and Ecuador, the first two in a manner direct and immediate, and the two last indirectly.

Whatever might have been the grounds of complaint which the Spanish government had against those of Chili and Peru, it is a fact, evident and incontrovertible, that, to make them of value, she did not begin by exhausting the pacific means of diplomacy, neither did she respect the laws of international right, and that the occupation of the Chiuca islands on the 14th of April, 1864, and the blockade of the ports of Chili, on the 26th of September, 1865, were acts of hostility, unnecessary, irregular in their form, and unjust in their motives; consequently, those aggressions of Spain constituted, by themselves alone, an outrage as unmerited as grave against Chili and Peru, and fastened her exclusive responsibility to all the sad consequences of the war in which she has involved four republics.

Appealing to the judgment of one arbiter, Chili and her allies would not be able to renounce the reparations which their enemy owes them, nor the right of fixing by themselves the kind and magnitude of these reparations.

Such are the reservations which my government, in concurrence with its allies, has believed it indispensable to make in order to be able to lend its adhesion to the propositions of settlement of the cabinet at Washington.

It would regret that the reservations expressed should disarrange the laudable proposition of the government of the Union, and should block up the road to peace so sincerely desired on its part, but it would not be able to lessen them without forgetting its higher duties to the dignity and rights of this country.

In the mean time, whatever may be the results of the mediation of the government of your excellency, that of Chili will always look upon it with gratitude, and will have it as a new testimony of its kind interest in the republic.

Have the kindness to transmit to your government this communication, and accept the reiterated expression of the sentiments of very distinguished consideration with which I am,

Your obedient servant,

ALVARO COVARRUBIAS.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY
of the United States of North America.

Mr. Seward to Mr. Kilpatrick.

No. 40]

DEPARTMENT OF STATE,

Washington, June 11, 1867.

SIR: I have to acknowledge the receipt of your despatch of the 1st of May, No. 49, together with a copy, which is thereunto annexed, of the reply of Mr. Covarrubias, on the part of Chili and her allies, to the proposal of this government for adjusting the difficulties between those belligerents and Spain. That paper has been submitted to the President of the United States.

I have the honor to inform you, first, that your judicious proceedings in submitting the propositions to the government of Chili are in all respects approved and highly commended.

2d. That this government will transmit a copy of the communication of Mr. Covarrubias to the government of Spain for its consideration, without argument in favor of the conditions and reservations upon which the allies insist, and equally without argument against those conditions and reservations.

3d. That it is exclusively for the government of Spain to determine whether it will accede to the conditions and reservations thus made by Chili and her allies.

4th. That if Spain shall accede to the conditions and reservations, Chili and her allies will be duly and promptly informed thereof by the government of the United States.

5th. If Spain declines so to accede, the proposal on the part of the United States may be considered as henceforth discontinued.

6th. In any event, however, the desire of the United States for an amicable and honorable adjustment of the difficulty will remain unabated, and upon any suggestion of either of the belligerents they will be renewed with the same zeal and the same impartiality which have hitherto governed the proceedings of the United States in regard to a controversy in which so many friendly nations, including four of the republican States of this continent, are so unhappily involved.

7th. No other communication upon the subject will be made to the government of Spain than the transmission of a copy of this despatch for the information of that power, and only this reply will be made by the United States to the allied republics. You will read this to Mr. Covarrubias and give him a copy if he desires it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, &c. &c., &c.

Mr. Kilpatrick to Mr. Seward.

No. 61.]

UNITED STATES LEGATION,

Santiago, Chili, July 8, 1867.

SIR: The recent intelligence received from the Atlantic in relation to the probable early return of the Spanish squadron to the Pacific for the renewal of hostilities has occasioned considerable excitement in Chili, and given to affairs a new and interesting aspect. Since the departure of the Spaniards, soon after the bombardment of Callao, the republic had confidently believed that it was finally rid of its enemy. This belief was founded principally upon the domestic troubles of Spain and the condition of her treasury, which it was claimed would not permit her to carry on a campaign so remote from her shores; but the idea was also shared to a great extent that, if in the face of those obstacles, Spain should choose to resume the war, the preparations for defence inaugurated by the

allies would deter her from executing such a design. The whole country now admits as a fact that the Spaniards are to return, and its effect upon trade is already commencing to be seriously felt. The merchants of Valparaiso, in anticipation of another attack upon that city, a few days since petitioned the government for the establishment of bonded warehouses in Santiago to which they might remove their importations for safety; but this request was denied by the minister of finance, who assigned in his reply, dated as late as July 3d, as a reason for the refusal, that no apprehensions are entertained by the government of the reappearance of the enemy.

This has been the opinion of the government for the last year, and I am not convinced that it has been altogether changed, though its modification is indicated in the renewed activity noticeable upon the fortifications. The hitherto undefined policy of the government of Chili respecting the character of the operations that would be adopted in case of a renewal of the war, has lately been announced by the minister of war, in reply to the persistent cross-questioning of senators in the sessions of the senate, in which the ministers participate, to be a wholly defensive one, and it is given to be understood that in no case does Chili propose to assume the offensive. Her navy at the present time certainly would not justify offensive operations on a large scale, and even in conjunction with the Peruvian squadron could scarcely do more than to annoy so formidable a fleet as Spain is evidently fitting out for these waters.

But while the allies are still incompetent for attacking, Chili is really but little better prepared for defence. Her fortifications, which were planned very elaborately, are far from completion, and do not promise to be put in that condition which should characterize such important works. About 40 guns, principally Parrott's rifled ordnance of from 60 to 200-pound calibres, have been mounted upon the bluffs in a very scattered manner, while the heavier ordnance, including 15-inch Rodman's, and a number of 350 and 450-pounder Armstrong's and Blakely's, lie rusting on the beach, where they were landed several months ago. Water batteries for these have been laid out, but not yet commenced. Several more guns can be placed in the works already completed, or nearly finished, on the bluffs, but their position and elevation, added to the inexperience of the artillerists who will serve them, must seriously lessen their effectiveness upon the enemy. We expect the Spanish fleet to resume operations on this coast in September, when the long season of calm in the Pacific will have set in, and I very much doubt if by that time the defences will have attained a condition that can justify much hope of their availability.

This state of affairs is already involving the country in domestic agitation, which threatens unhappy results, should Spain carry out her evident intentions. The newspapers of the country, which, with one or two exceptions, have been unremitting in their decided expressions of dissatisfaction with the alleged apathy of the government in regard to the war, have attacked the administration with additional vigor, and to a degree calculated to materially weaken if not entirely destroy the confidence of the people in their rulers. Bitter complaints are heard on every hand, and the political factions, inimical to the administration, are daily becoming more formidable. In congress, several of the most eminent and faithful advocates of the administration have recently arrayed themselves against the President and his advisers, and denounced them in long and exciting speeches. This feeling is spreading among the supporters of the administration, and in addition to its effect upon legislation, is influencing the community to a degree that exceeds anything hitherto accomplished by the press. I see no reason to fear violent measures immediately, but in view of the probabilities of a disastrous campaign to Chili, incurred, as is alleged, by the indifference or incapacity of the administration, the future appears pregnant with evil. A change of administration will be inevitable, should the apprehensions respecting the operations of the enemy be realized, and we can only hope that the unanimity of sentiment may render it bloodless.

In conclusion I have only to add, that I shall acquaint you with the condition of affairs from time to time, with the promptness which the importance of the present situation demands; and that I still trust in the prudence of the statesmen of Chili to preserve her from that domestic strife to which she now seems to be progressing.

Very respectfully, your obedient servant,

J. KILPATRICK.

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

Mr. Kilpatrick to Mr. Seward.

No. 67.]

LEGATION OF THE UNITED STATES,
Santiago de Chili, August 1, 1867.

SIR: I have the honor to acknowledge the receipt of despatches Nos. 30 and 40, from the State Department.

The latter despatch, in which you announce that the reply of Chili to the proposal of mediation on the part of the United States, between the allied republics and Spain, had been forwarded to the Spanish government, was laid before the government of Chili at the earliest opportunity. In reply, Mr. Covarubias simply acknowledges the receipt of the despatch without comment.

In concluding my correspondence on the subject of mediation, I have only to add that I do not perceive that Chili is any more disposed at the present time to any amicable adjustment of her difficulties with Spain, than she has been hitherto during the progress of the war.

I have the honor to remain, very respectfully, your obedient servant,

J. KILPATRICK.

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

Mr. Kilpatrick to Mr. Seward.

No. 68.]

LEGATION OF THE UNITED STATES,
Santiago de Chili, August 1, 1867.

SIR: I have the honor to report that the condition of affairs in Chili, which I made the subject of despatch No. 61, has not materially changed. The government of Chili still professes to doubt that Spain will renew hostilities in the Pacific; but at the repeated solicitations of the merchants of Valparaiso, has finally intimated that it would facilitate the removal of goods from the custom-houses, where they are exposed to the risks of a bombardment. Work on the fortifications of Valparaiso are also progressing vigorously, but with these exceptions there is little or nothing to indicate that this government apprehends the return of the enemy. The animated debates in congress and exciting discussion by the press on the subject of the war continue, and each arrival of steamers with confirmatory reports of Spain's design to reopen the campaign in the Pacific add to the agitation now distracting the country. Great alarm prevails among commercial men, and trade is almost paralyzed.

The recent arrival of minister Hovey from Peru, who visits Chili for the benefit of his health, occasioned considerable stir, and the idea was generally circulated that he had come with new propositions of mediation by the United States. That belief, however, was speedily dissipated, and the majority of the

people have about accepted the conclusion that Chili and her allies must now confront their enemy alone.

Since the first rejection of all mediatory propositions by Chili, the members of the diplomatic corps in Santiago have not manifested any disposition to exert themselves again for averting the calamities which now threaten Chili and Peru, and it is impossible that any concerted action will be taken by the foreign representatives in the event of a renewal of hostilities.

I have the honor to remain, very respectfully, your obedient servant,

J. KILPATRICK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Kilpatrick.

No. 45.]

DEPARTMENT OF STATE,

Washington, September 19, 1867.

SIR: I transmit herewith a copy of a letter, dated the 17th instant, from J. W. Simonton, Esq., of New York, and president of the "Hispano American Inter-Communication Company," organized for the purpose of placing the republics of Chili and Peru in telegraphic communication with the United States, through the agency of a submarine cable.

You are authorized to confer with Don Justo Arosemeña, the agent of said company in Chili, and to aid him, through your good offices, in the prosecution of his efforts to procure the assistance of the Chilian government toward the consummation of this highly important enterprise, without, however, compromising thereby any rights or interests of the United States in the premises.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, &c., &c., &c.

Mr. Simonton to Mr. Seward.

OFFICE OF THE NEW YORK ASSOCIATED PRESS,

New York, September 17, 1867.

DEAR SIR: The Hispano-American Intercommunication Company has been organized with a view of establishing telegraphic communication between Panama, New Grenada, and the republics of Chili and Peru, by means of a deep-sea cable.

The cable already laid between the coast of Florida and the island of Cuba is designed, as you are aware, to be extended to the isthmus of Darien at an early day. The completion of that work and the success of our enterprise will put the several capitals of the United States and Chili and Peru into almost instantaneous communication with each other.

The international advantages of such a work as this are so manifest that I am sure the proposed enterprise will enlist your sympathies and command your official aid, so far as in your judgment it can be properly extended.

I take the liberty, therefore, of asking that the representatives of the United States at the capitals of Chili and Peru may be instructed to assist the agents of this company, so far as they properly can, in obtaining from the government of those republics concessions, and aid which are essential to facilitate the speedy completion of our work.

Our agent at Santiago (de Chili) is Don Justo Arosemeña, an eminent lawyer; and our agent at Lima is Don Mariano Arosemeña, each of whom is well and favorably known to the governments within whose jurisdiction they respectively reside.

Very respectfully, your obedient servant,

J. W. SIMONTON,

President Hispano-American and Intercommunication Co.

Hon. WILLIAM H. SEWARD,

Secretary of State.

Mr. Kilpatrick to Mr. Seward.

No. 79]

LEGATION OF THE UNITED STATES,
Santiago de Chili, October 1, 1867.

SIR: I have the honor to announce the resignation by Mr. Alvaro Covarrubias of his portfolio as minister of internal and foreign affairs, and the appointment of Mr. F. Vargas Fontecilla in his stead, which events took place on the 26th ultimo.

This change of ministers is regarded as an initiatory step toward a new policy in respect to the Spanish American war, and many predicate upon it hopes of an early peace. The appointment of the new minister was so unexpected, and his opinion on the subject of the war so little known, that it is impossible to judge with accuracy to what extent this change was influenced by considerations of peace with Spain. The press of the country is at a loss to explain the event; but it is the opinion of the diplomatic corps here that peace is the prime motive for the resignation of Mr. Covarrubias, whose official correspondence on the subject of mediation, by its decided tone and comprehensive demands upon Spain for reparation, had debarred him from inaugurating measures for an amicable adjustment of the Spanish American question. I concur in this opinion, and shall avail myself of the earliest favorable opportunity that may present itself to renew my efforts for hastening so desirable a conclusion of the war; but I shall not feel it incumbent upon me to take action in this respect until I am well assured that it would be entirely acceptable to this government.

I shall probably be able to advise you more definitely on this subject by the next mail, and I entertain the hope that the terms upon which Chili proposes to avail herself of the mediation of the United States government may be so reconsidered as to remove many of the obstacles now thwarting all attempts at peaceful negotiation.

The domestic agitation to which I have referred in previous despatches seems to have passed away. The country is now comparatively quiet, with no material change in the situation as regards preparations for national defence.

I have the honor to remain, very respectfully, your obedient servant,
J. KILPATRICK.

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

Mr. Kilpatrick to Mr. Seward.

No. 82.]

LEGATION OF THE UNITED STATES,
Santiago de Chili, October 8, 1867.

SIR: I have the honor to report that nothing of interest has transpired since my despatch No. 79, of October 1st, relative to the resignation of Mr. Covarrubias, and the appointment of Mr. Fontecilla as minister of foreign affairs.

It seems less probable now that this change will affect the policy of Chili respecting the war with Spain, as Mr. Covarrubias has been appointed by the President a member of his council of state, and all the other cabinet officers, whose opinions on the Spanish American question have directed the policy of the government during the last year, remain at their posts.

I have the honor to remain, very respectfully, your obedient servant,
J. KILPATRICK.

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

Mr. Seward to Mr. Kilpatrick.

No. 50.]

DEPARTMENT OF STATE,
Washington, November 1, 1867.

SIR: Your despatch of the 1st of October, No. 79, has been received. It announces the resignation by Mr. Covarrubias of the ministry for foreign affairs, and the appointment of Mr. Fontecilla to that important place. You inform me that this change is regarded by many intelligent persons in Santiago as indicating the probable adoption of a more enlightened and liberal policy in that country with reference to the chronic controversy between the Spanish American republics and Spain. We shall await the development of that subject with much interest.

The prudent course of proceeding which you propose to adopt in the event of such a change of policy, will fall entirely within the scope of my previous instructions, and accord with the present views of the President of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JUDSON KILPATRICK, Esq., &c., &c., &c.,

CORRESPONDENCE WITH THE CHILIAN LEGATION.

Mr. Seward to Señor Alberto Blest Gana.

DEPARTMENT OF STATE,
Washington, February 19, 1867.

SIR: I have the honor to transmit to you, for your information, a copy of a note* which has been addressed from this department to the minister of the United States of Colombia, being a protest of this government against the decree upon the adjudication of maritime prizes made by the President of the United States of Colombia, at Bogota, on the 17th of November, 1866.

I avail myself of this occasion to assure you of my high consideration.

WILLIAM H. SEWARD.

Señor Don ALBERTO BLEST GANA, &c., &c., &c.

Mr. Seward to Señor Don Alberto Blest Gana.

DEPARTMENT OF STATE,
Washington, March 11, 1867.

SIR: I have the honor to transmit herewith a copy of a despatch which has been addressed by the department to the United States minister at Madrid on the subject of the propositions for a peace conference contained in the circular despatch which issued from this department on the 20th of last December.

I avail myself of this occasion to assure you of my high consideration.

WILLIAM H. SEWARD.

Señor Don ALBERTO BLEST GANA, &c., &c., &c.

* For enclosure see correspondence with the Legation of Colombia, February 13, 1867.

† For enclosure see instruction to United States minister to Spain, No. 59.

Señores Gana and Medina to Mr. Seward.

[Translation.]

WASHINGTON, June 23, 1867.

The undersigned, the chargé d'affaires of Chili, and the chargé d'affaires *ad interim* of Peru, have the honor to address themselves to his excellency the honorable Secretary of State of the United States, and to inform him that reasons of some weight with them induce them to believe that the iron-clad steamer Dunderberg, now anchored in the harbor of New York, has not been sold to the government of his Majesty the Emperor of the French, as the newspapers of this country have affirmed, but to the government of Spain.

For the protection of the interests and rights of their respective governments, which, in case the sale above indicated be really as they suspect, would be affected in violation of the neutrality laws of the United States, the undersigned request his excellency the honorable Secretary of State of the United States to be pleased to have the proper steps taken in order that the proprietor or proprietors of the above-mentioned vessel may render to the government of his excellency such legal security as it may deem proper, to guarantee that the Dunderberg has not been sold to the government of Spain, and that it will not be delivered to any agent of that government.

And as the Dunderberg is ready to sail, the undersigned request the honorable Secretary of State that, without loss of time, he would be pleased to adopt the measure which they have taken the liberty of indicating, so that the vessel may not leave the waters of the United States without having given the security which the case demands.

The undersigned avail themselves of this opportunity to offer to his excellency the honorable Secretary of State the assurance of their highest and most distinguished consideration.

ALBERTO BLEST GANA.
A. B. MEDINA.

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

F. W. Seward to Señores Gana and Medina.

DEPARTMENT OF STATE,
Washington, June 24, 1867.

The undersigned, Assistant Secretary of State of the United States, has the honor to acknowledge the receipt of the joint note of Mr. Blest Gana, chargé d'affaires of Chili, and Mr. Medina, chargé d'affaires of Peru, of yesterday, stating that they had reason to believe that the iron-clad steamer Dunderberg, now at anchor in the harbor of New York, had not been sold to the government of his Majesty the Emperor of the French, as the newspapers of this country have stated, but to the government of Spain.

In reply, the undersigned has the honor to acquaint Messrs. Blest Gana and Medina that, previously to the receipt of their note, this department had no other than newspaper information in regard to the alleged transfer of the Dunderberg. He has since, however, sought information upon the subject from Mr. Berthemy, accredited to this government as envoy extraordinary and minister plenipotentary of his Majesty the Emperor of the French, who states that the Dunderberg has been purchased and paid for by his government, and that she is to be delivered at the port of Cherbourg as a French vessel of war. Mr. Berthemy added that he did not believe that his government had any intention to sell the Dunderberg

to the government of Spain, and that he would cheerfully make to Messrs. Blest Gana and Medina, orally or in writing, any further explanations upon the subject which they might desire.

The undersigned avails himself of this occasion to offer to Messrs. Blest Gana and Medina a renewed assurance of his very high consideration.

F. W. SEWARD,
Assistant Secretary.

Señores Don ALBERTO BLEST GANA and A. B. MEDINA.

Señores Gana and Medina to Mr. F. W. Seward.

[Translation.]

WASHINGTON, *June 25, 1867.*

Mr. ASSISTANT SECRETARY: The undersigned, the chargé d'affaires of Chili, and the chargé d'affaires *ad interim* of Peru, have had the honor to receive from the honorable Assistant Secretary of State of the United States his reply of the 24th of the current month to the note which the undersigned had the honor to address to him the day previous.

The undersigned are made acquainted by that note of the fact stated by Mr. Berthemey, envoy extraordinary and minister plenipotentiary of his Majesty the Emperor of the French, near the government of your excellency, that the iron-clad steamer Dunderberg has been purchased and paid for by the government he represents, and is to be delivered in the port of Cherbourg as a French man-of-war.

This respected assurance tends to relieve the fears of the undersigned that said vessel was to have been sold to Spain.

Kindly thanking his excellency the Assistant Secretary of State for devoting his diligent attention to this affair, the undersigned embrace this opportunity to offer him the earnest protests of their most high and distinguished consideration.

ALBERTO BLEST GANA.
A. B. MEDINA.

Hon. F. W. SEWARD, &c., &c., &c.

COSTA RICA.

Mr. Lawrence to Mr. Seward.

No. 1.]

LEGATION OF THE UNITED STATES,
San José, Costa Rica, January —.

SIR: I have the honor to announce to you that I arrived here on the 15th of January, after a journey of 56 days from New York.

When I received my instructions from you in Washington, you directed me to inform myself as to the difficulties in Nicaragua and Costa Rica, affecting the Nicaragua Transit Company; to see and converse with Mr. Molina and with Mr. Webb, president of the Transit Company; to be of service to that company, if necessary, as there was much American capital embarked in it; and, finally, to see Mr. Dickinson, United States minister to Nicaragua. I saw Mr. Molina several times; I also met Mr. Webb frequently, who related to me all the plans, intentions, and hopes of the company, in which he personally represents all the practical ability. He informed me that his line were building three new steamers; that they had greatly augmented their capital; that they were serious in their intentions of improving the harbor at Greytown and the navigation of the river San Juan. He went on to say that, in order to effect any material improvement, they would probably be obliged to dam up the Taura and Colorado rivers, as the bar at Greytown could only be prevented from continually reforming, by a much greater flow of water from the San Juan into the sea.

Thinking that the only way to inform myself about the merits of the questions that might arise between the Transit Company and the government of Costa Rica was by personal observation, I changed from the Panama line to the Transit Company, and sailed from New York on the steamer San Francisco, on the 20th of November. On the 22d, the machinery being damaged, we returned to Fortress Monroe. On the 28th of November the steamer Santiago de Cuba, of the same line, sailed from Fortress Monroe with the passengers of the disabled steamer. These amounted to 650, of whom 350 were recruits of the 8th United States cavalry.

I have been minute in detail, for as the department requested me to inform myself about the Transit Company, I am led to suppose that you, sir, would like to be informed, especially as the government is making the experiment of sending troops and material by this route to California, how it is conducted and with what difficulties it has to contend.

The Santiago anchored on the evening of the 6th of December, in front of Greytown, in the roadstead outside the bar. Five days afterwards a few passengers were able to land in surf-boats. On the 15th all the passengers, troops, and freight were on shore.

This delay of nine days was caused by the heavy surf on the bar, by the insufficiency of surf-boats, and by the want of skill and energy on the part of the company's subordinates. At the junction of the Colorado and San Juan rivers there are no signs of the existence of any island. The Transit Company found their right to dam up the Colorado upon the fact of the former existence of such an island and its gradual disappearance, alleging that this gradual change has damaged the navigation of the San Juan river by causing the bulk of the water which formerly flowed into that river to flow into the Colorado, thus ruining the harbor of Greytown, and that they have the right to remedy by artificial means the injury done to their franchise. The Colorado is a splendid

sheet of water, and at the fork above mentioned is 22 feet deep and about 400 yards wide. It was flowing slowly and grandly along, and if a dam or artificial island should ever be built, it would be at immense expense, and would be a triumph of engineering skill. There is a great prevalence of freshets and an entire absence for miles around of all stone or rock suitable for masonry or ballast.

At Castillo, on the 17th of December, the cholera broke out among the recruits. Up to the 20th, when we arrived in Virgin bay, there had been 17 deaths among the soldiers, including Major Gambrell, 8th United States cavalry, and 13 among the passengers and crew. On account of the delay in the arrival of the steamer from New York, as narrated above, the agent of the company had taken the responsibility of sending the Pacific steamer back to California in ballast. The next steamer should be due at the port on the Pacific about the 3d of January.

I left everybody at Virgin bay in a very dissatisfied state of mind, and have since heard that Captain Merry, the agent, had been obliged to call upon the Nicaraguan government to furnish protection to him against personal violence. During the horrors of the cholera the devotion and skill of Dr. McMillan, surgeon 8th United States cavalry, was deserving of the greatest praise. For five days and nights, and up to the time of my departure, he was more than doing his duty. I would not mention this, sir, in a despatch, but I know you are pleased in hearing of acts of gallantry.

While at Greytown I took the opportunity of making President Martinez's acquaintance, and experienced much courtesy from him, both there and at Managua. In passing through Leon I saw Mr. Dickinson, United States minister. Two days after my arrival at San José I received a letter from Mr. Volio, secretary of state for foreign relations, informing me that the President had appointed the next day, the 18th of January, to receive from me the letter from the President of the United States. I was introduced by Mr. Riotte, and upon handing my letter of credence to President Castro, made a few remarks—enclosure No. 1. The President answered me as in enclosure No. 2.

I forward the *Gaceta Oficial* of the 22d of January, containing my remarks and the President's speech. There is also in it a contract between Señor Don Francisco Kentze, representing the government of Costa Rica, and John C. Frémont and others, to build a railroad through Costa Rica. I have not forwarded a translation, as the copy in the *Gazette*, I am informed by Dr. Montalegre, president of the senate, is not entirely correct, so I prefer to wait for the next mail and have the translation made from a perfect copy.

The Costa Rican government take one million of stock, payable in monthly instalments of \$15,000 from the actual commencement of the work, and guarantee, dating from the completion of the road, 8 per cent. dividend on all stock up to the sum of twelve millions of stock. There are other privileges to establish a bank and to erect a telegraph.

With great respect, I remain, sir, your most obedient servant,

A. G. LAWRENCE.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

REMARKS TO THE PRESIDENT UPON PRESENTING LETTER OF CREDENCE.

SIR: I have the honor to present to you this letter, accrediting me as minister resident of the United States. The President directed me to assure you of the continued friendship and good will of the people of the United States toward the republic of Costa Rica. It will be the constant effort of the government to maintain these relations, and to draw them more closely together as they become developed by the increasing facilities of communication between the two countries. I must express my personal gratification in being allowed to perform this pleasant duty.

ADDRESS OF THE PRESIDENT.

[Translation.]

HONORABLE GENERAL: The benevolent expressions with which you hand me the letter appointing you minister resident of the United States are highly satisfactory to me. Be pleased to transmit these feelings to the President of the American Union, and to assure him at the same time that the government of Costa Rica, wishing to maintain and to promote more and more the friendly intercourse existing between both countries, will diligently avail itself of every opportunity tending to that effect, and more especially of the present one. I trust, honorable general, you will co-operate to that important object with all the efficiency and good will displayed by your worthy predecessor; and you may be confident that this government, on its part, will do all efforts to make your residence in this country agreeable and to facilitate the fulfilment of the important mission intrusted to you. Accept, therefore, a hearty welcome and my ardent wishes, as well as those of the Costa Rican people, for the happy progress of the government of the Union and the prosperity of that great nation.

Mr. Lawrence to Mr. Seward.

[Extract.]

No. 2.]

LEGATION OF THE UNITED STATES,
San José, Costa Rica, February 10, 1867.

SIR: I have the honor to enclose a copy of the contract made by John C. Frémont and others with the Costa Rican government, together with the amendments which have passed congress. The final signing was celebrated as a national holiday in all the neighboring towns as well as in the capital.

The government and the people are most desirous that the railroad should be built, and would do anything in their power to have the contract carried out. Mr. Edward F. Hickman, lately appointed consul general to London from Costa Rica, has left here to put a loan of this government for two hundred thousand pounds (£200,000) sterling on the London market. It is to be a 6 per cent. loan, and he is restricted to issuing bonds for £100 at 85 per cent. The ostensible purpose in making this loan is to pay for the continuation of the wagon road to the Atlantic.

* * * * *

I have the honor, sir, to remain your obedient servant,

A. G. LAWRENCE.

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

Mr. Lawrence to Mr. Seward.

[Extract.]

No. 7.]

LEGATION OF THE UNITED STATES,
San José, Costa Rica, April 11, 1867.

SIR: Since my arrival, three months ago, I have been studying the people here and their political status. I shall try to give you the conclusions that I have come to, after weighing well all the facts that have come to my knowledge and from which my premises are drawn. When I first came here, most of the prominent people called upon me, for which I was indebted not only to my official position, but to the fact that Mr. Molina, minister from Nicaragua, had courteously written to them, requesting them so to do. To these gentlemen I am indebted, as well as to the officials and to other sources, for my impressions.

The President, Dr. Castro, LL. D., has been in power one year, and his term expires in two years from now. The secretary of state has held his office about three years, and the commander of the troops since 1859.

The patriotism of these gentlemen has been so great that each and all have induced their sons and relatives to hold subordinate offices under government. They all have been fortunate enough to have many kindred, so that the ramifications of the three parent trees extend through every department—clerical, civil, and military. The office of chief engineer is the most lucrative office under government. He has charge of all disbursements for building roads through the country, and at present for bringing water into the capital. * * * He is the son-in-law of the President. There is a loan of £200,000 being negotiated in London; the disposition of this sum will be in the hands of the Executive. The government organ contains editorials indirectly advising a longer term of office for the administration. Its extracts from foreign journals are all in favor of centralizing power in the Executive. It is spoken of as a certainty that the government will cause to be passed through congress a bill for an increase of the duration of the presidential term from three to five years.

There is another party, most of the leaders of which have travelled in foreign parts; many have been to the United States. They are conservatives. All they wish for is peace, a stable government, and the development of the resources of the country, through foreign capital and the introduction of foreign labor. I have been approached by them all in conversation by their saying what a country it would be if it belonged to the United States; how wrong the government was in not encouraging emigration, and how hurtful revolution and personal aggrandizement had proved to the credit and prospects of the state. Their hope and creed is that the railroad, if built, will bring a great emigration of Anglo-Saxons into the country, in which the Spanish or native element will be swallowed up, and that Costa Rica will become a new California. These ideas do not seem patriotic; but the country is not old, there have been many revolutions, and the United States is looked upon with admiration and awe since her recent vindication of principle.

I am, with great respect, your obedient servant,

A. G. LAWRENCE.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Morrell to Mr. Seward.

No. 3.]

LEGATION OF THE UNITED STATES,

San José, Costa Rica, October 10, 1867.

SIR: I have the honor to acknowledge receipt of circular of September 5th, together with proclamation of the President, dated September 3d, which have received my careful attention.

I have also the honor to enclose herewith a decree of the Executive of this republic, dated 20th September, ultimo, together with a translation of the same, which recognizes the commencement of the work on the Costa Rica railroad, and declares the port of Limon open to commerce.

As far as can be judged from appearances, the important undertaking alluded to seems likely to be accomplished. The work at the Atlantic terminus is being energetically carried forward. Although doubts exist in the minds of many as to the prosecution of the enterprise beyond the point requisite for certain specu-

lative purposes, the government seems to have full faith in the right intentions of the company, and shows a praiseworthy disposition to render the latter every facility possible for carrying on the work. It is, indeed, to be hoped that an American enterprise, so vast in itself and in its probable effects on this country, will be speedily accomplished.

This government has already made proposals to the Royal Mail Steam Packet Company, with a view to the touching at Limon of the monthly steamer which runs between Aspinwall and Greytown, which will be an important addition to the foreign postal facilities now existing.

The new national bank, with a paid-up capital of about \$250,000, has been in operation some two months. Of the above-named capital, \$100,000 was advanced by an English mercantile firm doing business in Valparaiso; the remainder by this government. The nominal capital is to be \$500,000, which may be increased to \$1,000,000. The government will increase its investment, and private parties are expected to subscribe for such an amount of stock as will bring up the capital to the sum required, and to some extent they are doing so. But it is to be observed that nearly every one who takes stock to the amount of \$500 is probably a borrower to the amount of \$5,000, or in that proportion.

Thus far the bank's operations have been quite favorable for the mercantile class and the coffee planters. It is to be feared, however, that, from the total want of a practical knowledge of banking business on the part of those having the direction of its affairs, it will sooner or later find itself embarrassed to such a degree as to cause it to wind up, which, according to the contract between the government and the English house before mentioned, must take place whenever it shall have lost 10 per cent. of its capital. But it is to be hoped that such will not be its fate, as it is really of great benefit to the business men of the country, and, properly managed, might sustain itself creditably, and perhaps profitably.

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

A. MORRELL,

Acting Consul, in charge of the Legation.

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

[Translation.]

José Maria Castro, President of the Republic of Costa Rica.

By virtue of the faculty vested in the executive power by a law passed on the 9th November, 1865, and whereas the works of the interoceanic railroad have already been commenced, I decree—

ARTICLE 1. That from this date the bay of Limon is opened to foreign and coasting trade as the principal port of the republic on the Atlantic coast.

ART. 2. That any vessel, bound from whatever port, may, under a friendly or neutral flag, import or export every class of merchandise except those subject to prohibition or monopoly, and deposit and tranship them freely, under such regulations as the government may establish.

ART. 3. That all vessels that anchor in the said bay of Limon shall be free of all duties or imposts for tonnage, anchorage, or crew list, as well as for documents or certificates which may be issued.

ART. 4. That after the Costa Rica Railroad Company have built their docks and warehouses no custom duties shall be recovered before merchandise and produce for consumption have left said docks and warehouses.

ART. 5. That the secretary of state for the navy department shall give due orders for the early removal of the authorities and public officers from Moín to the new port of Limon.

Given in the National Palace, San José, September 20, 1867.

JOSÉ MARIA CASTRO.

The Secretary of State in the Department of Public Work,
A. ESQUIVEL.

ECUADOR.

Mr. Coggeshall to Mr. Seward.

No. 25.]

UNITED STATES LEGATION,
Quito, February 2, 1867.

SIR: I have the honor to transmit herewith a translation of the answer of the government of Ecuador to your circular renewing the good offices of the United States for the re-establishment of peace between the allied republics of South America and Spain.

Ecuador awaits the decision of Chili and Peru, especially of Chili.

Very respectfully your obedient servant,

W. T. COGGESHALL.

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

Señor Bustamante to Mr. Coggeshall.

[Translation.]

QUITO, *January 26, 1867.*

SIR: I have the honor to acknowledge to your excellency the receipt of your appreciable letter of the 16th of the present month, in which is enclosed to me a legalized copy of the circular despatch of the Secretary of State of the United States of the north, expressing the profound sentiments of the people and government of the Union concerning the war between the allied republics and Spain, and the wish of his Excellency the President of that powerful nation to renew his former efforts to preserve peace, newly employing to that effect his good offices.

Having given account to his Excellency the President of this republic with the mentioned despatch, and informed him of the propositions that it contains, he manifests, through my medium, his gratitude for the friendly and brotherly sentiments of the illustrious government of your excellency tendered to Ecuador; and, as the interests of this republic in the present struggle are conjointly with those of Chili, Peru, and Bolivia, they sustaining the same cause, it is necessary to arrange unanimously, in order to conform his resolution. When this shall be attained, it will be satisfactory to me to transmit it to your excellency in order that it may be presented to the Secretary of State.

Having positive gratification to present to your excellency the certainty of the distinguished consideration with which I am your attentive servant,

MANUEL BUSTAMENTE.

W. T. COGGESHALL, Esq.,
U. S. Minister Resident.

Mr. Coggeshall to Mr. Seward.

No. 26.]

UNITED STATES LEGATION,
Quito, February 2, 1867.

SIR: I take much pleasure in forwarding to the Department of State the enclosed correspondence, marked A and B, which declares that arrangements have been perfected for the payment, at maturity, of the second instalment of the debt due the United States.

I have several times sought interviews with influential members of the government for the purpose of representing the propriety and advantage of avoiding the embarrassments which were connected with this question last year, and was gratified to find, in the course of a conversation with the minister of foreign affairs on Monday last, that these efforts have not been without good effect. I assured the minister that the promptness of this government would be acknowledged with marked courtesy, and would enhance the respect and regard of the government and people of the United States for Ecuador.

I also told him I did not doubt that you would authorize the publication of the fact of payment in a manner which would contribute to the good credit of this republic.

I have sent a copy of the order for payment to the United States consul at Guayaquil, and have instructed him to collect the sum due, and transmit it, in exchange upon London, to the State Department. A copy of my letter to the consul, marked C, is herewith enclosed.

Very respectfully, your obedient servant,

W. T. COGGESHALL.

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

[Translation.]

REPUBLIC OF ECUADOR,
OFFICE OF STATE IN THE DEPARTMENT OF THE INTERIOR,
Quito, January 28, 1867.

Honorable Minister of State in the Office of the Interior :

In order that you may have the goodness to inform his excellency the minister resident of the United States of America, I have the honor to advise you that, on the 23d of the present month, I addressed a note to the governor of the province of Guayaquil, ordering the payment of the second instalment of the North American creditors, of which the following is a literal copy :

“The 27th of February of the present year there falls due the second instalment for \$10,533 28 of the North American debt, payment of which I direct to your excellency for supreme disposition, recommending your punctual compliance in order justly to comply with the faith of the government and to avoid future remonstrances. I address your excellency in order that, the day of payment having arrived, and before causing any serious inconvenience to the public treasury, you may deliver to Mr. Louis Prevost the corresponding amount received from the private bank of this city, to account of the instalment of this month and corresponding to the respective vouchers. Your excellency will also have the goodness to order that the corresponding voucher be remitted to this office to Mr. A. H. Couster, which he has not hitherto sent, notwithstanding the voluntary contribution called for by the government several times.

MANUEL BUSTAMENTE.

The copy :

The great official, JUAN LEON MERO.

Mr. Coggeshall to Señor Bustamante.

UNITED STATES LEGATION,
Quito, January 29, 1867.

SIR : I acknowledge, with much satisfaction, the letter of your excellency, enclosing a copy of an order to the governor of Guayaquil, providing for the payment, at maturity, of the second instalment of the debt due from Ecuador to the United States of America. I have forwarded the necessary instructions for its collection to the United States consul at Guayaquil, and will promptly communicate to my government the correspondence on the subject, confident that it will be acknowledged with courtesy becoming the friendly relations it is calculated to promote.

In the copy of the order of the minister of the interior, accompanying your letter, February 27 is given as the date of the maturity of the obligation. I presume that to be a cler-

ical error, February 17 being the correct date as mentioned to me by your excellency in the interview you were pleased to grant on Monday last.

Renewing assurances of personal regard and distinguished consideration, I have the honor to be your obedient servant,

W. T. COGGESHALL.

Hon. MANUEL BUSTAMENTE,
Minister of Foreign Affairs.

Mr. Coggeshall to Mr. Prevost.

UNITED STATES LEGATION,
Quito, January 29, 1867.

SIR: Herewith I hand you a copy of an order transmitted by the minister of internal affairs for Ecuador to the governor of the province of Guayaquil, directing the payment of the second instalment of the debt due the United States, which matures on the 17th day of February, proximo.

You are hereby authorized to receive said instalment and receipt therefor, transmitting the same, in exchange on London, to the Department of State at Washington, of which transactions you will immediately advise me.

Very respectfully,

W. T. COGGESHALL,
U. S. Minister Resident.

L. V. PREVOST, Esq.,
U. S. Consul, Guayaquil.

Mr. Coggeshall to Mr. Seward.

No. 27.]

UNITED STATES LEGATION,
Quito, March 2, 1867.

SIR: I have to acknowledge your despatches Nos. 15 and 16, under date of January 2d.

I have the honor to forward herewith copies of correspondence which declare that Ecuador promptly met at maturity the second dividend of the debt due the United States, and that the amount has been transmitted to the State Department in London exchange.

Your obedient servant,

W. T. COGGESHALL.

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

Señor Bustamante to Mr. Coggeshall.

[Translation.—Extract.]

QUITO, *March 1, 1867.*

The second dividend of the North American debt, which was due on the 17th ultimo, has been paid at Guayaquil. I have the honor to communicate this information to your excellency that you may acquaint your government of the fact, and I hope it will, upon receiving this intelligence, acknowledge the punctuality of Ecuador in executing its engagements.

I beg to assure your excellency that if the same punctuality was not observed in the past year, it was involuntary causes which occasioned a short delay, contrary to the wishes of this government.

I hasten to offer to your excellency the testimony of my attachment, subscribing myself your obedient servant,

MANUEL BUSTAMENTE.

W. T. COGGESHALL, *United States Minister.*

Mr. Coggeshall to Señor Bustamante.

UNITED STATES LEGATION,
Quito, March 2, 1867.

SIR: I have the honor to acknowledge your important despatch dated March 1, 1867. I have forwarded the same to the Secretary of State at Washington, and I do not doubt that he will cordially thank Ecuador for its exactness in the payment of the second dividend of the debt due the United States.

In answer to your request respecting the particular claims constituting the debt as declared by the mixed commission, permit me to say that I possess no data on which I can make an adequate report, nor do I deem such report necessary. The negotiation is now between the United States of America and Ecuador. The payments to particular creditors are made, if I understand the case, from the United States treasury. Receipts showing that Ecuador has met the dividends annually are sufficient, it appears to me, to protect its treasury from any future demands by individual creditors whose claims have been approved by the mixed commission.

Very respectfully, your obedient servant,

W. T. COGGESHALL.

Señor MANUEL BUSTAMANTE,
Minister for Foreign Affairs.

Mr. Prevost to Mr. Coggeshall.

CONSULATE OF THE UNITED STATES OF AMERICA,
Guayaquil, February 23, 1867.

SIR: I have the honor to inform you that I have invested the \$10,533 23 of this currency received from the government treasurer a few days since, into bills on London at 90 days' sight, which produced £1,572 2s. 7d. at 34 per cent. premium, valuing the pound sterling, as is the custom in this country, at five dollars. The said bill of exchange, payable to the order of the Department of State, goes forward in my despatch No. 30, by the steamer which sails this afternoon.

I remain, sir, yours respectfully,

L. V. PREVOST.

W. T. COGGESHALL, Esq.,
United States Minister Resident at Quito.

Mr. Seward to Mr. Coggeshall.

[Extract.]

No. 21.]

DEPARTMENT OF STATE,
Washington, March 9, 1867.

SIR: I have to acknowledge the receipt of your despatches Nos. 21, 22, 23, 24 and 26, of January 8th, 9th, and 19th, and February 1st and 2d last, respectively.

* * * * *

The promptness and good faith with which Ecuador has complied with her obligations to the United States in the payment of the second instalment, cannot but add further strength to the friendly feeling of this country towards that republic.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

W. T. COGGESHALL, Esq., &c., &c., &c.

Mr. Coggeshall to Mr. Seward.

No. 36.]

UNITED STATES LEGATION,
Quito, May 18, 1867.

SIR: It seems to me important that I should call the attention of the State Department to a subject which, if it has not already been considered, demands, I am constrained to believe, a reference to Congress.

In this republic are several native-born Ecuadorians who are naturalized citizens of the United States. They are the proprietors of large farms; are merchants of large business, and have liberal incomes. Of course they pay the local taxes of Ecuador, but contribute nothing to the revenue of the nation under whose flag they claim protection against the government under which they live. I would not so positively assert, but I have good reason to believe, that not one of these adopted citizens resided in the United States five years previous to his naturalization. Their papers were procured, not for the purpose of allegiance to their adopted country, but for non-allegiance to their native country, though residents and property-owners. Such citizenship, it appears to me, can only be justly regarded as a fraud upon Ecuador, and a satire upon American privileges as well as an abuse of American rights. If the revenue assessor could call upon them, and the collector enforce the payment of the five per cent. income tax, at least \$10,000 might be added annually to the income receipts of the treasury. Why should not the income tax be collected from these citizens?

But there is another important phase of this question. The privileges and powers of the United States are made to subserve selfish and unpatriotic purposes against the interests and wishes of friendly governments. Why should the United States grant naturalization to a man who does not intend to make his permanent home within their boundaries? Why should not such a stipulation be one of the conditions of citizenship? Might not the law be wisely so amended? Should not permanent residence in a foreign land make null and void certificates of naturalization which have been procured by temporary sojourners? I do not know one naturalized citizen of the United States in Ecuador who can speak a word of the language of his adopted country. It strikes me very clearly that adopted citizens should be required to be permanent residents of their adopted country; or if permanent residents of a foreign land, be required, as a token of due regard for the value of their privileges, to pay their appropriate share of the expenses of the government, and of the national debt.

I may be presumptive in these suggestions, and if so, beg to be pardoned. My apology is a patriotic purpose.

Your obedient servant,

W. T. COGGESHALL.

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

Mr. Coggeshall to Mr. Seward.

[Extract.]

No. 39.]

UNITED STATES LEGATION,
Quito, June 18, 1867.

SIR: I herewith enclose a translation of a despatch received yesterday from the government of Ecuador, respecting the mediations of the United States, in the

war between the allied republics of South America and Spain. The mediation is rejected in compliance with the dictates of Chili. * * *

Very respectfully, your obedient servant,

W. T. COGGESHALL.

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

Señor Bustamente to Mr. Coggeshall.

[Translation.]

QUITO, June 17, 1867.

When I answered the note that your excellency was pleased to direct to me on the 16th of January last, putting in knowledge of my government the mediation offered to the allied republics and Spain by the United States of the North, in the present war, I promised to communicate to your excellency the resolution that was adopted after knowing the opinion of Chili, Peru and Bolivia. I comply to-day with that debt, expressing the indispensable necessity that the adoption of the propositions enunciated by the cabinet of Washington about the reunion of plenipotentiaries of the belligerent states in the capital of the American Union, and arbitrate upon the questions that they do not arrange amicably, precede other agreements (conveniencias) of vital importance to the offended nations and that can be considered as preliminaries. Such are the just compensation of the offences occasioned by the government of Spain invading the ports of Valparaiso and Callao without filling the prescriptions of the right of war and the consequent indemnification of the damages occasioned by the aggressive squadron. These particulars are too obvious in favor of the allies to submit them to discussion or arbitration giving them a questionable character: and if the enemy refuses to recognize its justice, useless would be the measure proposed by the government of your excellency, because it is seen that they would do as much in the conference of the plenipotentiaries, frustrating the good offices of the mediator. The illustrious and upright government of the United States will appreciate, as is to be hoped, the weight of these reasonings, which conduce certainly to secure the termination of the temper which has been meditated with anxiety of the re-establishment of the peace between the united republics and Spain. I reiterate, at this time, the expression of gratitude of the government of Ecuador to that of your excellency, for its anxiousness to see terminated the war, and because it restores the concord between people that must always live in harmony for mutual convenience.

Accept my respectful consideration and esteem, believing me your obedient servant,

MANUEL BUSTAMENTE.

GUATEMALA.

Mr. Warren to Mr. Seward.

No. 11.]

LEGATION OF THE UNITED STATES,

Guatemala, February 10, 1867.

SIR: My last was No. 10, under date of February 1st. Since that a fact of some significance has transpired. General Cruz, an officer of some merit, not now on the active list, has pronounced against the government, and is now in armed resistance, with a force variously stated to be from 100 to 500 men. He is in position near the gorges of the mountains, about 15 leagues (45 miles) from the city.

The government has published a proclamation of outlawry against him, and have despatched General Solares with a force of 500 men to put him down. His (Cruz's) purpose, as avowed, is not to overthrow the government, but to effect a change in the ministry, with the abolishment of the monopoly in *aguardiente*, (*Anglicé* whiskey,) which is oppressive both on the consumer and the producer. The heaviest item of revenue is from this source. A company pay to the government \$350,000 per year and have the exclusive right to manufacture and sell all of the *aguardiente* within the limits of the republic. The retail prices of a miserable drink of raw alcohol and water is 5 and 6 reals (62½ cents) per bottle, (six to the gallon.) The first cost is probably 16 cents per gallon. The burden is heavy on the consumer, but the most odious feature is, that they will not pay a remunerative price for the panela, a coarse brown sugar, from which it is made. It will not bear exportation and cannot be distilled unless by these men, and they consequently fix their own price, which is below the cost of growth and manufacture.

After proclaiming Cruz an outlaw, the ministry sent a private overture to him, which he refused. Such is the present state of affairs. All is panic and doubt. Trade is suspended and confidence gone.

I have not, in this condition of things, pressed upon the government the claim of Lilly.

Waiting for happier auspices,

I have the honor to be, very respectfully, your obedient servant,
FITZ HENRY WARREN.

Hon. WILLIAM H. SEWARD.

Secretary of State, Washington, D. C.

Mr. Warren to Mr. Seward.

No. 12.]

LEGATION OF THE UNITED STATES,

City of Guatemala, March 2, 1867.

SIR: I am still without advices from the State Department.

Since my No. 11 no event of particular interest has transpired. The incipient revolution to which I then referred has made no progress, and while many are discontented and unfriendly to the government, the disaffection does not reach to the point of armed resistance. General Cruz has traversed nearly the whole

northern portion of the republic, but without receiving an accession from the people, either in personal adherence or substantial aid. He is, or was, at last advices, near San José de Guatemala, with a small force, and that demoralized and disintegrating. My own belief is that, if not ended, it is in the last stages of dying out. If the rebellion, or rather *emeute*, has failed, the government has been nearly as abortive in suppression as have been the malcontents in their attempt at reform through a revolution. Meanwhile, the quiet pursuits of ordinary business are being resumed, and trade, checked for a period, is revived.

With my next I trust to be able to report reassumed tranquillity.

I am, sir, with high respect, your obedient servant,

FITZ HENRY WARREN.

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

Mr. Warren to Mr. Seward.

No. 20.]

LEGATION OF THE UNITED STATES,
City of Guatemala, July 17, 1867.

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 9 and 10.

I have deferred any communication to this government of the contents of your No. 10, as the other claim still lags tediously in its adjustment.

The ministry have, of late, been much occupied in arranging with certain parties a concession for a bank. I think all the leading conditions are agreed upon, although final and positive action is yet delayed. This will place the treasury in a more flush condition, and make more easy the settlement of both old and new debts. With the false system of finance to which they seem inflexibly wedded, they are always delinquent and always destitute of money. Realty and personalty pay nothing to aid the government.

Imports, with *aguardiente* and tobacco monopolies, with some insignificant stamp duties, are the only sources of revenue.

The country, however, prospers, and in spite of the clogs of church and civil politics, the resources of the soil have an unusual and still progressing development.

I am, sir, with great respect, your obedient servant,

FITZ HENRY WARREN.

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

Mr. Warren to Mr. Seward.

No. 22.]

LEGATION OF THE UNITED STATES,
City of Guatemala, July 31, 1867.

SIR: The intelligence of the murder of the Archduke Maximilian by the Mexican authorities, which was received here by last steamer, caused a deep and general sensation. Any remaining doubt of its authenticity was removed by the confirmatory accounts via Balize, and later, by overland mail from Chiapas.

Here, where military execution follows quelled revolution with a natural sequence, the act is contemplated with horror. The general, I might almost say the united, opinion is that this atrocity, connected as it is with the capture

of Santa Anna from a United States vessel, will precipitate a crisis in the relations of the two governments.

The ministry here, while they regard with some forebodings the new complications, seem to accept an American intervention as inevitable.

I have thought it my duty to give you the tone of opinion here, leaving to you the estimate of its value.

Most respectfully, your obedient servant,

FITZ HENRY WARREN.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Warren to Mr. Seward.

No. 24.]

LEGATION OF THE UNITED STATES,

City of Guatemala, August 16, 1867.

SIR: I have the honor to acknowledge, by last mail, the receipt of your circular of March 29th, in relation to diplomatic uniforms.

Since my last (No. 23) there has been nothing worthy of note, unless it be a slight *emoute* near the northern boundary, headed by a brother of the late rebel Cruz. The *Gaceta*, which I send by this mail, will give you all of the information yet received.

I think there is an apprehension on the part of the government here of some difficulty with Mexico. The sympathy of this republic with Maximilian and the imperial usurpation are well understood by the Juarez administration, and an unadjusted boundary question will give an excuse for demanding territory or pecuniary indemnity. At present this is only an apprehension, and nothing may come of it.

I also send by this mail a decree of the government granting a concession for a national bank. The parties, excepting Mr. Thomas Jump, are all residents here.

I have nothing further to write in connection with the two claims which are in process of adjustment.

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

FITZ HENRY WARREN.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington D. C.

Mr. Warren to Mr. Seward.

No. 27.]

LEGATION OF THE UNITED STATES,

City of Guatemala, September 16, 1867.

SIR: I was not favored by the late steamer with any communications from the department.

No event of public importance has transpired since my last. The government has granted a commission to an association of capitalists to construct a railroad from the port of San José to Escuintla, half of the distance from the coast (45 miles) to this city; the government guaranteeing 10 per centum on the estimated cost of construction, (\$600,000.) The material for the telegraph has also been received; and during the past week the vessel bringing the iron for the pier at San José also made her anchorage off the port. The construction will proceed immediately.

The coffee yield promises good results for this year, and the lowest estimate of quantity is 100,000 quintals, against 30,000 for the year past. This interest is of great importance to the United States, and the three Central American republics will, in time, be great sources of supply for this article, with a cheaper price and a better quality.

The weather continues favorable, with a noticeable diminution of rain. It is a most charming climate, lacking the vigor of our tonic air, but for invalids and threatened constitutions as soft and balmy as the south of France or Italy.

I remain, Mr. Secretary, with profound respect and regard, your obedient servant,

FITZ HENRY WARREN.

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

Mr. Warren to Mr. Seward.

No. 28.]

LEGATION OF THE UNITED STATES,
City of Guatemala, September 30, 1867.

SIR: Since my last I have the honor to acknowledge the receipt of your despatch No. 12, in reply to my unofficial note of an earlier date.

In a former communication I referred to a granted commission for the construction of a road from Santo Tomas to this city. The enterprise contemplates the use of the Motaqua river for 40 leagues, or about 120 miles. The distance to the point of the river where navigation terminates is also 40 leagues, to which is to be added 5 leagues from the river to the initial point. I am assured that a boat, similar to the light-draughts used on the upper Ohio, can navigate the river at all seasons of the year. I regard this project as of much importance to the commerce of the United States. The whole coast is well calculated for both sugar and coffee culture, and the whole slope toward the Atlantic is covered with primary woods and groves of the India-rubber tree. There is and will be an emigration from the United States, and, after all, the construction of this road is only a step toward a railroad, which must before long cross the continent somewhere midway from Panama to Tehuantepec.

There is no change in the political state of the country. Trade is fairly active, and the good promise of the harvest has induced liberal arrangements for importation.

I am, Mr. Secretary, with high respect, your obedient servant,
FITZ HENRY WARREN.

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

HAWAIIAN ISLANDS.

Mr. Rouse to Mr. Seward.

No. 16.]

LEGATION OF THE UNITED STATES,
Honolulu, December 14, 1866.

SIR: I have the honor to inform you that on the 10th instant I received a despatch from his Hawaiian Majesty's minister of foreign relations regarding the discriminating duties collected by the United States government upon goods imported in vessels bearing the Hawaiian flag. Accompanying the same was a copy of a letter addressed to his Hawaiian Majesty's consul at San Francisco. That you may take the matter under consideration I have the honor to enclose you herewith copies of the same; the despatch marked A, the letter marked B.

I beg leave to call your attention to the fact that his Majesty's minister of foreign relations officially informs me, and requests me to notify the government of the United States, that no discriminating duties of tonnage or impost are imposed or levied in the Hawaiian ports upon vessels wholly belonging to citizens of the United States, or upon produce, manufacture, or merchandise imported in the same, from the United States or from any foreign country.

The object of this notice is clearly set forth in the despatch, the copy of which is enclosed.

I have the honor to be, with great respect, your obedient servant,

HENRY B. ROUSE,

Acting Chargé d'Affaires.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

A.

C. de Varigny to Mr. Rouse.

DEPARTMENT OF FOREIGN AFFAIRS.
Honolulu, December 10, 1866.

SIR: I have the honor to enclose to you copy of a letter received by last mail, and transmitted to this department by C. E. Hitchcock, his Majesty's consul in San Francisco, relating to the discriminating duty levied in the United States ports upon goods of foreign origin imported in Hawaiian vessels.

Similar representations have already been made by owners of Hawaiian vessels, who, through the vigorous interpretation of the third article of the treaty concluded between the Hawaiian kingdom and the government of the United States of America, have been laboring under great disadvantages.

As you are well aware, no discriminating duties have been or are levied in this kingdom upon goods of foreign origin imported by American vessels, nor are such discriminating duties levied in United States ports upon vessels bearing the flag of Austria, Belgium, Brazil, Chili, Denmark, Ecuador, Greece, New Granada, Guatemala, Hanseatic towns, Netherlands, Norway, Peru, Prussia, Russia, San Salvador, Italy, Sweden, and Venezuela.

The vessels belonging to the above-mentioned nations are admitted in the ports of the United States on the same terms as vessels of the United States, with the produce or manufactures of their own or any other country. (V. U. S. tariff, sec. 911.) Hawaiian vessels (V. sec. 915) are admitted into ports of the United States on the same terms as vessels of the United States only when laden with the products or manufactures of the country to which the vessel belongs.

I entertain no doubt that if the case is fairly represented to your government and the fact

made known to them that no such distinction exists here, and that no such construction is placed upon the 3d article of the treaty, it will please the President of the United States to issue his proclamation accordingly, and to suspend and discontinue the discriminating duties so far levied upon Hawaiian vessels to the great detriment of Hawaiian commerce, and to order the repayment of said discriminating duty made under protest, as appears from the enclosed letter.

I therefore beg to inform you officially and to request you to notify your government that "no discriminating duties of tonnage or impost are imposed or levied in the Hawaiian ports upon vessels wholly belonging to citizens of the United States, or upon the produce, manufacture, or merchandise imported in the same from the United States or from any foreign country."

This declaration conforms to the requirements of "the act in addition to an act concerning discriminating duties," has already been made, through his Majesty's chargé d'affaires in New York, to your government, without eliciting any reply from the same. It has been renewed again on the 19th of January last in regard to the Hawaiian brig Honolulu, and no definite answer has been so far received by this department.

The above-mentioned act declares that "upon satisfactory evidence being given to the President of the United States by the government of any foreign nation that no such discriminating duty" * * * "is imposed or levied," * * * "the President is hereby authorized to issue his proclamation declaring that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued so far as respects the vessels of said foreign nation." * * * * *

The declaration above made will, I trust, leave no room for doubt, and, through your good office, will secure to the Hawaiian flag the reciprocal treatment to which it is and has been entitled for many years.

I renew to you the assurances of the very distinguished consideration with which I remain your very humble, obedient servant,

C. DE VARIGNY.

HENRY B. ROUSE, Esq., *Chargé d'Affaires, &c., &c., &c.*

B.

Macdonray & Co. to Mr. Hitchcock.

SAN FRANCISCO, November 13, 1866.

DEAR SIR: We beg most respectfully to submit to you the following facts, asking that you will have them properly represented to your government. The Hawaiian brig Lahaina arrived at this port on the 10th instant, with a cargo of teas to our consignment, and upon application for entry of said teas at our custom-house, the authorities have exacted from us a discriminating duty of 10 per cent. *ad valorem*, (which amounts to about \$5,000,) on the ground that the Hawaiian government have no reciprocal treaty with the United States. As we think this manifestly unjust and contrary to the spirit of the treaty between the two governments, we have paid the duty under protest. As we are convinced that no discriminating duty was ever charged by your government upon vessels of the United States, or upon merchandise imported in American vessels, we beg to call your attention to the following copy of the United States revenue laws, which read as follows:

ACT OF MAY 24, 1828.

"AN ACT in addition to an act concerning discriminating duties.

"*Be it enacted*, That upon satisfactory evidence being given to the President of the United States by the government of any foreign nation that no discriminating duty of tonnage or impost are imposed or levied in the ports of said nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufacture, or merchandise imported in the same from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation declaring that the foreign discriminating duties of tonnage and import within the United States are and shall be suspended and discontinued so far as respects the vessels of said foreign nations, and the produce, manufacture, and merchandise imported into the United States in the same from the said foreign nation, or from any other country," &c.

Our object, therefore, in addressing you is to ask that you will at once communicate with the proper authorities connected with your government for the furnishing of the said "satisfactory evidence" mentioned in the above law, to the effect that no such discriminating duty has ever been imposed by your government on vessels of the United States, or on merchandise imported in American vessels. As there can be no doubt whatever that this evidence can be procured, we beg that it may be put in such a shape that it can be properly represented by your government to the authorities at Washington, and the President of the United States requested to issue his proclamation in accordance with the above law.

We beg also to suggest, as you are aware of this application having been made before to your government, that upon procuring the "satisfactory evidence" it should be so stated, that the document might be dated back for a sufficient time to cover all goods arriving in the Sandwich islands or in the United States since the beginning of the present year. You are aware that our object in having it dated back is, that in event of the proclamation being issued it may also be made to bear even date, so that the duties which have been exacted in the mean time on merchandise imported into the United States in Hawaiian vessels, and paid under protest, as in case of the Lahaina, may be refunded. All of which is respectfully submitted.

Trusting that it may receive your early attention, we remain yours, very respectfully,
 MACONDRAY & CO.

Hon. C. E. HITCHCOCK,
His Hawaiian Majesty's Consul, San Francisco.

HONOLULU, December 10, 1866.

Certified correct copy.

C. D. VARIGNY.

Mr. Seward to Mr. McCook.

No. 18.]

DEPARTMENT OF STATE,
 Washington, January 5, 1867.

SIR: I have had the honor to receive from Mr. Odell, the Hawaiian chargé d'affaires to this country, a letter which was addressed to me by Mr. de Varigny, minister for foreign affairs of the Hawaiian kingdom, in which he expresses the appreciation by that government of the courtesies shown by the government of the United States to her Majesty the dowager Queen Emma, on her recent visit to this country. The President authorizes me to assure the Hawaiian government that he has read the communication referred to with much satisfaction, and that it will be his constant desire to preserve the most cordial and friendly relations with the government of Hawaii.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD M. MCCOOK, Esq., &c., &c., &c.

Mr. Seward to Mr. McCook.

No. 20.]

DEPARTMENT OF STATE,
 Washington, February 5, 1867.

SIR: I received Mr. Rouse's despatch No. 14, of the 14th of last December, containing a copy of a note which had been addressed to him by the minister for foreign affairs, on the 10th of that month, informing him that no discriminating duties of tonnage or impost are imposed or levied in the ports of Hawaii upon the produce, manufactures, or merchandise imported in vessels of the United States, and asking that a similar exemption be exercised in favor of Hawaiian vessels in this country, in conformity with the act of Congress approved May 24, 1828.

Accordingly the President, on the 29th ultimo, issued a proclamation suspending from the 10th of December the levying discriminating duties on vessels of Hawaii or the goods imported therein. A copy of that proclamation you will find enclosed. The minister for foreign affairs states, however, that the notice which he gives in his note to Mr. Rouse had already been given on various previous occasions by the chargé d'affaires of Hawaii to this country, and especially on the 19th of January, 1865, and that no reply had ever been received from this government to his communication on that subject. Our

records do not show that any such communication to that effect has ever reached the department from the representative of Hawaii to this country.

You will transmit a copy of this despatch and of the proclamation to the minister of foreign affairs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD M. McCOOK, Esq., &c., &c., &c.

By the President of the United States of America.

A PROCLAMATION.

Whereas by an act of the Congress of the United States of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act in addition to an act entitled 'An act concerning discriminating duties of tonnage and impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided that, upon satisfactory evidence being given to the President of the United States by the government of any foreign nation that no discriminating duties of tonnage or impost are imposed or levied in the ports of said nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States, or from any foreign country, the President is thereby authorized to issue his proclamation declaring that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States in the same from the said foreign nation, or from any other foreign country, the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes, as aforesaid, shall be continued, and no longer:

And whereas satisfactory evidence has lately been received by me from his Majesty the King of the Hawaiian islands, through an official communication of his Majesty's minister of foreign relations, under date of the tenth of December, one thousand eight hundred and sixty-six, that no other or higher duties of tonnage and impost are imposed or levied in the ports of the Hawaiian islands upon vessels wholly belonging to citizens of the United States, and upon the produce, manufactures, or merchandise imported in the same from the United States, and from any foreign country whatever, than are levied on Hawaiian ships and their cargoes in the same ports under like circumstances:

Now, therefore, I, Andrew Johnson, President of the United States of America, do hereby declare and proclaim that so much of the several acts imposing discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued so far as respects the vessels of the Hawaiian islands and the produce, manufactures, and merchandise imported into the United States in the same from the dominions of the Hawaiian islands, and from any other foreign country whatever, the said suspension to take effect from the said tenth day of December, and to continue thenceforward so long as the reciprocal exemption of the vessels of the United States, and the produce, manufactures, and merchandise imported into the dominions of the Hawaiian islands in the same, as aforesaid, shall be continued on the part of the government of his Majesty the King of the Hawaiian islands.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, the twenty-ninth day of January, in the year of our Lord one thousand eight hundred and sixty-seven, and of the independence of the United States of America the ninety-first.

[SEAL.]

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

Mr. Rouse to Mr. Seward.

No. 22.]

LEGATION OF THE UNITED STATES,
Honolulu, H. I., February 7, 1867.

SIR: I have the honor to state that I received, on the 2d instant, a despatch from his excellency his Hawaiian Majesty's minister of foreign relations, which was in reply to a despatch dated November 10th, 1866, from the minister resi-

dent, in relation to the jurisdiction of the courts of this kingdom in the Blue Jacket case.

In reply to his excellency I simply acknowledged the receipt of his despatch, and informed him I would forward it to you and await further instructions.

That you may have a full understanding of the matter, I have the honor to enclose herewith copies, viz., of the despatch from the minister resident to M. de Varigny, marked A, of the despatch in reply, received 2d instant, from M. de Varigny, marked B, and of mine to M. de Varigny, marked C.

I have the honor to say, also, that Messrs. C. L. Richards & Co., of this city, presented to Mr. Thomas T. Wilson, vice-consul, a claim of Charles R. Green, owner of the Blue Jacket, against the Hawaiian government to the amount of \$2,204 08 for damages resulting from the courts assuming unlawful jurisdiction in this case, requesting Mr. Wilson to present it to General E. M. McCook for action in the premises.

Mr. Wilson transmitted the same to me, and I retain it until the return of the minister resident, that he may take such action in the matter as he sees proper.

Trusting that this meets with your approbation, I have the honor to remain,
Very respectfully, your obedient servant,

HENRY B. ROUSE,
Acting Chargé d'Affaires.

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

A.

Mr. McCook to C. de Varigny.

LEGATION OF THE UNITED STATES,
Honolulu, November 10, 1866.

SIR: I have the honor to call your attention to despatch No. 16, dated February 14, 1866, in which my predecessor, Mr. McBride, earnestly protested against the exercise, by the courts of the kingdom of Hawaii, of jurisdiction in the case of one Thomas Duane, *alias* Burns, a seaman shipped at San Francisco on the United States merchant ship Blue Jacket, and discharged by one of said courts, in the port of Honolulu. As the government of his Majesty paid no attention to this protest, the whole matter was laid before the government of the United States, and, in accordance with instructions received from the honorable Secretary of State, I have the honor to again call the attention of his Majesty's government to the questions involved.

Burns (or Duane) was a citizen of the United States, appearing upon the papers of the Blue Jacket, an American ship, as one of the crew, having been shipped in San Francisco.

By the tenth article of the treaty between the United States and the Hawaiian kingdom, it is agreed that "each of the contracting parties may have in the ports of the other, consuls, vice-consuls, and commercial agents of their own appointment, who shall enjoy the same privileges and powers of the most favored nations." Said consuls, &c., are authorized "to require the assistance of the local authorities for the search, arrest, detention, and imprisonment of the deserters from the ships of war and the merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges, and officers, and shall, in writing, demand the said deserters, proving, by the exhibition of the register of the vessels or the rolls of the crews, or by other official documents, that such individuals formed part of the crew, and this reclamation being thus substantiated, the surrender shall not be refused."

The wording of this section is most explicit, and I submit that the only construction which can be placed upon its meaning is that the "register of a vessel or the rolls of the crew" is final and conclusive evidence as to who constitute the crew, is all and the only evidence required to establish the fact, and as such must be considered by the authorities of the country.

The 21st article of the treaty entered into between the Emperor of France and the King of the Hawaiian Islands stipulates "that the respective consuls shall be exclusively charged with the internal order on board of the merchant vessels of their nations, and shall alone take cognizance of all the crimes, misdemeanors, and other matters of difference in relation to said internal order which may supervene between the masters, the officers and the crew, provided the contending parties be exclusively French or Hawaiian, and the local authorities shall not be allowed to interfere unless by the approval of the consuls, or in cases where the public peace and tranquillity are disturbed or endangered."

The United States consul derives his judicial power in part from this section of the French

treaty, because by the 10th section of the treaty between the United States and Hawaii, consuls, vice-consuls, and commercial agents of the United States shall enjoy the same privileges and powers with those of the most favored nations."

In respect to consular powers, France has been the most favored nation, and the consuls of the United States are invested with the same powers conceded to the consuls of France. Consequently, in the case of the Blue Jacket, a case simply involving the question whether a seaman, a citizen of the United States, shipped on board a vessel of the United States, was or was not one of the crew, neither party (shipmaster or sailor) being subjects of the Hawaiian government, the United States consul, and no person else, had the right to decide the whole matter.

The parties to the controversy, it is conceded, were all citizens of the United States.

The register of the Blue Jacket, and the roll of the crew, proved that Duane (or Burns) was one of the crew, his name appearing on the papers of the ship as such.

Even if the courts of these islands had jurisdiction at all, this register or roll was the only evidence they had the right to regard under the provisions of the 10th section of the treaty between Hawaii and the United States.

As the court disregarded this evidence and discharged the seaman, was it not a violation of the obligations imposed by this 10th section?

Again, the court assumed jurisdiction of the case after it had already been adjudicated by the United States consul, with full knowledge of the facts, and against his protest. Was this not also a violation of the obligations imposed by the 21st article of the treaty between France and Hawaii?

The court had no right, in the first instance, to look behind the papers of the vessel, for the treaty with the United States expressly provides that these shall be received as "final and conclusive evidence as to who constitute the crew;" and in accordance with the treaty with France, giving the consuls of each country cognizance of all matters of difference between the masters, the officers and crews of vessels of their respective countries, the consul of the United States had already made a decision which in my opinion was final. If the consul cannot decide whether a man is or is not of the crew of a vessel, then the very effect and intent of the treaty is destroyed by depriving him of the power of determining the very question upon which *all order* in the vessel can be supported. Unless consuls have power to decide, and decide, too, without interference from the local courts, *who* compose the crew of American vessels, it seems to me that all their judicial powers are useless, because upon this depends all right to impose and enforce rules for the government of the crew, and each member of the crew. If such is not the case the consuls could not rightfully take cognizance of *any case until the local authorities had passed upon the validity of the shipping articles*, and any and every seaman could arrest the proceedings of the consul by pleading that he had signed his shipping articles when drunk, or had been coerced by force or induced by fraud to do so.

The principle involved in this case is one which directly affects the interests of all the American shipping that touches at these islands, and I hope his Majesty's government may see how absolutely important it is to these interests that the local courts should refrain hereafter from any interference between the masters and officers and crews of merchant and other vessels of the United States, in cases where the public peace and tranquillity of the kingdom are not disturbed or endangered.

I cannot more appropriately close my communication to your excellency than by quoting from a dispatch lately received from my own government:

"In the case of the Blue Jacket, as it must be presumed that Burns (or Duane) being on an American vessel was a citizen of the United States, the local court had not jurisdiction. Upon its appearing to the local court that it was a difference betwixt seamen, all American citizens, and that concerned the internal order of a merchant vessel of the United States, the parties should have been referred to the American consul. This seaman had applied to the consul for redress. His case had been heard, and his complaint dismissed. That fact seems to have been known to the local court which discharged him. It seems to me to have been an unlawful proceeding, and a violation of the treaty."

I have the honor to renew to your excellency assurances of my highest consideration.

Your most obedient servant,

EDWARD M. MCCOOK, *Minister Resident.*

His Excellency C. DE VARIGNY,

His Majesty's Minister of Foreign Relations.

B.

Mr. de Varigny to Mr. Rouse.

DEPARTMENT OF FOREIGN AFFAIRS,
Honolulu, February 1, 1867.

SIR: On the 22d of November last I had the honor to acknowledge the receipt, from the legation of the United States, of a despatch, No. 5, under date of November 10, relating to the question of jurisdiction of the supreme court of this kingdom over the case of one Thomas Duane, alias Burns.

The able and elaborate communication to which I now reply has been duly submitted to his Majesty and cabinet, and has received at their hands the mature consideration to which it was entitled.

Before proceeding with my answer to the arguments embodied in the above-mentioned communication, I desire succinctly to recapitulate the facts that have led to this correspondence.

Thomas Duane, alias Burns, and whose name is undoubtedly Thomas Burns, arrived at Honolulu from San Francisco in the *Blue Jacket*, a vessel bearing the flag of the United States. On his arrival here he denied that he had ever signed the shipping articles, and contended that he was not bound to remain on board. The master of the ship claimed that Burns had passed himself off to him, on board his vessel at San Francisco, as the real Thomas Duane. It appears from the testimony produced before the court to be an undisputed fact that there was an individual, not Thomas Burns, but who was rightly called Thomas Duane, who could read and write, and who had actually and voluntarily signed the shipping articles of the *Blue Jacket*. It appears likewise from the same testimony that Burns was unable to read and write, and that he had neither signed the articles nor performed any act equivalent thereto.

Under these circumstances Burns applied for relief, unsuccessfully, to the consul of the United States, and then sued out a writ of *habeas corpus*, upon which, after a diligent inquiry, he was set at liberty by Hon. G. M. Robertson, one of the judges of the supreme court. The consul of the United States protested to the court, and the late minister resident of the United States protested to his Majesty's government against what they both claimed to be an usurpation of jurisdiction.

You are further aware, sir, that, subject to these protests, the master of the ship appeared in court, was represented by counsel, who, in his behalf, examined witnesses who were produced by him or in his interest, and that, in every respect, both sides of the cause were fully represented before Mr. Justice Robertson.

It is argued, first, that under the tenth article of the treaty concluded between the United States and the Hawaiian kingdom, the Hawaiian tribunal had no right to adjudicate on the case; and, secondly, that the twenty-first article of the French treaty, *from which the United States consul derives his judicial power in part, in virtue of the parity clause*, secured to the consul alone the right of taking cognizance of the whole matter.

The tenth article of the treaty between the United States and this kingdom provides distinctly that "said consuls, &c., &c., are authorized to require the assistance of the local authorities for the search, arrest, detention, and imprisonment of the *deserters* from the ships of war and the merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges, and officers, and shall in writing demand the said *deserters*, proving by the exhibition of the registers of the vessels, or the rolls of the crews, or by other official documents, that such individuals formed part of the crew, and this reclamation being thus substantiated, the surrender shall not be refused."

In reply to the argument based on this article, I would beg to state that the order of arrest issued by the consul of the United States was so worded as to leave in doubt the identity of the seaman; that it was on this very question of identity that Mr. Justice Robertson was called upon to adjudicate; that it has been the uniform practice of our courts to investigate such cases, and that the legality of their so doing under a writ of *habeas corpus* has never been questioned up to this day.

After a full investigation of the case Mr. Justice Robertson ordered the man to be discharged, and the then minister of the United States protested officially, on the 14th of February, 1866, against "the assumption of jurisdiction, by one of the judges of the supreme court, in the case between Captain Dillingham, commander of the American ship *Blue Jacket*, now (then) in this port, and one Thomas Duane, alias Burns, one of Captain Dillingham's crew." I duly acknowledged, on the 16th of same month, the receipt of said protest, and informed the minister resident of the United States that the decision of one of the judges of the supreme court was not the final decision of the supreme court of the kingdom.

Permit me now, after one year's interval, to call especially your attention upon the fact that no appeal was ever claimed from the decision of Mr. Justice Robertson to the full court, although the statutes and judicial decisions of this kingdom recognize that right to the fullest extent. Vide Civil Code of the Hawaiian Islands, section 859. *In re Flanchet*, 2 Hawaiian Reports, 113. *In re Kauffman*, 2 Hawaiian Reports, 317.

In the opinion of his Majesty's government the protest entered by his excellency, the minister resident of the United States, fails in this most important respect: it does not show that all the remedies provided by laws and usages of this kingdom for redress of private wrongs had been resorted to without success. In other words, the case presented has not reached that stage which warrants an appeal for redress from one sovereign to another.

This, one of the first rules of international law, obtains amongst all nations, and ever since the memorable reply of Great Britain, in 1753, to the King of Russia, it has been the very basis of international law; that "the law of nations, founded upon justice, equity, convenience, and the reason of the thing, and confirmed by long usage, does not allow of reprisals, except in cases of violent injuries directed or supported by the state, and justice absolutely denied *in re minimi dubia* by all the tribunals and afterwards by the prince.

It is hardly necessary for me to add that, although particularly referable to the case of reprisals, this principle extends to all cases of national despatches. Numerous quotations could be made to support the assertion should any be required.

In the case of Signor D. Pacifico, in 1850, which attracted attention, as the conduct of the British foreign minister, in neglecting to exhaust all judicial remedies, was the object of a direct vote of censure in the British House of Lords, the same principle was asserted. The minister of foreign affairs (Viscount Palmerston) in his defence, which barely saved him from a similar censure in the House of Commons, fully recognized the principle of the British letter of 1753, upon which the Greek ministry were making a stand, but resisted its application solely upon the ground "that the character of the judicial tribunals of Greece rendered it a mockery to expect justice at their hands." Yet, even of this defence, which served the political necessity of the hour, the most recent English writer upon international law remarks that "he is bound to say that the evidence produced does not appear to be of that overwhelming character which alone could warrant an exception from the well-known and valuable rule of international law upon questions of this description." It is, of course, impossible for me to admit that any similar argument could be made use of in regard to the supreme court of this kingdom, whose standing is such, both within these islands and the United States of America, that no attempt to impair or limit the full force of international law on account of the insufficiency of the tribunal would be tolerated in either country.

I am further instructed to add, what has been up to this day the invariable answer of this government in all similar cases, that in view of the importance which attaches to controversies between nations, it is the duty no less than the right of every sovereign to refrain from investigating any dispute originating in personal differences, until the complaining party has vindicated his right to make the demand by an exact compliance with all the conditions which the usages of international law have made indispensable.

It is further argued that the 21st article of our treaty with France grants to consuls far more extended powers than were conceded by this kingdom to any consuls previous to its ratification; that the said 21st article provides, "That the consuls (French in Hawaiian ports and Hawaiian in French ports) shall be exclusively charged with the internal order on board of the merchant vessels of their nations, and shall alone take cognizance of all the crimes, misdemeanors, and other matters of difference in relation to said internal order which may supervene between the masters, the officers, and the crew, providing the contending parties be exclusively French or Hawaiian," &c., &c.

It is finally argued that the 10th article of our treaty with the United States provides that "consuls, vice-consuls, and commercial agents of the United States, shall enjoy the same privileges and powers with those of the most favored nation," and that consequently the powers granted by our treaty with France to French consuls belong by right to the United States consuls.

On this important point, sir, I am instructed to reply most distinctly that his Majesty and cabinet entertain an entirely different opinion; that the powers granted to French consuls in Hawaiian ports are dependent entirely upon the recognition by the French authorities of similar powers in Hawaiian consuls in French ports; that this clause is most clearly a reciprocal clause, the benefit of which may and will be extended to consuls of the United States and of other powers having treaties with this kingdom the moment they will notify his Majesty's government of their desire to avail themselves of its benefit, and their readiness to grant the reciprocity conceded by France. The Hawaiian government are at a loss to conceive how the benefit of a reciprocity clause can be positively claimed from them in virtue of the parity clause, unless the government claiming it be ready to concede the same advantages in consideration of which it was granted.

The parity clause merely insures to the government having with this kingdom treaty stipulations the right of applying for and obtaining the same advantages granted to others on the very same terms. You are well aware, sir, that the government of the United States never have, at any time since 1857, informed his Majesty's government of their desire to secure to themselves the benefit of the stipulations of the 21st article of the French treaty; you are well aware that on this question of consular jurisdiction they have ever most jealously guarded their right of territorial jurisdiction, and have never conceded to any power, nor embodied in any of their treaties such a clause as the one now claimed here on behalf of American consuls.

Having replied at full length to the despatch of his excellency the minister resident of the United States, I beg to express my sincere conviction that the arguments presented on behalf of his Majesty's government will satisfy the government of the United States of the earnest desire entertained by the King and his cabinet to preserve undisturbed the friendly relations that have so long existed between them, and that these explanations will remove from their mind the impression that the Hawaiian government had failed to observe the stipulations contained in their treaties.

I have the honor to renew to you the assurances of the very distinguished consideration with which I remain your very obedient servant,

C. DE VARIGNY.

HENRY B. ROUSE, Esq.,

Acting Chargé d'Affaires of the United States of America.

Mr. Rouse to Mr. De Varigny.

LEGATION OF THE UNITED STATES,
Honolulu, February 4, 1867.

SIR: I have the honor to acknowledge the receipt of your excellency's despatch of the 1st instant, in reply to despatch No. 5, from this legation, relating to the question of jurisdiction of the courts of this kingdom over the case of one Thomas Duane, *alias* Burns, and to say that I will, at my earliest opportunity, forward your despatch to the honorable Secretary of State of the United States, and wait in the matter for further instructions.

I have the honor to renew to your excellency assurances of my highest consideration and respect.

Your most obedient servant,

HENRY B. ROUSE,
Acting Chargé d'Affaires.

His Excellency C. DE VARIGNY,
His Hawaiian Majesty's Minister of Foreign Affairs.

Mr. Rouse to Mr. Seward.

No. 24.]

LEGATION OF THE UNITED STATES,
Honolulu, April 26, 1867.

SIR: I have the honor to acknowledge the receipt of your despatch No. 20, addressed to the United States minister resident in this kingdom, dated 5th of February last, and in relation to the proclamation of the President suspending the levying of discriminating duties on vessels of Hawaii or the goods imported therein, and the enclosed copy of the proclamation.

Pursuant to your instructions, I transmitted a copy of the despatch and of the proclamation to the minister of foreign relations, the receipt of which he has acknowledged, adding further in his note, "I pray you to convey to the honorable Secretary of State the well-founded convictions entertained by his Majesty's government that this act of reciprocal justice will prove highly beneficial to the commercial and maritime intercourse of both countries."

I have the honor to be, with very great respect, your obedient servant,

HENRY B. ROUSE,
Acting Chargé d'Affaires.

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

F. W. Seward to Mr. McCook.

No. 26.]

DEPARTMENT OF STATE,
Washington, April 27, 1867.

SIR: Mr. Rouse's despatch No. 22, of the 7th of February last, relative to the case of the discharged seamen of the *Blue Jacket*, has been received. It seems from this communication that a claim for damages on account of the discharges of the seamen has been presented to the consulate.

Whatever may ultimately be the opinion of this government as to the right of jurisdiction in the matter assumed by the Hawaiian courts, it is clear that as the captain neglected to appeal to the supreme court from the adverse decision of the court below, the claim for damages referred to cannot be ascertained, and need not be presented by you to that government.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

EDWARD M. MCCOOK, Esq., &c., &c., &c.

Mr. McCook to Mr. Seward.

No. 34.]

UNITED STATES LEGATION,
Honolulu, August 22, 1867.

SIR: From paragraphs in the few newspapers which reach here, I am led to believe that the climate and resources of the Russian territory recently purchased by the United States are greatly misunderstood by some of the press and people of the Atlantic States. Many of the seamen who frequent these islands have made voyages to the coast and islands of Russian America for years past, and I transmit to you such limited information concerning that country as I have derived from them, trusting that it may prove acceptable, and hoping possibly to add to the information you already possess.

Captain Meek, an old New England ship-master, and one of the most intelligent men in this community, says, that he traded with the natives of Russian America for more than twelve years; during that time he passed two winters in Sitka, and saw very little snow on the coast near the harbor, during either winter; in one, the winter of 1828, none at all, although the mountains surrounding the settlement were covered. Rain fell through a great portion of each winter, and heavy fogs frequently prevailed. The winter temperature is not so low as at points on the Atlantic coast from thirteen to fourteen degrees south of the same parallel, and although no thermometrical record was kept by him, he believed the climate during those two winters to be warmer than the sea-coast of southern New York, or northern Virginia.

In the vicinity of Sitka, fine potatoes are raised, and all the other vegetables of the temperate zone. Barley is already cultivated, a little wheat, and all the other cereals could no doubt be cultivated to advantage. Kodiak is one of the largest of the islands, and the best for all purposes. The soil is good, the country less mountainous, and the cod and other fisheries extensive.

On some parts of most of these islands and coast, stock can be grazed for about nine months in the year; during three or four months they would have to be housed and fed. Grass is abundant in the localities fitted for stock, and apparently rich and nutritious. The summers of the westerly islands are cooler than those of Kodiak or Sitka, on account of winds from the north, which sometimes blow with much violence.

The forests on the main land are large, the trees of luxuriant growth, and capable of furnishing an almost inexhaustible supply of ship timber. The fact that the coast and islands have many good harbors makes this timber accessible, and consequently valuable in the future.

The country abounds in coal of a quality not known; the captain has seen native copper, and there has always been a tradition among the traders that gold exists, although he has never seen any evidence of the fact.

The natives are treacherous, warlike, and acquainted with the use of arms. For many years one of the principal articles of traffic with them has been small-arms and ammunition; consequently they are nearly all armed with guns. The fact that they are constantly at war among themselves has heretofore made them less troublesome to their civilized neighbors. The voyage from Honolulu to Sitka has been made in ten days, and in the same time from San Francisco, under sail.

Judging from the imperfect descriptions these men have given me, the country taken altogether is anything but the uninhabitable, desolate, frozen region, many newspapers I have read represent it to be; on the contrary, it contains thousands of square miles of land, as well adapted for cultivation and stock-raising as many parts of the New England States. Its fisheries are rich and extensive, and require only development to make them a large and profitable source of revenue. It possesses that inexhaustible supply of ship timber which we will

need to build up a navy and merchant marine on the Pacific, when the United States, pursuing the policy you have so successfully inaugurated, will have become masters of the great commerce of China and the East. It will become the birthplace and nursery of a hardy and enterprising race of seamen, who will man our ships, and make our commerce as supreme on the Pacific as it once was on the Atlantic; and it will become to the Pacific coast what New England once was to the Atlantic, before her race of adventurous and intrepid seamen had given place to generations of thrifty manufacturers.

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

EDWARD M. McCOOK.

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

HAYTI.

Mr. Peck to Mr. Seward.

No. 10.]

LEGATION OF THE UNITED STATES,
Port au Prince, Hayti, December 28, 1866.

SIR: It is my unhappy duty to inform you that my late residence in this city was wholly burned on the night of the 25th instant. The work of the destroying element, which originated in accident, was so rapid, that almost the entire personal effects of myself and family, and all the books and papers of the legation, were destroyed. The loss of my library, and our clothing and plate, coming so soon after the almost complete destruction of our goods by shipwreck, on our first attempt to reach my post of duty, bears heavily upon us; the more so, as it is both difficult and expensive to replace our lost goods here.

But hardly less afflictive is the destruction of the correspondence and records of the legation. Considerable inconvenience may result to some parties from the loss; but I shall make every endeavor to repair the damage by the renewal in every possible case of the records.

I had brought the books and papers to my house, partly to secure them against the fires to which the quarter of the city in which my town office is located is subject. My care, as the event shows, was only a damage.

I shall perhaps take the liberty to call the attention of the department in a later despatch to the desirableness of having some provision made for the permanent keeping and security of the papers of the legation.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Peck to Mr. Seward.

No. 12.]

LEGATION OF THE UNITED STATES,
Port au Prince, Hayti, December 28, 1866.

SIR: In the calamity which I and my family have experienced in the destruction of the premises of this legation by fire, as I have reported in another despatch of this date, the sense of our serious losses has been greatly alleviated by the kindness which we have experienced at the hands of my colleagues of the diplomatic corps. While the fire was yet burning, my official brethren were at hand with the warmest offers of service. From the ruins of our home we were taken by Señor Mariano Alvarez, Spanish chargé d'affaires, to his residence, where for several days we enjoyed a most liberal hospitality, and now Henry Byron, esq., British chargé d'affaires, has put us into the full occupancy of his convenient and well-furnished country house. Similar and hardly less valuable kindnesses have been rendered to us by Count Méjean, French chargé d'affaires.

These considerate attentions were what I would have expected. It has always seemed to be the opinion of my colleagues, and it certainly has been my opinion, that the representatives of foreign powers here would not be well employed in pursuing a narrow policy towards each other, but that, on the other hand, har-

mony and unity of action in the diplomatic corps would best secure the ends for which the governments have respectively represented themselves here. The consequence of this common opinion has been a fraternity of intercourse which is uninterrupted, and which has certainly materially compensated me, whether or not it has others, for the inconveniences of separation from, and of residence in this disturbed country.

If the department should esteem it a matter of sufficient importance, I would be glad if the English, Spanish, and French governments could be informed of my gratitude to their representatives.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

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

Mr. Peck to Mr. Seward.

No. 19.]

LEGATION OF THE UNITED STATES,
Port au Prince, Hayti, February 23, 1867.

SIR: It is my unpleasant duty to report to you that since last evening, grave political events, involving the loss of property and life, have occurred in this city.

At midnight last night a detachment of the President's household troops, numbering, it is said, 100 men, rose in mutiny and pronounced for Salnave.

The rallying cry was at once caught up by some hundreds of conspirators, many of them prominent men in town, who, with the troops which were in mutiny, attacked and carried a small depot of arms. With the artillery and muskets thus secured an assault was made on the President's palace, against which several rounds of solid shot were cast. But by the personal exertions of the President, who put himself at the head of such of his guards as remained faithful, the assault was repelled. Several street fights then occurred, and the insurgents took a small fort which covered one of the entrances to the city. This morning at 8 o'clock the government forces rallied, the fort held by the insurgents was carried, and the day remained with the government.

While these military events were occurring, the rabble took the opportunity to break into and plunder the stores of two or three leading merchants. The sack was complete.

For a time it appeared as if the stores of all the leading merchants might be robbed. The government was too sensible of its own weakness and danger to give any thought to private interests. Happily the storm passed with no mischief to private interests, except that which I have recited.

Eleven persons on the side of the insurgents have been killed. The loss on the side of the government has been very small.

This affair has been brewing for some time. The complete prostration of the financial interests of the republic has carried distress everywhere, and excited against the government the most bitter feeling, of which occasion has been taken to organize revolt. Foreign interests are in a delicate position here. They can expect but little protection from the government, which must provide for itself.

It seems to me important that Admiral Palmer should come here again without delay, if he can do so without detriment to more important interests. I beg that this opinion may be conveyed to the honorable Secretary of the Navy.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

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

Mr. Peck to Mr. Seward.

No. 21.]

LEGATION OF THE UNITED STATES,
Port au Prince, Hayti, March 11, 1867.

SIR: In a despatch, (No. 19,) dated February 23d, 1867, I informed you that a grave attempt to assassinate President Geffrard, and to overthrow this government, had been made in this city the night before, (February 22.)

I write this to bring the history of succeeding events down to date.

Convinced by what he saw on the night of the 22d—that the troops on whom he had relied for safety were utterly disloyal—the President at once set about using means which should calm the public mind and secure strength for himself.

These means were as follows:

I. A change, radical both as to men and principles, in the cabinet.

II. A radical and formally-announced change in the public policy—the following things, among many others, being promised by the change:

1. The correction of abuses in the collection of the customs.
2. Economy in the use of the public funds, as, for instance, a cutting down of the salary of the President from \$40 000, with perquisites amounting to nearly \$20,000 more, to \$20,000 with no perquisites, and an honest submission of the budget to the chambers.

3. A reduction of the standing army by at least one-half.

4. The freedom of the press.

III. A general amnesty for all political offenders, only Delorme, Salnave, and Salomon being excepted.

But even these important measures failed to bring quiet. There was feverish excitement on all sides. The army gave alarming signs of growing and dangerous defection. It became clear that nothing short of the abdication of the President could bring peace and order, and there was great danger that a delay in the use of this last alternative would invite fearful anarchy.

The President at last seemed to comprehend "the situation," and on Saturday last he issued an order for the convocation of the senate on Saturday next, and his friends did not hesitate to acknowledge that the first business presented to the senate when it should convene would be a resignation from him.

Even this final measure did not calm the public mind, and the peace of the city has been kept to this moment only by extraordinary military measures.

Meantime, insurrection has been breaking out in the north. Saint Marc was the first to revolt, and intelligence which has just come to hand shows that Gonaives, Escaobe, and other arrondissements have followed suit. The crisis is thus greatly and alarmingly aggravated.

If the President should quit the country to-day, the revolt in the north might, and probably would, at once expire. But if he remains even 24 hours, an obstinate standing-out of the north will be apt to follow, and then a permanent division may be entailed on the unhappy country.

In speaking of the departure of President Geffrard as I have done, I do not mean to say that that expected event will certainly bring permanent quiet. The social and political evils which are now in suppuration are too deep-seated and have too little to do with President Geffrard's personal character and with his policy to be fully healed by his abdication. There is reason to fear that when, in a month or two, the people have got rid of President Geffrard, but have not got rid of their financial and other troubles, they will be more excited than they now are. Still, there are some things which are very encouraging. 1. The public mind is now better instructed than it ever was before as to the causes of the unhappy condition of the country; and, 2, out of this improved public knowledge of affairs has grown the excellent programme of the new ministry, the best programme on which a Haytien cabinet was ever organized.

3. The present cabinet is made up of the best men the country could furnish, and will be able (if any body of men would be able) to carry the republic over the frightful dangers of the transition period.

That these things do augur future good, and that they are so accepted by the public, is proved by the fact that the government currency is not depreciating, but rather improving in value, notwithstanding the events which are occurring.

But it is safe to say that Hayti is in a most critical condition.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Peck to Mr. Seward.

No. 22.]

LEGATION OF THE UNITED STATES,

Port au Prince, Hayti, March 13, 1867.

SIR: In despatch No. 19, dated February 23d, 1867, I informed you that a serious but unsuccessful attempt at revolution occurred in this city on the night of February 22d, and in despatch No. 21, dated March 11th, I narrated sundry important events which grew out of the attempt. These events were a radical change in the ministry; a thorough change in the direction of economy and liberalism in the policy of the government; an amnesty for all political offenders, and an extraordinary convocation of the senate for Saturday next.

In the same despatch (No. 21) I informed you that these measures, intended to calm the public mind and to secure strength for President Geffrard, had utterly failed of their purpose, and that it was clear that, unless the President should abdicate and leave the country, there would be fearful convulsions.

I have now to inform you that President Geffrard took counsel of events, and last night at 3 o'clock, went in disguise, his family and several personal friends having preceded him, on board a French sloop-of-war which is to take him to Kingston, Jamaica.

The President, on leaving, put the executive power into the hands of the ministry, (a most excellent body of men,) assisted by a "committee of consultation," which includes nine persons of standing who represent all the parties in the republic.

The town seems to have accepted the temporary government with good will, and thus far (3 p. m.) there has been perfect order. Disturbances may break out when other parts of the country are heard from, or when the senate makes an effort to elect a President on Saturday next. Still I hope and believe there will be none at any time.

The critical condition of affairs has for weeks kept everybody in the most harrowing suspense, and the present unexpected good order in the final moment makes occasion for the most fervent gratitude to Divine Providence.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Peck to Mr. Seward.

No. 23.]

LEGATION OF THE UNITED STATES,

Port au Prince, Hayti, March 27, 1867.

SIR: In despatch No. 22, dated March 13th, 1867, I informed you that, on the day of my writing, President Geffrard abdicated his power and left the country,

and that the functions of government were assumed by the cabinet, assisted by a "committee of consultation."

I beg leave to report in this despatch the political events which have occurred since the abdication. At the first sitting, and indeed in all the sessions of the cabinet and its assisting committee, violent discussions occurred. Several of the members of the committee of consultation took extreme revolutionary ground, declaring that the revolution was an accomplished fact, and hence that the cabinet had no right to retain office; that not only the cabinet, but even the constitution and the chambers, ought to be regarded as things of the past, and that no authority ought to be recognized which did not emanate directly, and which was not fresh from the people. The discussions which these views occasioned prevented not merely harmony of action, but action itself. As a consequence, during two or three fearfully critical days there was scarcely the form of a government. And while the functions of government were thus in suspense, the public peace was exposed to three imminent dangers. The first of these dangers was that the mob would rise and indulge itself in general pillage and other violence. Business being suspended, troops of idlers were at liberty to do mischief. Every man had a weapon in his hand, and gun and pistol firing was the order of the day. The property of the late President and his relatives was sacked with hardly an objection from any quarter. Nothing was more probable than that the current which had such beginnings would soon get beyond the control of the assembly of debaters who were quarrelling over the principles of revolutionary governments. The next danger was that the "Tirailleurs," the President's body-guard, would give itself up to wanton violence. This corps, in past days the élite of the army, was originally recruited by volunteers, but of late it had been filled with men gathered from all parts of the country by cruel impressments. It had in this way become such a mélange as might easily ripen into any mischiefs. Why should not men whose minds had become soured by years of military service, to which they had been forced by the press-gang, and in which they had been kept by the mere law of arbitrary power, feel that society owed them a recompense? And why should they not rise, now that there was hardly the least restraint upon them, to take that recompense where they could find it? Nor was the danger to the public peace from this quarter a fancied one. The corps seized an arsenal which had lately been filled with army stores, and took from it all its contents, and for days military equipments were being hawked about the streets for sale at any price. Every hour, too, troops of the disorganized and almost disbanded corps were making threats of further mischiefs which they were intending to do.

The third danger to the public peace during this period of non-government came from the probability that ambitious men would catch the favorable moment to excite popular commotions to advance their political interests. Many things made it clear that *pronunciamentos* were being matured, and to what violence such modes of president-making might lead no one could predict. But, by the favor of Providence, none of these dangers, although they kept the public mind in a state of harrowing alarm, came to issue.

In the course of two or three days the senate came together. The seats in this body are acquired by the election of the lower house, from a list presented by the President. The members of the conveying body had, therefore, been elected through the favor of President Geffard, and were recognized by the public as partisans of his. Their doings, therefore, were not likely to meet with much favor from the country with which President Geffard and his adherents were in such disfavor.

A sense of this fact lead some of the members to doubt whether the body should undertake to elect a President, which, according to the constitution, was its first duty. This doubt was greatly increased by the fact that the revolution at St. Marc, of which I spoke in my last despatch to you, had cut

off all communication with the north, so that no members were in attendance from that quarter. Two days of the session were accordingly passed in discussing the question whether anything should be done.

At length this question was settled in the affirmative. Then came the question, *What* shall be done? It was manifest that the revolution must be accepted as an accomplished fact; that the justice of its demands as to reforms must be acknowledged, and that its principles must be received and put in practice. On these related points there could be no doubt. But should the *men* of the revolution be put in power, or should the great offices be given to men of standing and worth, who had not been identified with the revolution and who, therefore, might be expected to introduce into the government the needed changes, without permitting any serious revulsion to public interests to occur?

The latter alternative seemed, at first, likely to be accepted. But reports of the rapidly-increasing strength of the revolution in the north at length decided the senate to surrender everything to the revolution, which it did on Sunday, March 17th, by electing General Nisage, the supposed head of the movement in the north, to the presidency. General Nisage is a man noted for the probity of his character, and his good name made all parties here accept the choice. The dread of a continuance of the dead-lock in the temporary government gave to this public approval some degree of enthusiasm. It was, therefore, with positive joy that people saw steamer after steamer going to St. Marc with delegations, sent to urge General Nisage to accept the proffered honor. And this joy gave place to uneasiness when two, three, and even four days passed without the return of the delegations, and indeed without even a report of what was passing in the north. What was detaining the delegations will appear further on.

Here my narrative of events occurring here must pause while I go back to trace the history of the movement in the north.

On the 9th instant, a few days before President Geffrard had publicly announced his determination to abdicate, one Victorin Chevalier, a citizen of Gonaives, who was exiled for the part he took in the attempt at revolution in that town in May last, came, with 15 followers, from Turks' Island, and appeared at St. Marc, where he hoisted the flag of revolution. The government officials could not, or would not, withstand him; and, after a short conflict, the demand for revolution was accepted by General Nisage, the officer in command of the government troops.

Immediately upon the accession of General Nisage to the new order of things, a provisional government was formed, and General Nisage was, by the unanimous choice of the people, and with the consent of Chevalier and his party, put at its head. It was well that the movement accepted such a chief. Chevalier is a man of violent and unreasonable temper, and is thoroughly "red republican" in his political principles. If he had been allowed to rule, the most weighty vengeance would probably have been visited upon all friends of President Geffrard. The firm hand and good sense of Nisage kept prudence and moderation in their seats.

But the movement took, so far as principles were concerned, the most revolutionary form. A new constitution, new chambers, a shortening of the presidential term, the election of the President by the people—such was its programme.

Being thus established at St. Marc, the revolutionary party sent troops to set up the new order of things at Gonaives. But General Lorquet, the commandant of that arrondissement, met the detachment and sharply repulsed it. A day or two afterwards a new movement was made by the revolutionary party towards Gonaives; but, just as battle was about to be joined, a messenger brought word that President Geffrard had abdicated.

Hostilities were at once suspended, and General Lorquet, with all his troops and the people of Gonaives, acceded to the St. Marc's movement.

Of some affairs which occurred in both St. Marc and Gonaives, when the revolutionary party got the mastery, and which brought our consuls at those points into great difficulty, and even personal peril, in consequence of their efforts to protect American citizens and political refugees, I may speak hereafter, in a separate despatch.

Just as the revolution had become well established at St. Marc and Gonaives, a delegation from the senate arrived at St. Marc to give General Nisage notice of his election, by the senate, to the presidency. The tidings brought by the delegation at first threw some confusion into the ranks of the revolutionists. There was much heated discussion of the question, Shall we, now that our movement has been recognized by the election of our leader to the presidency, retract our declaration that the constitution must be changed and the chambers be set aside? The discussion soon ended, however, in a unanimous decision to adhere to the plan for a total change of the political state and to maintain the provisional government.

This decision being reached, the successive delegations which came from this city with entreaties to General Nisage to accept the presidency were all detained, and communications with this city were forbidden.

After two or three days' preparation an army of between two and three thousand men started from St. Marc for this city; and, on the morning of the 20th, when everybody here was expecting to receive General Nisage as the regularly elected President, he made an entry into the town with his army, and announced that he not only refused the election tendered him by the senate, but, as chief of the new government established by the people, declared that the senate itself no longer had being.

The bearing of the wild-looking troops at his back was an argument which could not be resisted, and the town yielded without striking a blow.

The new comers did not abuse their easy triumph. They showed a spirit of conciliation in the political arrangements which they made, and order was well maintained among their troops.

The provisional government established at St. Marc was now modified somewhat. Prominent men from different parts of the country, and of widely different political antecedents, were taken into it. Even friends of President Geffard were assigned to places in it.

The provisional government, as thus re-constituted, consisted of a general committee of 21 persons, representatives of different arrondissements, at the head of which stood General Nisage as Provisional President. From this general committee an "executive committee" was taken. The government, as thus constituted, embraced a fair share of the best men of the country.

Although General Nisage was made Provisional President, General Chevalier was appointed "chef d'execution des volontés du peuple." Precisely what the duties of this chief of the execution of the will of the people were to be was not announced.

A committee of thirty persons, fairly representing all parts of the republic, was appointed to meet on the 8th of next month, (April,) "to make such changes in the constitution as experience demanded."

The different departments of the public service were also allotted to special committees of five members each, taken from the general committee of 21.

The wheels of government were thus set in motion, and, on the whole, the provisional authority has had more success in securing the adhesion of the country, and in maintaining order, than could have been expected. Still there has been endless jar in the working of things and a general break-up has been greatly feared by intelligent observers. Everybody has felt the want of a firm directing mind, and this feeling has led the government to send a delegation to Turks' Island, to invite General Salnave, who is there, to come here and take a place on the general committee; in fact, to be the *head* of things.

The return of the delegation is now hourly expected, and important results are likely to grow out of the reply from General Salnave which it may bring.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Peck to Mr. Seward.

No. 24.]

LEGATION OF THE UNITED STATES,

Port-au-Prince, Hayti, March 27, 1867.

SIR: I have almost finished for the mail a long despatch in which I give you full information of the progress of political events in this republic since the abdication of President Geffrard, of which I wrote to you (despatch 22) on the 13th instant. But as the vessel which leaves to-night may be a long time on the passage, and as I shall probably have an opportunity to send by a better conveyance in the course of a few days, I prefer to keep my lengthy communication for the latter occasion, and to send you at this time only this brief despatch.

In outline the history of public events here since the abdication of the President (on the 13th) is as follows:

For a time it was expected that the constitution and the chambers would survive the fall of the President, but everything was presently compelled to yield to a movement in the north which declared for an entire reconstruction and for a putting of things on a truly republican basis.

With this programme a provisional government, which includes a fair representation of all interests of the country, has been formed, a constituent assembly has been called for the 8th of April, and it is expected that that body will give the election of the President and of members of both houses directly to the people, and that the elections will occur in May.

The new government exhibits, as might be expected, inexperience, and betrays a difference of views in its secret councils. But it has done reasonably well and the whole republic consents to its authority.

Thus far there has been no serious breach of the public peace except at Aux Cayes, where a plan to pillage the town was arrested only by the killing of many of the conspirators. Still there has been great and reasonable alarm everywhere, and the country cannot yet be said to be secure against anarchy.

Everybody feels the want of a governing mind, and, to meet this want, General Salnave has been sent for, and is expected here to-night.

Events exceedingly important to this country will occur in the next 30 days.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Peck to Mr. Seward.

No. 25.]

LEGATION OF THE UNITED STATES,

Port-au-Prince, Hayti, April 6, 1867.

SIR: In despatches Nos. 23 and 24 I gave you a full history of political affairs in this republic, from the abdication of President Geffrard (March 13) to the date of No. 24, March 27th. The object of this despatch is to bring the

record of leading political events here down from that point to the present date.

In the despatches I have named, I represented to you that the provisional government, while it began its career with the avowed determination to make thorough work in the reconstruction of the principles and policy of the government, showed regard for the wishes and differing interests of the people, and a liberal disposition towards men who had been supporters of President Geffrard's administration; that it seemed likely to continue its conciliatory measures, and that the country approved its course.

An event, which occurred within a few days after the organization of the new government, confirmed the promise of liberality which the acts of the government gave. This event was a change in the manner of making up the convention for the revision of the constitution. At first, the provisional government directly appointed the members of this body. But it was not long before the people began to say: "Our government professes great regard for the will of the people; why, then, does it take from the people that most essential right—the right of electing the makers of the organic laws?" The government confessed the justice of the criticism, and, recalling its appointment of the members of the constituent assembly, ordered that, on the 8th of the present month, (April,) each commune should elect, by universal suffrage, two (2) members for this body.

The change met with general approval, and confirmed the favor with which the public was regarding the government.

But about this time it began to be known that the general policy of the administration was undergoing a change in the direction of narrowness and illiberality. The prudent and conciliatory Nisage was evidently giving place to the fiery and headlong Chevalier. The acts of the government were not affirmed by the "provisional president," but by the "chief of the execution of the will of the people." And the acts themselves began to savor of proscription:

1. All the former friends of President Geffrard were dismissed from the government.
2. A decree of banishment and confiscation was pronounced against not only President Geffrard, but against his family, including all his sons-in-law.
3. All persons who had served under President Geffrard as cabinet ministers since April, 1863, (when the President refused to present a budget to the chambers and dissolved the chambers for insisting on having one,) were "put in accusation."
4. All commissions in the army since early in 1865 (when the rebellion under General Salnave broke out) were revoked.
5. Many partisans of ex-President Geffrard were banished from the country.

These measures completed, General Chevalier began to quarrel with the remnants of the anti-revolutionary army, and after a few days nearly all of this class of troops were disbanded, leaving only the soldiers who had come with Nisage and Chevalier.

The public did not regret the disbanding of the troops, but the other measures I have named soon excited a general uneasiness, and provoked a fear that the conduct of the government would excite a counter revolution.

This fear led everybody to look with great anxiety for the coming of General Salnave, for whom, as I reported in Nos. 23 and 24, a delegation had been sent.

It was thought that the general would favor moderate counsels, and would check unwholesome measures. For 10 or 12 days there was an unhappy suspense as to the whereabouts and doings of the much-desired popular favorite. The arrival here from Cape Haytien, on the 1st instant, of the United States steamer Mackinaw, broke the suspense. The ship reported that General Salnave, not knowing that a revolution had occurred here, left Turk's Island about the middle of last month, (before the arrival of the delegation which was sent to meet him,) went to Monte Christo in a schooner, gathered a company of his Dominican friends, armed them, and started for Cape Haytien to undertake a revolution there. On his arrival at the cape he found that the work of revolu-

tion was done; that the people were waiting to give him unheard-of ovations; that he had been appointed by the popular voice commandant of the department of the north, and that it was expected that this government would confirm the choice, which it did.

But the general on landing, while he accepted the ovations, did not accept the acts of the provisional government.

He issued a proclamation in which he assumed that the present revolution was only the consummation of his own movement of 1865, and that he therefore had the right (which right he should exercise) to consider himself its head. He then proceeded to denounce President Geffrard and to decree his expatriation for life; but he added that he did not desire and would not permit acts of persecution against the friends of the exiled President. He then criticised, and, by implication, seemed to put aside, the provisional government, which, as he said, had assumed excessive power in appointing the members of the constituent assembly; (the news of the change in the mode of appointing the members of that body had not yet reached the cape.)

He also complained that the government had betrayed its trust by putting into the provisional offices so many of the friends of President Geffrard; (of the elimination of the Geffrardists from the government he had not yet heard.) He closed by solemnly promising that the wishes of the people should be strictly followed in the reconstruction of the organic law and of the government.

The tone of the paper was elevated and reasonable, and calculated, on the whole, to make a favorable impression in behalf of the general. Still, the criticisms upon the provisional government looked as if the government was to be ignored and a new provisional government set up. To what results this new (feared) breaking up might lead no one could predict; but it was certain that good could not come out of it.

The suspense which had weighed on the public mind here for days was therefore changed by the Mackinaw's news into uneasiness and fear. This feeling was partly quieted by a letter from General Salnave to Provisional President Nisage, in which the writer said that he desired to come to Port-au-Prince, and that he should do so as soon as he had put an end to some disorders in the north, which disorders he described as being acts of violence against former friends of President Geffrard.

Since the arrival of the Mackinaw the public ear has been filled with rumors, of which the following is the substance: General Salnave has sent a steamer to Turk's Island for 6,000 stand of arms; he has called out all the troops of the north; has sent a vessel to bring ex-President Baez to the cape; has announced his determination to separate the northern from the southern departments of the republic; to overthrow President Cabral's administration in the east part, and to make a new republic by the annexation of Santo Domingo to northern Hayti.

What truth there is in these rumors I cannot say. I greatly fear that they are not without foundation.

The government here is very uneasy, and has, within a week, sent two delegations to General Salnave urging him to come here at once.

Meantime, the suspense and doubt are telling on the public mind. The provisional government is losing rather than gaining ground, and the *prestige* of General Salnave is declining. If matters do not come to issue soon, new parties will spring up, and there are already indications in the south that the dreadful question of color is beginning to rouse the hatred of the blacks towards the mulattoes and *vice versa*. In a word, affairs are in a much more unpromising state than they were at my last writing.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

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

Mr Peck to Mr. Seward.

No. 28.]

LEGATION OF THE UNITED STATES,
Port-au-Prince, Hayti, April 8, 1867.

SIR: In despatch No. 25, dated April 6th, 1867, I informed you that public affairs here were in a state of unhappy suspense, by reason of a doubt whether General Salnave, who was at Cape Haytien, and who was regarded by the country as "the man of the hour," would recognize the provisional government here. I also recited to you sundry current exciting rumors as to the doings of General Salnave—that he was organizing a large army; that he had sent for ex-President Baez, (late of the Dominican republic;) that he was making preparations for a war to overthrow President Cabral, (of the Dominican republic;) and that he was proposing to form a new republic, by the separation of northern from southern Hayti, and the annexation of the Dominican part to it, (northern Hayti.)

The post which came yesterday to a degree dissipated the suspense, by informing the public as follows:

General Salnave is raising a large army, of not less than 6,000 men, in the north, but he has as yet made no movement hostile to the Dominican government, nor has he shown any disposition to divide this country, but, on the other hand, he seems determined to maintain the integrity of the territory.

He will come here this week, and will probably put aside the present provisional government, and establish a new government on democratic principles, eschewing, however, from the government all Guffardist elements. He has been dealing sharply with speculators and robbers of the public funds at the Cape, and promises to do the same in all parts of the republic.

There will be no opposition to his progress through the country, and the public seems, on the whole, relieved by finding that he proposes to wipe out present things and begin anew.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

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

Mr. Peck to Mr. Seward.

No. 30.]

LEGATION OF THE UNITED STATES,
Port-au-Prince, Hayti, May 6, 1867.

SIR: At the date of my No. 28, (April 8, 1867,) affairs here were clouded by a doubt as to the intentions of General Salnave, who had just landed in the north from Turk's Island, and by a seeming misunderstanding between the revolutionary leaders, Salnave, Nisage, and Chevalier.

After a time the purposes of General Salnave began to disclose themselves in a favorable light, and the misunderstanding between him and the other leaders seemed to be adjusted.

About the 10th of April the general started from Cape Haytien with about 4,000 men to come to this place. He was cordially received by Chevalier at St. Marc, and afterwards by Nisage here. He arrived here Thursday, April 25th. His progress through the country was a continual ovation, and his reception by the people here was, to the last degree, enthusiastic.

The festivities of the reception over, the general entered on his duties as a member of the provisional government, and for a time matters seemed to fall into a happy and prosperous condition. But complaints of the provisional government soon began to come up from all parts of the country, and deputations of the people brought, from all quarters, to General Salnave petitions that he would

become President, and thus at once terminate the functions of the temporary government, and bring to an end the unrest which was distracting the country.

On Thursday last, May 2d, the public was startled by a publication from General Salnave, in which he declared that the provisional government was failing to accomplish the trust assigned to it by the people, and announced that he had retired from the government. On the same day the other members of the provisional government resigned, and the country was thus left without a government. On the next day the people of this city came together in great numbers and proclaimed Salnave President. The general refused to accept the office thus thrust upon him, saying that he would not be President until he could be so constitutionally. The people then proclaimed him "protector of the republic." This office he also refused to take alone. He would, however, assume executive powers conjointly with Nisage and Chevalier. But on the following day, May 4th, he announced in a proclamation his acceptance of the protectorate, giving notice, however, that he would avail himself of the aid of Nisage and Chevalier. He is now "protector of the republic."

Since the 30th ultimo the constituent assembly has been in session. Its doings are not public, but it is said that it will complete its work of revising the constitution this week; that one of the features of the new constitution will be a provision for a four years' presidency, and that the assembly will close its work by electing Salnave to the presidency.

The events I have described have not passed without great excitement. The public has continually swayed between the most assuring hope and the greatest fear. At times a violent and sanguinary struggle between the party in the Chevalier interest and the party in the Salnave interest has seemed imminent. But affairs now look promising. Salnave has the masses of the people with him, and is too strong to be disturbed. I take great pleasure in adding that from the day of his return from Turk's Island he has shown singular and unexpected moderation and discretion. He is daily making friends by his prudence, and his conduct is giving the assurance that his expected occupancy of the presidency will prove a blessing to this distracted country.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

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

Mr. Peck to Mr. Seward.

No. 34.]

LEGATION OF THE UNITED STATES,
Port-au-Prince, Hayti, May 11, 1867.

SIR: As might be expected now that General Salnave has returned to this country and become "the man of the hour," new fruits of the bombardment of Cape Haytien by the British in November, 1865, are ripening. I propose to narrate to you in this despatch two late events having connection with that, to the history of Hayti and indeed of the whole West Indies, memorable affair.

On the arrival of General Salnave at Cape Haytien, about the 10th of April, one of his first acts was the ordering of a grand mass in honor of Captain Walker, United States navy, who commanded the United States steamer *De Soto* at the Cape when the bombardment occurred, and who brought General Salnave and his officers away from the Cape after that affair, and of whose death the general had not heard until his arrival at the Cape. The solemn ceremony occurred on the 15th of April. It was accompanied by orations in eulogy of Captain Walker, and expressive of the deepest gratitude to him and of the utmost gratitude to our nation.

The occasion is represented by our naval officers who took part in it as having been exceedingly impressive and interesting.

I send with this a copy of the "Supplement of the Messenger du Nord" of April 15th, in which the events of the day are reported.

Since his arrival here General Salmave has personally expressed to me the most tender and grateful respect for the memory of Captain Walker, and the greatest regard for our people and government.

A second event, growing out of the Cape Haytien affair of 1865, appears in a correspondence which this government has opened with the British government respecting Spencer St. John, esq., her British Majesty's chargé d'affaires in Hayti, who, as you will remember, ordered the bombardment of the Cape.

The substance of the letter, which has been forwarded to Lord Stanley, is that the feeling of the people of Hayti towards Mr. St. John for his part in the bombardment of the Cape is very bitter, and that this feeling may break out in conduct towards him which the government, not having its new power well in hand, cannot readily control, and which may disturb the existing amicable relations of the two governments towards each other. In view of this fact, the recall of Mr. St. John from his place here is earnestly asked.

Mr. St. John was supposed, when this letter was written, to be in England, where he had been spending some months on furlough. As a matter of fact, he was on his way here, and he arrived here only a few days after the letter was despatched. Upon his landing here he notified the government of his arrival, and was presently answered that the government was gratified by his arrival, and that General Salmave would personally receive him on Tuesday next. But it presently transpired that Mr. St. John's letter was received and answered by one of the general's secretaries, without his (the general's) knowledge, and that on learning of the appointment which had been made in his behalf he ordered the minister of foreign affairs to notify Mr. St. John that a mistake had been made, and that the minister of foreign affairs, and not the general, would represent the government in the reception.

The affair thus narrated is exciting here great feeling, which is by no means favorable to Mr. St. John, and the end is perhaps not yet.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

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

Mr. Peck to Mr. Seward.

No. 35.]

LEGATION OF THE UNITED STATES,

Port-au-Prince, Hayti, May 14, 1867.

SIR: In my despatch No. 30, of the 6th instant, I informed you that on the 2d instant General Salmave startled the public by announcing that the provisional government had proved itself either incompetent or unwilling to carry out the programme of the revolution, and that, for himself, being indisposed to be in any sense responsible for its doings and non-doings, he had withdrawn from it; that on the same day the rest of the provisional government also resigned office, giving the executive power into the hands of Generals Salmave, Nisage and Chevalier; that on the next day (May 3) a great assembly of the people of this city proclaimed General Salmave President; that when the general refused to accept this office until it should be given to him constitutionally, the people named him "protector of the republic," assigning him dictatorial powers, and that, after for a time refusing it, he afterwards accepted the office.

I have now to report the events which have occurred here since the date of my No. 30, (May 6.)

On the 6th instant the constituent assembly, in response to a letter from General Salnave, in which he informed the body that he had in obedience to the popular wish assumed the executive power, passed a decree confirming the authority which the general had assumed, attaching, however, to the confirmation the following conditions :

1st. The general should be personally responsible for public order.

2d. That he should organize and maintain, with faithful regard to the general interests, the different departments of the public service.

3d. That he should respect, and cause to be respected, the liberty of the press and the rights of individuals.

4th. That he should fully provide for the administration of civil law.

5th. That he should make to the assembly a weekly report of his doings.

The decree also required the general to take an oath of fidelity to the laws and institutions of the country. Finally, it permitted him to appoint a cabinet of six ministers.

On Sunday last, May 12th, the general took the prescribed oath, and on Monday, the 13th, publicly named his cabinet.

The six appointees are men of standing, and the public seems satisfied with the choice.

For the last week General Salnave has been ill, and it was only at great risk that he could appear before the assembly to take the oath.

The state of his health has not permitted him to develop his policy, and the public does not yet know what he will do. The few things he has done have, with a single exception, caused general satisfaction, and given promise of yet better things. The only thing from him which has thus far disturbed the public mind has been the arrest of General Montas, one of the best of President Geffard's generals, and a man of high reputation for probity and honor. General Salnave declares that the arrest was caused by the discovery of indisputable proofs that Montas was actively conspiring against the government. The public doubt the veracity of the apology.

It is generally thought that the arrest was made with a vindictive motive, and as the subject is attracting profoundly serious attention, this conviction is working seriously against General Salnave. If it finally appears that Montas was conspiring, the arrest will be approved, and General Salnave will make capital by it. But if it comes to be clear that the charge of conspiracy was feigned, the new government will suffer greatly by the affair.

There are, doubtless, some bad men behind General Salnave who wish to have him follow a policy of retaliation. If he does so his own fate will soon be determined. But good men are striving to persuade him to forget the past. If he follows their counsels he will soon have such consideration with the public as rulers seldom enjoy.

I send with this a late number of the *Moniteur*, the government organ, which contains several items of interest.

I am, sir, very respectfully, your obedient servant,

H. E. PECK.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

LIBERIA.

Mr. Seys to Mr. Seward.

[Extract.]

No. 2.]

LEGATION OF THE UNITED STATES,

Monrovia, January 3, 1867.

SIR: I have the honor to inform you of my arrival in this city on the night of the 30th ultimo. Early on the morning of the 31st I communicated to the honorable secretary of state of the republic of Liberia this event, (see enclosure No. 1,) and received his reply as copied in enclosure No. 2.

On Wednesday, January 2d. 1867, at 12 o'clock m., in company with the United States vice-consul general, the honorable W. A. Johnson, I repaired to the executive mansion, and in presence of the entire diplomatic corps, the vice-president of Liberia, his honor the chief-justice of the republic, and the members of the cabinet. I was formally presented to his excellency President Warner, and handed my sealed letter of credence from the President of the United States of America.

My short address to the President, enclosure No. 3, was followed by the reading aloud of my letter of credence, and then his excellency's address (see enclosure No. 4) was read by the honorable secretary of state, and the United States minister resident and consul general duly received and accredited.

* * * * *

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

JOHN SEYS.

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

Mr. Seys to Mr. Johnson.

MONROVIA, *December 31, 1866.*

SIR: I have the honor to inform you of my arrival last night in this city, with a commission from the President of the United States of America as minister resident and consul general to the republic of Liberia.

I beg leave to know from his excellency the President of Liberia, through the secretary of state, when it will suit his excellency's earliest convenience to grant me a personal interview, that I may present my sealed letter of credence, a copy of which I now enclose.

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

JOHN SEYS.

Hon. H. R. W. JOHNSON,
Secretary of State Republic of Liberia.

Mr. Johnson to Mr. Seys.

DEPARTMENT OF STATE,
Monrovia, December 31, 1866.

SIR: I have had the honor to receive your note of this morning, by which you inform me that you arrived last night in this city, with a commission from the President of the United States of America as minister resident and consul general to the republic of Liberia, and

request to be apprised when it will suit the convenience of the President to grant you a personal interview that you may present your sealed letter of credence, a copy of which you have sent me.

In reply I have to acquaint you that the President is now suffering from indisposition, but hopes to be able to grant you an interview on Wednesday, the 2d of January proximo, on which day I shall be pleased to meet you at the mansion at 12 o'clock m., for the purpose aforesaid

With the highest consideration, I have the honor to remain your obedient servant,

H. R. W. JOHNSON.

His Excellency JOHN SEYS, &c., &c., &c.

MR. PRESIDENT: I have the honor to present to you in person my sealed letter of credence to your excellency from the President of the United States of America. I am commissioned as minister resident and consul general to the republic of Liberia.

I beg leave to assure your excellency that I regard this as one of the most auspicious hours of my long and checkered life. Known as I am and have been for so many years to the government and people of Liberia, and feeling no abatement whatever in the deep interest I have ever taken in the welfare and prosperity of this entire nation, it affords me unspeakable pleasure to be the representative of that great people and nation who may justly be entitled the mother country of Liberia. I bear you, Mr. President, the greetings and good wishes of that mother country, and I humbly trust that so long as I shall be accredited near this government, it will be my highest pleasure to cultivate and perpetuate the harmonious relations now existing between the two republics.

EXCELLENCY: It affords me much pleasure to receive you in the capacity of minister resident and consul general of the United States of America to the republic of Liberia.

There are few occurrences in the affairs of nations which give more satisfaction than does an event like this—the receiving of a minister sent from a friendly foreign power to strengthen the relations of amity which exist between the two countries. The representative of the sovereign of a great nation, I am happy in recognizing you as the link which shall bind us closer together in friendship, in commerce, and all international relations.

It is with no little degree of felicitation that the government and people of Liberia have witnessed on the part of your government the manifestation of the most lively interest in the affairs of this nation, and a desire to establish and preserve the best understanding between the two governments. It is scarcely necessary for me to assure you that this desire is reciprocated by the government of Liberia.

When this government received the assurance that the amicable relations so happily advanced by Mr. Hanson should suffer no deterioration from the representative appointed to succeed him, it hailed the announcement as another evidence of the concern which your government has for our welfare. But when you, Mr. Minister, are sent to give effect to the desire of your sovereign to advance, on all occasions, the interest and happiness of the two countries, it is with unspeakable pleasure that I welcome you as the representative of the ruler of a great country near the government of Liberia.

And it heightens our joy to see in the representative of this great friendly power one who has been for many years associated with the history of Liberia. For a quarter of a century have you, Mr. Minister, been ordained to promote various interests in Liberia. In the church you were for many years advancing the spiritual welfare of the country, laboring through gloomy periods and dark and anxious nights in those times that tried men's souls, when the seed of civilization and Christianity that had been planted here had just germinated, being watered with the tears and the blood of good and great men, many of whom have been removed from the sphere of earthly duties. You have known the hardships of a new country; you have encountered the storms of the land and the sea, and having, like us, passed through a severe ordeal, you no doubt, like us, bless God that Liberia still stands, and that you have been designated to renew, in a different capacity, your labors in this field of your earlier toils.

Nor have your labors been confined to the church; on other occasions you have served your government in this country, advancing its commercial interests, and assisting to rescue from a cruel bondage and all the horrors of "the middle passage" thousands who were the victims of oppression. And could I so far forget the object which brings us face to face to-day I would refer you to the fruits of our mutual labors, to the signs of encouragement which are seen on every hand, and which makes us confident as to the future. But we cannot refrain from looking another moment into the past. And when reviewing a period of 32 years we come to the time when you first crossed the Atlantic to cast in your lot with us, and find that you have eight times visited this land to assist in the great work in which we are engaged, and that the ninth time you come back to us in the capacity of the representative of your great ruler, we are forced to believe that your destiny and ours are very closely interwoven.

Again I have to extend to your excellency a hearty welcome near the government of Liberia, and an assurance that you shall have accorded to you all the immunities, the respect and high consideration due to one of your exalted rank, and especially to the representative of a government so friendly disposed towards us. For your protection you have not only the guarantees of international law, but also the sympathy and good-will of the government and people of Liberia. For your assurance of the same I pledge you the faith of the republic; and in token that I embrace with all cordiality the great and magnanimous ruler who thus, through you, his representative, places himself in correspondence with me, I extend the hand of friendship and protection to you as minister resident and consul general of the United States of America to the republic of Liberia.

Mr. Seys to Mr. Seward.

No. 3.]

UNITED STATES LEGATION,
Monrovia, January 5, 1867.

SIR: I have the honor to inform you that after the very distinguished and complimentary reception which was given to me by his excellency the President of Liberia, and his cabinet, an account of which, with several enclosures, will be found in my despatch No. 2, of the 3d instant, I waited officially yesterday in company with Mr. W. A. Johnson, late vice-consul general of the United States on both houses of the Liberian legislature now in session. My visit was most respectfully regarded. In the senate a motion was made and passed unanimously to suspend business of ordinary character, upon which Senator Russell offered the resolution, (see enclosure No. 1,) which was most cordially adopted. Being invited to make a few remarks, I very briefly assured the vice president and honorable members of the senate of the continued friendship and good wishes of the government I had the honor to represent, and of my own personal respect and consideration.

The house of representatives being in committee of the whole at the time of my visit, discussing the "pilot bill" now before that body, no ceremony obtained saving a rising of the entire assembly, and a seat of distinction next to the vacated chair of the honorable speaker of the house, awarded the diplomatic visitor.

I take the opportunity to inform the department that the high, distinguished, and most respectfully kind and cordial reception which I have met with from the government and people of Liberia is most gratifying to me.

I have the honor to be, with the highest consideration, sir, your most obedient and humble servant,

JOHN SEYS.

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

[Enclosure No. 1.]

RESOLUTION passed by the senate of the Republic of Liberia on the visit of his excellency John Seys, minister resident and consul general from the United States of America to the Republic of Liberia.

Resolved, That the senate of the Republic of Liberia is greatly gratified and honored in receiving among them as minister resident and consul general of the United States the old and tried friend of Liberia and Africa, the Rev. John Seys.

DAN. J. BEAMS,
Secretary of the Senate Republic of Liberia.

Adopted by the senate January 4, 1867.

Mr. Seys to Mr. Seward.

[Extract.]

No. 5.]

LEGATION OF THE UNITED STATES,
Monrovia, January 8, 1867.

SIR: I have the honor to enclose two copies of the message of his Excellency the President of Liberia, at the opening of the legislature now in session.

I take pleasure in calling attention of the department to the fact that the daring violation of the revenue laws of this republic on the part of one Harris, a subject of Great Britain, to which reference is made in the said message, is being duly punished.

An appeal being taken to the supreme court of Liberia from the recent decision of a lower court in which the defendant was found guilty, the final adjudication of the case is still pending.

* * * * *
I have the honor to be, sir, your most obedient servant,

JOHN SEYS.

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

MESSAGE OF THE PRESIDENT OF LIBERIA TO THE LEGISLATURE IN JOINT SESSION,
DECEMBER 6, 1866.

Fellow-citizens of the Senate and House of Representatives of the Republic of Liberia:

The expiration of another twelvemonth has brought around the period when it becomes my duty to lay before you a statement of the affairs of the republic, and to recommend such measures as appear to me calculated to enhance the welfare of the nation.

In discharging this duty, I have to invite you to unite with me in rendering unfeigned thanks to our Heavenly Father for the blessings with which the past year has been crowned. The immunity we have enjoyed from those epidemic diseases which have been the scourges of other lands, the bountiful harvests that have blessed the labors of the husbandman, the peace that has prevailed to a great extent within our borders, are unmistakable marks of Divine favor; and for these mercies we should show ourselves grateful by pursuing such a course of conduct as will meet the approbation of the Almighty.

Our relations with foreign nations are satisfactory, with the exception of the northwestern boundary dispute. This question, which has been pending for the last five years, without having yet come to a solution, must be settled before it can be determined which of the two governments—this or her Britannic Majesty's—is responsible for the numerous atrocities which have been committed, as well as for those which are daily being committed by the natives in the territories in dispute. The predatory wars waged by the natives in those parts of the country against the peaceful natives living in close proximity to our settlement at Grand Cape Mount, and to the great detriment of that settlement; the vast amount of merchandise introduced from adjoining provinces, without bringing a revenue to the government; the open rebellion of the natives, instigated by unprincipled traders living within the territories claimed by this government, are evils which are likely to continue for a long time, and to affect more injuriously the interests of the republic, unless this question of boundary be at once set at rest. The finances of the government have not been in such a condition as to allow us to occupy those windward territories with civilized settlements, or we might long since have availed ourselves of the surest method of confirming the claim which we have rightfully acquired by fair and honorable purchase. On this subject the government has renewed the correspondence which, two years ago, was broken off by the brief reply of the British government to the last requisition of the Liberian government; and it is to be hoped that the magnanimity and keen sense of justice of the British government will allow the question to be put at rest speedily and amicably.

I have appointed Monsieur L. Carrance consul for the republic at Bordeaux, in France. I have also granted a commission to Señor Sennarti'y Brogues as Liberian consul at Barcelona and Madrid, in Spain. I felt particular gratification in making this appointment; and in a despatch from the Spanish minister for foreign affairs we are assured that it was hailed by her Catholic Majesty's government as the forerunner of the establishment of friendly and commercial relations between the two countries.

During the year I have granted my exequatur to Samuel F. McGill, esq., consul for Sweden and Norway; also to C. T. W. F. Jantzen, esq., consul for Hamburg, at Monrovia.

It is with feelings of inexpressible sorrow that I have to announce to you the death of Abraham Hanson, esq., late United States consul general and commissioner, which occurred in the month of July last, at the legation in Monrovia. The death of Mr. Hanson cast a deep gloom over our communities. Never has a foreign functionary stood higher in the estimation of a people than Mr. Hanson did in that of Liberians, nor succeeded in establishing a better understanding than that which subsisted between Mr. Hanson and the government to which he was accredited. As a gentleman of Christian character, of kind and benevolent disposition, endearing himself to all who knew him, and as a liberal-minded public functionary, Mr. Hanson justly merited every mark of respect shown to him, and his memory claims a prominent place in the affections of this people.

To fill the office made vacant by the death of Mr. Hanson, the government of the United States has appointed William A. Johnson, esq., vice-consul general at Monrovia; and I have accorded to him my exequatur.

The government has been invited to participate in the International Exhibition to be held in Paris during the next year. It will be to me a matter of profound regret if, from any consideration, the government should be compelled to decline the generous offer. Such exhibitions tend, to a great extent, to bring into notice the products and commodities of different countries; and considering the limited commerce of Liberia, notwithstanding her vast but undeveloped resources, we should put forth a vigorous effort to improve the opportunity now afforded the country of exhibiting to the world its rich products.

In the latter part of 1864, we made application to the government of the United States for the purchase of a gunboat. The application was generously responded to, and the sale of a vessel on very liberal terms was provided for. It is expected that this gunboat will arrive here before the adjournment of your present session, and I have, therefore, to request that provision be made for her maintenance during the ensuing year.

A treaty of amity and commerce has recently been negotiated between this republic and the empire of Austria, which I will lay before the senate for ratification.

The postal convention between this government and that of Great Britain continues in operation. Recent arrangements provide that the steamers bearing the monthly mails shall touch at Monrovia as well as Cape Palmas. This gives us increased facilities for communicating with foreign countries. But, in order to have regular intercourse between our settlements, and to prevent those serious delays which too often occur in the operations of the government from want of mail carriage, it is necessary that you provide some sure and economical means for conveying the mails to and from the different settlements along the coast.

A proposition has been made to this government by a wealthy and influential gentleman in France to establish in this city, under the patronage of our government, an international hospital. He petitions for a grant of land suitable for this benevolent object, and a small appropriation to assist in the enterprise. I hope you will take this subject under favorable consideration.

The sea-port towns all over the civilized world could not give a stronger expression of their appreciation of the severe toil and abundant services of seamen than by erecting buildings in their respective localities for their accommodation, when distressed, either from shipwreck, sickness, or other causes. Travellers also to this coast would experience an inexpressible feeling of relief from a knowledge that such an asylum existed for their reception, when assailed or wasted by the diseases of the climate.

It is necessary that vigorous measures be adopted and executed in order to enhance the public revenue. It is true, there is in the paper currency a marked improvement which tends greatly to the advantage of the citizens generally; but it cannot be of material benefit to the government, unless the receipts of the treasury constantly exceed or at least equal the expenditures it may be necessary to make to carry on the government.

While I admit that all unnecessary expenditures should be abolished, I am not inclined to favor the opinion that the expenses generally of the government are a waste, because they make no return in kind for the capital invested. The citizens need protection in the prosecution of their various interests, and this the government should not only have the ability to give, but its ability should be so fully known and seen as to render it unnecessary, except in extraordinary cases, to put it to the test. For this protection the citizens should be willing to pay.

I have for a long time thought that the native tribes residing within the near jurisdiction of the republic could be brought into closer relationship with us, by being required to contribute to the support of the government, and by being allowed such a representation in our national council as will easily commend itself to their comprehension. Such a measure inaugurated among these will induce those tribes more remote to seek to sustain similar relations to us. No desire to exterminate these people and aggrandize their territory brought us here. They are our brethren, deluded though they often appear, and our Constitution expressly declares that their improvement is a cherished object of this government. The government, then, being for mutual advantage, is one that calls for mutual support. The aborigines should assist in the great work we have to perform. Like the civilized population, they should give something in return for the protection and redress which our courts always,

and our armies often, are required to render them. And I doubt not that many of them are now willing to assist; and when they shall have been convinced that the civilization of which the republic is the nucleus must spread far and wide over this continent, enlightening and refining its inhabitants, and raising them in the scale of being, that it is a work designed by the Almighty himself, and cannot be stayed, I am sure they will become willing coadjutors.

I, therefore, recommend that the discretionary powers given to the Executive, in the 5th section of an act regulating taxes and licenses, passed by the legislature in 1858, to require our aborigines to contribute to the support of the government in such a manner as he shall deem best, be made a positive law, to be enforced in common with other revenue laws. There are in these forests men of royal blood, and of minds susceptible of the most exalted ideas of systematic and well-balanced government; and, by a proper appreciation of them, they could be made to sustain to us a much nearer and dearer relation than that of being mere contributors to our treasury.

In connection with the subject of finance, I have to recall your attention to the bill relative to revenue stamps, which was laid before you near the close of the session of 1864.

I have also to suggest that, for each passport issued by the secretary of state, a fee of two dollars be charged, to go into the treasury; that said passport be issued only on the presentation of the treasurer's receipt acknowledging the payment of the fee; and that the receipts be passed quarterly from the department of state to the secretary of the treasury.

Our passport law needs other important amendments. At all times and under all circumstances, the present law allows persons of all characters to obtain passports, simply by giving ten days' notice of their intention to leave the republic, and paying a fee of fifty cents for each passport.

Taking advantage of these easy circumstances under which they can leave the republic, many of a wilfully thriftless class, whether long in the country or recent comers to it, go to foreign countries only to find the obstacles to be surmounted by indolent persons more numerous than they are in Liberia. In a short time they become reduced to extremities in the communities they enter. Did they break off their allegiance to the government of the republic, we should be saved all further concern about them; but, to avoid the duties and responsibilities of citizens of the new state to which they may have gone, they retain their passports and their allegiance, and in this way, to say the least of it, occasion this government considerable anxiety, as it is often called upon to relieve its destitute citizens.

The patent law in force in the republic should be so amended as to require every person filing a *caveat* in the Patent Office to pay a small fee for the privilege thus secured to them.

I am fully aware that most men in the public service are already required to make some sacrifice; still they should always set examples of patriotism, in order that the citizens generally may be induced to second their efforts the more cheerfully. In this connection I have again to propose to you a recommendation made during the session of 1864, that each member of the legislature receive for his services a salary, not to exceed the amount to which he would be entitled for a session of a moderate length at a reasonable pay per diem.

I have often considered that in the administration of the affairs of a nation, justice requires that burdens imposed should be borne equally by the citizens, or in proportion to each man's ability. In our system of licenses this principle does not operate; there are only three classes of citizens — merchants, lawyers, and auctioneers — who pay a license fee for being allowed to follow their various vocations. It is not clear to my mind upon what principle certain classes of our citizens are taxed for procuring a livelihood, while others are exempt.

I have on a previous occasion spoken of the propriety of requiring persons following other trades or professions to pay a reasonable license fee, and I would again bring this subject to your notice.

There is pursued in the country an occupation which, to say the least of it, brings no good either to proprietors or customers. I refer to the distilling of ardent spirits. We are, it is true, under a free government, with a liberal constitution; and while total prohibition may appear to some as an invasion of the rights of citizens, yet I cannot see upon what principle of political economy or justice this trade in distilling ardent spirits has not been encumbered with the lightest tax, while wholesome, unobjectionable occupations pay to support a government which knows that its people are demoralized, but shuts its eyes upon the fact.

Each still erected or in operation in the republic should pay a tax proportioned to the capacity in gallons of the said still.

It would be very far from fulfilling our mission to this country that we continue to demoralize the natives by the abundant sale to them of ardent spirits. It seems clear to my mind that, as in the case of individuals, God holds men responsible for thus putting into the hands of their fellows materials capable of so much harm, inciting them to rapine, murder, and wars; so in our case, as a nation, God will not hold us guiltless of this sin which we have been so long committing, to the destruction of our heathen brethren, as well as ourselves; and surely their blood will He require at our hands, and will hold us chargeable for the evils which these tribes commit under the influence of this destructive drink.

The manufacture of ardent spirits and the traffic in them by other civilized countries should not be argued by us in justification of the republic of Liberia engaging in the same thing. The prosperity of those other countries might have been much more abundant and abiding,

and there would have been committed in them a less number of murders, had there been in them a total absence of ardent spirits. And may not the secret of the slow progress we are making, compared with the great advantages we have of a fertile soil, a uniformly favorable climate, and the enormous percentage of the yield of our crops, and the evanescent character which the accumulations we make from time to time assume, be attributed to the sin of manufacturing and selling rum? Ardent spirits had much to do with the kidnapping and forcing our forefathers from their ancient homes to a land of slavery. It caused the opening in that land of many premature graves, which closed over the mangled bodies and broken hearts of the victims of American bondage. Its fiery breath, now nearly six years ago, blew up in the American republic a terrible rebellion, and greatly marred the beauty of many portions of that wonderful country, causing the death of millions of its citizens. We may not hope to escape similar misfortunes and evils if we persist in manufacturing and selling ardent spirits.

Besides this, the ease with which these natives procure fire-arms and ammunition increases the hostilities, and protracts those bloody struggles in which they engage, but which it is our duty to check. The government of Liberia is the guardian of the tribes which have placed themselves under our jurisdiction, and we should advise, admonish, and gently coerce them into that subjection to law and order which they sometimes appear reluctant to yield. And when our civilized communities so far forget their duty to these heathen as to place into their hands the instruments of death, encouraging them to lawless and murderous acts, they too should be restrained by law. I have, therefore, to recommend the placing of a high duty on the importation of fire-arms, powder, and ardent spirits. These articles are by no means essential to the traffic of the country.

There is no subject which more affects the interests of this government than that of the tribes by whom we are surrounded. It must be admitted that the relation we sustain to those aborigines is very different from that held by any other civilized people to the natives of a barbarous country which they have entered. We often find the circumstances attendant on this relation exceedingly embarrassing. These people are our brethren, and yet we sometimes find them in antagonism to us. And then, again, in their own case, another and very important difficulty arises from the fact that there are chiefs under our jurisdiction who have laws — which we find it difficult to abrogate at once — conflicting with our statutes; thus keeping their subjects in constant dread of violating our laws on the one hand, and incurring the penalty of their own code on the other.

I have already referred to the propriety of making these tribes understand the necessity of contributing to the maintenance of this government; and I have now to suggest that there be some restriction placed on the intercourse of the civilized settlers with the natives — defining how far that intercourse shall extend, and when and for what purpose it shall be allowed. Many disturbances, and during the present year several of a serious nature, have arisen, resulting from that unlimited intercourse with the natives which has been continued for years by persons ostensibly engaged in trade, who have gone among these tribes to the demoralizing of themselves and to the great disprofit of the natives.

I am of opinion that persons going among the aborigines to reside should be made to show that they are engaged in some lawful and necessary enterprise, and to give bond and security, to be renewed from time to time, for their conforming to law and conserving the public peace; and whenever it shall appear that such persons are no longer prosecuting lawful business with the natives, they shall be required to withdraw from them; and for being allowed to prosecute trade among the natives they should obtain a license, for which they ought to pay a tax proportionate to the amount of capital invested in such native trade.

I have to inform you that in the month of June last, Prince Boyer, of Trade-town, seized and detained the Hon. J. M. Horace at said place. By this act of Boyer the government was placed in a serious dilemma. To have attempted to force the exasperated chief while Mr. Horace was in his power would have endangered the life of the latter; and the conditions imposed by Prince Boyer on which his prisoner could be released were such as government could not accede to and maintain its dignity and preserve the majesty of our laws.

The government sent a note to Boyer, requiring him to set Mr. Horace at liberty. Mr. Horace has been released. Boyer, however, gives the following grounds of grievance: 1. That an annuity promised him in 1849, and fixed by law, has not been regularly paid him; 2. That after he had become reconciled to the port of entry law, the domestic trade was interdicted to him, simply because it was rumored by his native enemies that he was contemplating a descent upon the settlements in Grand Bassa county; 3. That his confessions of repentance for the wrong he had done by refusing, when commanded to do so, to surrender the goods of foreigners detained by him, were spurned by the legislature; 4. That his officers, while on a peaceful mission to the government, were detained at Grand Bassa, and stripped of their insignia; 5. That a present which he sent to the government as assurance of peace was seized at Bassa; 6. That the passage of the law interdicting the domestic trade seemed to be a last resort to crush him; 7. That Senator Horace, by coming within the territory interdicted, violated the law which he himself assisted to make, and that he (Boyer) under the circumstances could not but act according to the natural impulse of a man. He has written to the government earnestly imploring a removal of the interdict.

On the other hand, it is clear that these tribes within our jurisdiction have no right to

indulge in the spirit of reprisals which they manifest either towards ourselves or each other. When they have complaints against the laws or any proceedings of the government, they should set forth their grievances in a proper manner; and no men know better the force and virtue of law than some of the powerful chiefs who preside over these tribes. Neither Prince Boyer nor any other chief has any right to execute our laws, or to set up his authority against the majesty of the republic.

But these chiefs and their subjects have, undoubtedly, certain rights, both natural and political, which should be highly respected by this government and people. And when this is done, and the natives are not provoked by us to the commission of lawless deeds, or instigated by dishonorable foreigners to insubordination, there will subsist between us and them a permanent good understanding and the greatest cordiality of feeling.

Some time in the month of October last, one James Douglass, of Greenville, Sinoe, was wantonly murdered at Settra Kroo, by a native of that place. Immediately after intelligence of the tragical affair reached the government, I sent down to Sinoe a proclamation interdicting all intercourse with Settra Kroo until such time as satisfaction should be given for the murder committed. By the vessel bringing the legislators to this city, I received a communication from the king and headmen of Settra Kroo, assuring the government that the murderer shall be delivered up to justice so soon as he can be placed in the hands of the Nanna Kroo natives.

Presuming upon another illustration of the might of the British naval force on this coast over the just rights of the republic, one J. M. Harris, a subject of her Britannic Majesty's government, who has for some time kept a trading establishment at Solyma, contrary to the laws of the republic, arrogantly sent, a few weeks ago, his vessel into the little Cape Mount river to prosecute a trade with the aborigines of that place, as if to see how far and with how much impunity he could contravene the laws of the republic. It will be remembered that this vessel is one of the two that were brought into this port from Solyma by the schooner Quail, in 1860, to be tried for trading at that place, contrary to our revenue laws, but was forcibly taken out of our harbor by her Britannic Majesty's cruiser Torch. The vessel having been seized by order of the government, has been brought to this port, and now lies in the river awaiting the investigation of her case by the proper authorities.

Should the republic be compelled to submit to these indignities and infractions of its laws merely because it is too weak to resist successfully the power that would attempt thus to humiliate it, all its efforts to establish a political character here and to disseminate a Christian civilization among the surrounding tribes will prove unavailing, and it must decline until there will be nothing left of it but a heap of ruins.

In connection with the subject of finance, I have further to inform you that the plan proposed by Messrs. Macfarlan & Co., of London, for transacting financial business for this government, and which was adopted by you at your last session, has not been acted upon by that house, they preferring to operate on a totally different basis, merging their proposal into a plan of a bank, of which the details will be duly laid before you.

The revision and compilation of our statute laws, which are at present in such inconvenient publications, require your authorization. I have to solicit an appropriation for this object.

During the year Liberia College has continued in operation. The preparatory department, under the care of Mr. H. R. W. Johnson, has given the greatest satisfaction in the training of its scholars.

In connection with this I am happy to inform you that we have intelligence from the United States of a growing and active spirit of emigration to Africa among the blacks. In a week or two some 500 or 600 will probably be landed on our shores. The attorney general of this republic, now on his way home, made an interesting tour, during the last summer, over a great portion of the western States, and he assures us that, from what he has witnessed among the blacks with whom he came into contact, a steady stream of emigration has just begun. We are doubtless all glad to receive such intelligence; but the question that occurs to every thoughtful mind is, Can Liberia, with her feeble institutions, take up and absorb safely this influx of our down-trodden brethren, unaccustomed as they are to the duties and responsibilities of building up new states? I answer, without hesitation, that we can. But it becomes us, as legislators and executors of law, to make provisions to guard and perpetuate more effectually the liberties of our country; and among the provisions necessary, a most important and, indeed, indispensable one, is the establishment of an efficient common school system. We have in our statute books many statutes referring to common schools, but they need revision and consolidation. Depend upon it, unless this matter is attended to, our free institutions will be in danger, and probably, at no distant day, wholly subverted. Let knowledge be generally diffused, and we need not fear the debates and discussions which periodically take place among us as to our political affairs.

But the diffusion of education among us will, for some time, be dependent chiefly upon legislative action in the establishment and maintenance, throughout the country, of common schools. The government must here, as in other countries, take this subject into its own hands—a subject which, to my mind, involves the whole matter of what is generally termed popular education, comprising not only schools established by the government, but also mission schools in our townships or within our jurisdiction.

By having the education of the people under some system, I mean something like the following, so as always to keep the subject of education prominently before the people:

1. Let the different counties be divided into school districts, and let the people in those districts be taxed to provide school-houses and help support the schools, the government furnishing a certain amount.

2. Let a secretary of education be appointed to regulate the educational interests of the country, in connection, if thought advisable, with a committee of council. All appointments of instructors to common schools to be made by the secretary, with the advice of the council, and no teachers to be appointed without a certificate of capability from recognized examiners, i. e., any of the professors in Liberia College, or any other well-known instructor.

3. School teachers to be examined twice a year by the secretary of education, or his deputy.

4. Provisions to be made for schools for girls, in which, besides mere book learning, they may be taught domestic economy and general habits of industry. This is a sore and pressing need of Liberia.

5. Children of the aborigines in our settlements and their neighborhood to have the same common rights to education as emigrants, and the government to have the right to establish schools in purely heathen districts.

Our brethren who flee from the United States to this country for freedom find on arriving here a large and superabundant freedom; but they lose the numerous advantages of enlarged education afforded them in their native country—advantages which, since the war, have been increasing in various parts of the states. It is therefore meet and proper that in a system of common schools such as I have just referred to, efficiently established, they should find some compensation for the sacrifices they have voluntarily made.

Before closing this statement, I would request for Jonas Carey a stated pension during his lifetime. He is one of the only three male pioneers of Liberia surviving, and connecting the present with the past. He took part in the memorable battle of December 1, 1822, on the issue of which depended the question whether a Christian civilization should be established on this coast by black colonists from America or not. He is now aged and feeble, and deserves whatever aid or patronage the government can render him.

And now, in conclusion, I beg to assure you of the cordiality and cheerfulness with which I will co-operate with you in any measure for the promotion of the public weal. In all your deliberations, fail not to keep steadily before your mind the great object we should all have in view, viz: the vindication, upbuilding, and honor of the negro race, and the opening up of this great continent to civilization and the arts. Keeping this elevated and glorious aim always before you, your labors will be considerably lightened, and harmony, peace, and fraternal feelings will mark your whole intercourse during the session.

D. B. WARNER.

MONROVIA, December 6, 1866.

Mr. Seys to Mr. Seward.

No. 8.]

LEGATION OF THE UNITED STATES,
Monrovia, January 24, 1867.

SIR: I have the honor to call the attention of the department to a law passed by congress on the 17th April, 1866, granting the transfer on certain conditions of a gunboat from the United States to the republic of Liberia.

I have the honor to add that so soon as it is possible to render this aid to the government and people of Liberia, so soon will a new era occur in their history of incalculable advantages to the guarding of their coastwise commerce from the depredations of lawless foreigners, the maintenance of their treaties with the native tribes, and the regular and frequent communications between the government and its officials on the coast. Having made myself familiar with all the necessities for such aid from the United States, the benefits to be derived from such a vessel on this coast, and from full and explicit conversations with the President, heads of departments and other influential men of the republic, I beg leave to urge the matter upon the attention of the department.

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

JOHN SEYS.

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

Mr. Seys to Mr. Seward.

No. 9.]

LEGATION OF THE UNITED STATES,
Monrovia, January 24, 1867.

SIR: I have the honor to submit to the United States government, for its consideration and action, that which appears to me, from the standpoint I now occupy, to be a necessity which the signs of the times most loudly call for—a postal convention between the United States of America and the republic of Liberia.

That this would be of immeasurable and increasing advantage to both countries I beg leave to show by calling attention to the following facts:

1. Most of the letters and papers now coming from and going to the United States from this coast go by the way of England at the enormous postage of 33 cents a single letter of half an ounce and two cents a paper. This could probably be reduced one-half by such a treaty as above.

2. A very large proportion of the exports, at high freights, of this luxuriant and prolific soil, go to England by the regular monthly British mail steamers which ply between Liverpool and the various ports from Gambia to Cameroons. These should all flow into the United States, and would, in a great measure, by such a treaty.

3. Immense amounts of English goods and wares are imported, and fill the stores of Liberia, at a cost above that which *many* of the said goods, if not *all*, could be imported from the United States. These should all be made to come from the United States.

4. The formation of a postal treaty between the United States and Liberia, necessitating a monthly line of at least four small steamers to ply between the two countries, would divert all this commerce from Great Britain to the United States; would facilitate the intercourse between the people of Liberia and the many thousands of freedmen of the United States, their own friends and relatives, who are now looking towards the land of their ancestors as their future home; and would thus in every way benefit both countries.

5. In that admirable paper, the report of the Postmaster General of the United States, this paragraph occurs:

It has always been an erroneous theory in the history of the postal service of the United States that it was established or sustained on the principle of wholly defraying its own expenses out of its own revenues; or, in other words, on the principle that it should be self-supporting. It is a great public necessity to accommodate private citizens; and it will not do to say that no mail route shall be opened or post office established until the business of the proposed route or of the proposed office shall pay all expenses.

The above will apply in an eminent degree to Liberia, whose people came from the United States, whose people have millions of brethren in the United States, and whose labors and industry can be made to subserve greatly the well-being and elevation of those friends and brethren, especially should they desire to immigrate to a republic of their own race.

6. If "Congress has wisely appropriated \$500,000 per year to pay for carrying mails from San Francisco to China," and "this money so expended will come back from the China seas in goods, and wares, and merchandise to our own markets,"* I most respectfully submit whether it would not be equally wise to appropriate \$100,000 for a similar service between the United States and Liberia.

7. From statistical research it appears that 75 per centum of the postage matter conveyed in the British mail steamers from this coast go to the United States.

8. Though but comparatively a few years since that a postal treaty was

*Postmaster General.

effected between Great Britain and this republic, and a subsidy of £60,000 was commenced with, the enterprise now pays seven and a half per centum dividend.

Any instructions from the department authorizing me to confer with the government of Liberia for taking incipient steps towards a postal treaty, to be drawn up and submitted to both governments for ratification, will receive immediate and prompt attention.

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

JOHN SEYS.

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

Mr. Seys to Mr. Seward.

No. 10.]

LEGATION OF THE UNITED STATES,
Monrovia, January 26, 1867.

SIR: I have the honor to inform you that a letter addressed to the "Liberian minister at Washington," and enclosed to me by the State Department, reached me by the last British mail.

As there is no such representative at Washington, and not wishing to return it to Mr. Schieffelin, the Liberian chargé d'affaires at New York, with the consent of the authorities here it was opened, and proves to be a letter of some import.

A Mr. Purman, of Marianna, Jackson county, Florida, an intelligent colored man representing a population of 5,000 freedmen, wishes information about Liberia, its resources, climate, and the means of getting here, with a view to immigrating to this country. From a great deal of intercourse with thousands of people of color in Charleston, South Carolina, and much conversation with gentlemen of intelligence, worth, and sterling integrity and devotion to our great country, our country as a whole, "one and undivided," I am persuaded that the tide of immigration is setting toward Liberia with increasing momentum, and that the noble scheme of African colonization, resulting as it has already done, in the rearing up of this interesting republic, this negro nationality developing the immense internal resources of this rich country, and blessing thousands of heathen people with the light of civilization and Christianity, is yet but in its incipient stage of great and glorious success. That the United States government rather favors, than otherwise, the immigration to Liberia of such colored persons as think they can better their condition by coming here, is no more to be doubted than that they favor the emigration of Europeans to the United States. Proof of this patronage of the enterprise on the part of our government has been given from the beginning down to the very last company of emigrants by the Golconda.

With gratitude did the estimable and very efficient corresponding secretary of the American Colonization Society receive the timely supply from the United States government of nearly one hundred barrels of meats and breadstuffs, and the free transportation, with efficient officers to protect them, of his various companies of emigrants from Knoxville, Tennessee, Macon, Georgia, Columbia and Newberry, South Carolina.

If the United States government still favors even now, since all are free to choose their homes, the removal to their father land of such of the freedmen in our country as prefer to leave America for Africa, I take the liberty of submitting whether a regular systematic method of favoring such immigration would not be wise as well as philanthropic and humane.

The American Colonization Society will find it exceedingly difficult to keep

pace, by the voluntary contributions of even its numerous friends, with the thousands of applications for passages to Liberia and help while here. They must either fail in their work, refuse such applicants, or be assisted from some other source.

I have the honor to submit that this matter be taken into consideration by the United States government, and a law passed making an appropriation, as in the case of the thousands of liberated Africans sent to my care in 1860-'61, of one dollar *per capita* for every freedman who voluntarily chooses to leave the United States and settle in Liberia, and that such appropriation, upon proper representation on the part of the American Colonization Society, be paid into the treasury of said society, to be strictly accounted for by them.

I have the honor to be, sir, with the utmost respect, your most obedient servant,

JOHN SEYS.

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

Mr. Seward to Mr. Seys.

[Extract.]

No. 7.]

DEPARTMENT OF STATE,
Washington, April 4, 1867.

SIR: I have to acknowledge the receipt of your despatches Nos. 9, 10, 11, and 12, of January 24th and 26th, and February 5th and 6th, last. Your No. 9 has been referred to the Postmaster General.

As regards the matter treated of in your No. 10, any appropriation of money for the object of facilitating the emigration of freedmen to Liberia would have to proceed from Congress. As that body is now adjourned, it will be impossible to act on your suggestion at present. You will, however, call the attention of the department to this matter again at some future session of Congress, when it shall receive proper action.

* * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN SEYS, Esq., &c., &c., &c.

Mr. Seward to Mr. Seys.

No. 8.]

DEPARTMENT OF STATE,
Washington, April 6, 1867.

SIR: I have received your despatch of the 24th of last January, No. 8, speaking of the importance to the republic of Liberia that the Navy Department should comply at an early hour with the law authorizing the transfer of a gunboat to Liberia. This matter has already been the subject of correspondence between the department and the minister of Liberia to this country.

The law to which you refer enacts that the President is authorized to transfer to the government of Liberia any one of the gunboats now or hereafter included in the navy of the United States, which may be acceptable to that government, and can, in the judgment of the Secretary of the Navy, be conveniently spared for that purpose. In view of these provisions, the Secretary of

the Navy some time ago offered to the minister of Liberia the choice of several of the vessels which in his opinion could be spared from our navy. None, however, were found by the latter of a character suitable to the necessities of the Liberian government. This circumstance is to be regretted; it does not, however, in the opinion of the department, preclude the possibility of the desired purchase, since the mutations which are constantly taking place in our navy may at some future period render a more suitable vessel available.

In connection with this, I have also to inform you that in January last the minister of Liberia addressed some communications to this department on the above subject, in which he referred to the danger apprehended to his country from the incursions of the native tribes of Africa, and requested from this government the assistance of one of the cruisers of the United States on the African coast. Orders were accordingly issued to Rear-Admiral Goldsborough, commanding the European squadron, to direct the next cruiser sent by him to the coast of Africa to visit Liberia.

I am, sir, your obedient servant,

JOHN SEYS, Esq., &c., &c., &c.

WILLIAM H. SEWARD.

Mr. Seward to Mr. Seys.

No. 9.]

DEPARTMENT OF STATE,
Washington, April 16, 1867.

SIR: Referring to your despatch No. 9, in which you recommend the negotiation of a postal convention between this country and Liberia, and to the reply of the department of the 4th instant, informing you that the matter had been referred to the Post Office Department, I now transmit to you a copy of a letter from the Postmaster General, expressing his views on the subject, from which you will perceive that in his opinion existing circumstances render such a convention inexpedient at the present time.

I am, sir, your obedient servant,

JOHN SEYS, Esq., &c., &c., &c.

WILLIAM H. SEWARD.

Mr. Randall to Mr. Seward.

POST OFFICE DEPARTMENT,
Washington, April 12, 1867.

SIR: I have the honor to acknowledge the receipt of your letter of the 6th instant, enclosing copy of a despatch received from the United States minister at Liberia, recommending the negotiation of a postal convention with Liberia, and to inform you, in reply, that until a regular communication by means of steam vessels, plying direct between the United States and Liberia, shall have been established, the conclusion of a postal convention with that country would not secure any advantage to correspondence; and if it is necessary to the establishment and maintenance of a direct line of steamers to obtain a subsidy from the respective governments, this department cannot grant a subsidy without special legislation by Congress authorizing the same, the existing laws restricting the amount of compensation to be allowed for the conveyance of mails by sea to the postages on the mail transported.

I am, very respectfully, your obedient servant,

ALEXANDER W. RANDALL,
Postmaster General.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Seys to Mr. Seward.

No. 16.]

LEGATION OF THE UNITED STATES,
Monrovia, May 11, 1867.

SIR: I have the honor to inform you that nothing has transpired here worthy of official correspondence since my despatch No. 15, save the regular biennial presidential election.

His excellency President Warner having long since declined continuing as a candidate for the office, three other distinguished citizens were nominated by their respective parties.

The Hon. E. J. Roye, chief justice of this republic, was first in the field.

Judge Roye is from Ohio, educated in one of the colleges of that State; came to Liberia as a merchant in 1846, and is one of the wealthiest men in the nation. Rev. J. S. Payne, of the Methodist Episcopal church, but a supernumerary, and without any parochial charge, is another candidate for the presidency. Mr. Payne came to Liberia with his parents when quite a little boy, grew up here, became a man of letters under the care and tuition of the mission schools of the Methodist Episcopal church, and is the author of a treatise on "Political Economy," said to be unsurpassed even by judges in the United States.

Dr. James Moore, the third aspirant for the office, emigrated from Baltimore, Maryland, in 1852, where he had some practice among persons of color, and continued that practice here. He was afterwards appointed judge of the court of quarterly sessions for this county, in which he served many years, and then retired to the farming country up the St. Paul's river, and engaged in large agricultural pursuits.

The election came off on Tuesday last. The returns from the leeward counties are not in, and will not be before the mail closes this afternoon. From the present returns there is ground to believe that there will be no majority of vote for any one candidate, in which case the whole matter of selecting from the three will devolve on a joint ballot of both houses of the legislature, to be held in December.

It is matter of deep regret to the better class of citizens that during the election in this city on Tuesday there was much of drunkenness, many fights, several persons badly injured, and already one death. These were chiefly among the recaptured and liberated Congoes, now naturalized citizens of the republic, and possessing the elective franchise.

I have the honor to add, in conclusion, that my health is most excellent and likely to continue so; and that I am with the utmost respect,

Your obedient and humble servant,

JOHN SEYS.

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

CORRESPONDENCE WITH THE LIBERIAN LEGATION.

Mr. Schieffelin to Mr. Seward.

[Extract.]

LEGATION OF THE REPUBLIC OF LIBERIA,
Yonkers, New York, March 22, 1866.

SIR: I see by the newspapers that a resolution has been offered in the House of Representatives of the United States "to discontinue an arrangement made with Great Britain to keep a naval force on the coast of Africa," on the assumption that the slave trade has now ceased.

I have before me two letters from Liberia recently received, one from W. S. Anderson, dated 5th January, 1866, giving an account of a journey made last year about ninety miles, in a straight line, interiorward from Monrovia, in which he says he found the native towns barricaded against wars which were then prevailing, the sole object of which was the capture of men, women, and children; the other from President Warner, urging me to endeavor to procure, by purchase on a credit or otherwise from the United States government, a small gun steam vessel of *not over one hundred and twenty tons*, and intimates that the slave trade has not yet been suppressed within the lines of the Liberian coast by the forces employed by America and England, but would be if Liberia had such small vessel.

I beg leave to recall to your notice a part of the note which I had the honor to address to you on the 1st of November last, as follows :

You are aware that the late and lamented President Lincoln recommended to Congress to sell a small gun-boat to Liberia. I have been informed that a bill to do so was passed by one house, but that Congress adjourned before action on it was had in the other.

The United States having been at great expense in maintaining vessels on the coast of Africa, to suppress the slave trade, permit me to ask (in consideration of the fact that the use of a small gun-boat by the government of Liberia would enable them more easily to keep 500 miles of coast entirely free from that trade) whether the United States could consistently lend, until by act of Congress it could sell to Liberia on a credit, a small gun-boat of about one hundred tons, and thereby promote one of its own cherished objects to so great an extent at so much smaller cost than can be effected in any other manner.

* * * * *

I have the honor to be, with the highest consideration, sir, your most obedient servant,

H. M. SCHIEFFELIN.

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

Mr. Schieffelin to Mr. Seward.

LEGATION OF LIBERIA,
Yonkers, New York, January 11, 1867.

SIR: It having been ascertained that there is no suitable sailing vessel in the United States navy, nor any suitable steam vessel, that can (in the judgment of the Secretary of the Navy) be spared for the purpose of being transferred to the government of Liberia, according to the late act of Congress, their liberal act towards Liberia cannot be made available. Of this fact the Liberian government was not yet, at last dates, apprised; while, in addition to former pressing reasons for desiring it, another still more imminent has arisen.

The government has information that the several tribes along the seaboard, being dissatisfied with the interference of "port-of-entry" laws with trade with foreign vessels on the coast, have concerted plans for attacking and carrying, by force of arms and starvation, Sinou and Bassa counties, (about two-thirds of all the Liberian coast;) and the government of Liberia, not yet aware of the disappointment which next mail, probably ere this, has brought them, instructs me that it is urgently necessary that the gun-boat should be there as early as possible, and to put forth all my endeavors that no time may be lost.

Under these circumstances may I ask if the United States government will extend to Liberia the assistance of one of her cruisers on that coast.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

H. M. SCHIEFFELIN.

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

Mr. Schieffelin to Mr. Seward.

LEGATION OF LIBERIA,

Yonkers, N. Y., January 25, 1867.

SIR: Since mailing my note of this day, I have received a letter from the President of Liberia, in relation to the draught of the gun-boat, hoping, however, that I have ere this received her, &c., &c.

This letter is dated December 12th, (nearly two months later than the one immediately previous, in which mention is made of the native tribes having concerted plans of attack, &c.,) and does not allude to the hostile intentions of the native tribes, only advising me of having written two letters on the subject of the gun-boat.

This may be owing to the fact that the letter was short and hurried on account of the mail going a day earlier than was expected, but still I think it would not have omitted allusion to the subject had any serious attack occurred, or been then instantly apprehended.

I therefore deem it due that I should immediately inform you of the circumstance, indicating, possibly, less apprehension of danger to the Liberian settlements along the coast than at the previous date.

I have no other reason for supposing that the need of the assistance of a United States cruiser is less, but apprehend it will be rather greater, when the native tribes become informed, as they will be or are ere this, that Liberia will not receive the expected gun-boat.

The visit of a United States cruiser for the purpose of aiding the Liberian government if necessary would doubtless be a great and important support to her authority, and contribute to prevent the native tribes from combining to attack the small civilized settlements along their extended coast.

With the highest consideration, I have the honor to be, sir, your most obedient servant,

H. M. SCHIEFFELIN.

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

Mr. Seward to Mr. Schieffelin.

DEPARTMENT OF STATE,

Washington, February 5, 1867.

SIR: Referring to the late correspondence which has passed between your legation and this department on the subject of the danger apprehended by your government from the native tribes of Liberia, I have the honor to enclose for your information a copy of a letter of the Secretary of the Navy, stating that Rear-Admiral Goldsborough, commanding the European squadron, has been instructed to direct the next cruiser, sent by him to the coast of Africa, to visit Liberia.

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

WILLIAM H. SEWARD.

H. M. SCHIEFFELIN, Esq., &c., &c., &c.

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT,

Washington, January 18, 1867.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, enclosing a copy of a note addressed to you on the 11th instant by the representative of Liberia, requesting this government to extend to Liberia the assistance of one of our cruisers on that coast.

A copy of Mr. Schieffelin's communication will be sent to Rear-Admiral Goldsborough, commanding the European squadron, within the limits of whose command Liberia is situated, for his information. One of his vessels has recently been cruising on the African coast, and it is quite likely may have visited Liberia.

In relation to the subject of transferring a vessel to the government of Liberia, I would state that we have vessels, one of which might be transferred, but they were not acceptable to the agent.

Very respectfully, &c.,

GIDEON WELLES,

Secretary of the Navy.

Hon. WILLIAM H. SEWARD,
Secretary of State.

MEXICO.

Mr. Campbell to Mr. Seward.

No. 6.]

BRAZOS SANTIAGO, *December 13, 1866.*

SIR: I have the honor to advise you, that, not deeming it proper to enter the harbor of Vera Cruz, we left our anchorage off Green island (Isla Verde) on the evening of the 2d instant, and proceeded to Tampico, arriving at the bar off that port on the 4th.

Meeting there the United States gunboat Paul Jones, Captain Fitzhugh commanding, we learned that the port was in possession of the liberals, and under orders from Commodore Alden that vessel conveyed Lieutenant General Sherman and myself and our respective suites across the bar and up to Tampico.

On reaching the town the boats of the officers of the port came off, and we were received and escorted on shore to the American consulate with much attention.

During the evening we received visits from the principal civil and military authorities of the place, which were duly returned by us on the following morning.

Ascertaining that the information received at Vera Cruz, that the forces of the national government were in possession of the city of San Luis Potosi, was incorrect, and that President Juarez was probably still at Chihuahua, we were forced to the conclusion that a speedy communication with him from that point could not be effected.

It was, therefore, deemed best to forward to the minister of foreign affairs, Señor Sebastian Lerdo de Tejada, a communication, copy of which is enclosed herewith, marked No. 1, advising him of our arrival in the country and desire speedily to reach the seat of government of President Juarez; which communication was placed in the hands of General Gomez, the chief military officer of the place, who agreed to forward the same by special courier.

We left Tampico on the afternoon of the 5th instant, and anchored off the bar of this port on the 7th.

Here we learned of the presence of General Sheridan in Brownsville, and had an interview with him on his return from that place in the evening. From General Sheridan we learned that the national forces, under General Escobedo, were in full and complete possession of Matamoros.

On the 8th we proceeded to Brownsville. On the 9th we crossed to Matamoros and had a full and cordial interview with General Escobedo, commanding the national army of the north, and representing the government of the republic on the frontier. From him we learned that President Juarez would probably be in Monterey by the 20th instant. Acting upon this information, I at once determined to proceed to that point. This determination I communicated to Mr. Lerdo de Tejada by a special courier despatched by General Escobedo that night.

A copy of my communication is herewith attached, marked No. 2.

On reaching Brownsville, on the evening of the 8th, I received a polite note from General Escobedo, expressing his satisfaction at the arrival of the mission on this frontier. Copy of this note and translation, marked No. 3, are annexed hereto. Copy of my reply, also annexed, is marked No. 4.

Having spent only a few hours in Tampico, and the same time in Matamoros,

it would not be proper for me at this time to attempt to give any detailed information as to the general situation of affairs in the interior of the country; but all the information I have received, both at Tampico and from General Escobedo, appears to be highly favorable to the cause of the republic.

The spirit of the national forces is undoubtedly excellent, but their progress is necessarily slow from the great disadvantages under which they labor from want of means.

On the 12th instant we returned to this point, Brazos Santiago.

Here I take leave of Commodore Alden of the *Susquehanna*, of whose uniform kindness and courtesy to myself and suite I desire to make special mention, and whose promptitude and unceasing vigilance as a naval officer cannot be too highly acknowledged.

Lieutenant General Sherman does not deem it necessary to accompany me to Monterey, and leaves here in the *Susquehanna*.

To-morrow it is my purpose to return to Matamoros, and thence to proceed without delay to Monterey.

I am, sir, very respectfully, your most obedient servant,

LEWIS D. CAMPBELL.

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

Mr. Campbell to Señor Lerdo de Tejada.

TAMPICO, December 5, 1866.

SIR: I have the honor to advise you, informally, of my arrival at this point, in the character of envoy extraordinary and minister plenipotentiary from the United States to the Republic of Mexico, of which his Excellency Don Benito Juarez is President.

Lieutenant General Sherman, of the United States army, accompanies me in my mission. We arrived here on the 4th instant, in the United States steam frigate *Susquehanna*, Commodore Alden, commanding. On our way here we anchored from noon of the 29th ultimo to the afternoon of the 2d instant at Green island, off the port of Vera Cruz. Finding that port in possession of the enemies of the Mexican republic, we did not enter the harbor, and observing no prospect of a change in affairs there we came to this port, which we find occupied by the forces of the constitutional government.

For reason which will be obvious to you, I regard it as of importance both to the government of President Juarez and of the United States that I should speedily effect an official communication with him.

The Congress of the United States is now in session, but, under our Constitution, will adjourn on the 4th of March next, and it is not probable that it will meet again until next December. Therefore, as the condition of affairs in Mexico, and the continued occupation of its territory by the French, may, in the judgment of the President, require *congressional* rather than *executive* action, it seems to me that I should present my letters of credence without unnecessary delay.

For these reasons, I address you this informal note by courier.

As now advised, I presume that the movements of your government are in this direction; and it has been suggested that President Juarez might, perhaps, establish the seat of government temporarily at this place.

This would greatly facilitate me in communicating official intelligence to my government as to the condition of affairs and the desires of President Juarez.

If, however, the President has no intention of coming here, I desire to be advised as early as possible as to the point in the interior at which, and the time when, I may probably have an opportunity of presenting my credentials.

I shall await information from you on these points at this place, or at Brownsville, Texas, in company with Lieutenant General Sherman and Commodore Alden, and we will detain the *Susquehanna* and the United States gunboat Paul Jones until I hear from you.

I am, sir, with great respect, most truly your obedient servant,

LEWIS D. CAMPBELL.

His Excellency Don SEBASTIAN LERDO DE TEJADA,
Minister of Foreign Relations of the Republic of Mexico.

P. S.—You will please send your reply to me to the care of Franklin Chase, esq., United States consul at this port, and a duplicate copy of the same to me, care "Commanding Officer United States Forces, Brownsville, Texas."

L. D. C.

Mr. Campbell to Señor Lerdo de Tejada.

BROWNSVILLE, TEXAS, December 9, 1866.

SIR: I enclose herewith a copy of a communication, duplicate copies of which I placed in the hands of General Gomez at Tampico, on the 5th instant. He promised to forward them to you by courier. I left Tampico in company with Lieutenant General Sherman on the 5th instant and arrived here yesterday. To-day we have had an interview with General Escobeda in Matamoros, and I have concluded to proceed to Monterey, for the purpose of writing to President Juarez at that point.

General Sherman will leave me here and proceed in the United States steam frigate *Susquehanna* to New Orleans, to confer with our government at Washington by telegraph.

For many reasons, not proper to be mentioned herein, I regard it as important to the cause of the republic that I should communicate with President Juarez at Monterey speedily, and I shall go there with the expectation of enjoying that honor at an early day.

I am, sir, with great respect, your obedient servant,

LEWIS D. CAMPBELL.

His Excellency Don SEBASTIAN LERDO DE TEJADA,
Minister of Foreign Relations of the Republic of Mexico.

General Escobedo to Mr. Campbell.

[Translation.]

MATAMOROS, December 8, 1866.

The undersigned, general-in-chief of the army of the north, and representative of the government of Mexico on this frontier, has been informed by General Francisco Paz of the arrival of your excellency at Brownsville.

Although the information has been extra-official, I have desired to make known to your excellency my satisfaction at your arrival at that city, believing, as I do, that your presence will greatly tend to draw closer the cordial relations which exist between Mexico and the United States.

It is also a pleasure to the undersigned to place himself at the disposition of your excellency, and to assure you of his attentive consideration.

With great respect, your excellency's most obedient servant,

M. ESCOBEDO.

His Excellency Hon. LEWIS D. CAMPBELL,
Minister of the U. S. near the Government of Mexico, Brownsville.

Mr. Campbell to General Escobedo.

BROWNSVILLE, December 8, 1866.

GENERAL: I have the pleasure of acknowledging the receipt of your esteemed favor of this date, and beg to express to you my acknowledgments for your polite attention.

In company with Lieutenant General Sherman, I shall have the pleasure of waiting upon you in person at your headquarters in Matamoros at ten o'clock to-morrow.

It is the earnest desire of the government of the United States that the republic of Mexico, of which Don Benito Juarez is the recognized President, should speedily be acknowledged by all the nations of the earth as a stable and permanent nationality.

The purpose of our mission is not to dictate or to interfere with the free will of the people of Mexico in regard to the form of government which they shall adopt. Yet the people of the United States cannot long tolerate the armed intervention of European nations for the subversion of republican institutions in your country.

I am, general, with the highest respect, your most attentive and obedient servant,

LEWIS D. CAMPBELL.

General Don MARIANO ESCOBEDO,
*General-in-chief of the Army of the North,
and Representative of the Government of the Republic
of Mexico on this frontier, Matamoros.*

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *December 24, 1866.*

Left Matamoros 19th; Juarez still at Chihuahua November 24th; Ortega gone on to Mexico; Canales and Cortinas, with their followers, reported to have pronounced for Ortega. It is my deliberate judgment that I cannot soon communicate with Juarez, and that my presence on the border does more harm than good. I learn by telegraph that my daughter is very ill: will you permit me to return home, or report in person at Washington?

LEWIS D. CAMPBELL.

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

Mr. Campbell to Mr. Seward.

No. 7.]

NEW ORLEANS, *December 24, 1866.*

SIR: Referring to my despatch No. 6, of the 13th instant, from Brazos Santiago, I have now the honor to inform you that I left that place on the 16th instant, and reached Brownsville late the same evening.

The following morning I received a note from General Escobedo, advising me that he would be obliged to leave for the interior at once.

Copy and translation of the same is enclosed herewith, marked No. 1.

On the 18th I received, from a reliable source, information that President Juarez remained at Chihuahua as late as the 24th of November, with no indications of a departure from that point, and that it was doubtful whether he would leave, and if he left, whether he would go to Monterey.

On the same day, ascertaining that Ortega had crossed the Rio Grande from the United States into Mexico, and that probably Canales and Cortinas, with their forces, would unite against Escobedo, I deemed it improper to proceed in the direction of Monterey.

On the afternoon of the 19th, not having received any communication from the department since your instructions on setting out, I deemed it proper to come to this point as speedily as possible, with a view of communicating directly with the government by telegraph.

I advised General Berriozabal of this determination by a note, a copy of which is enclosed herewith, marked No. 2.

Leaving Brownsville on the 19th, I arrived here, by way of Galveston, in the night of the 22d.

When in the Gulf of Mexico I was overtaken by the United States gunboat Winooski, Captain Cooper commanding, bearing to me your despatch No. 4, of the 23d of November last.

Captain Cooper also handed to me a despatch from Mr. Lane, our consul at Vera Cruz, enclosing a communication from Mr. Otterbourg, our consul at the city of Mexico.

Copy of Mr. Lane's despatch, which is of a late date, is herewith enclosed, marked No. 3.

In his communication to me, Mr. Otterbourg enclosed a sealed communication from Marshal Bazaine to Lieutenant General Sherman, which I have delivered to him here.

This sealed communication, without instructions from Washington, seemed to me to make it imperative on me to deliver it in person.

I consider my presence on the border of Mexico unimportant, if not harmful, until the residence of the republican government under Juarez shall have been definitely ascertained. I desire to avoid any complication of our government with the factions of the liberals, who seem now to be at war with each other; therefore I will go back to Mexico or return to Washington for further instructions, as the department may direct,

I am, sir, very respectfully, your obedient servant,

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

General Escobedo to Mr. Campbell.

[Translation.]

MATAMOROS, December 16, 1866.

SIR: Urgent military duties have placed me under the necessity of not remaining in this city the time that I desired, in order not to deprive myself of the pleasing honor of awaiting your excellency.

But there will remain to represent me in this city the general of division, Felipe Berriozabal, military commandant of the district and chief of the line of the Rio Grande, in order to present anew to your excellency my respects.

In addition, I have already given orders that there should be placed at the convenient points the escort which is to accompany your excellency, whom I hope to have the pleasure of seeing on the road or in the city of Monterey.

I am, sir, with great respect, your most obedient servant,

M. ESCOBEDO.

His Excellency Hon. LEWIS D. CAMPBELL,

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

Mr. Campbell to General Berriozabal.

BROWNSVILLE, December 19, 1866.

GENERAL: Circumstances have transpired which render it expedient that I should go over to Galveston or New Orleans to communicate with my government at Washington.

This will require an absence of ten days or two weeks, and I must therefore postpone my intended trip to Monterey for that period.

You will please communicate these facts to General Escobedo, with my thanks for his courtesies and kindness.

I am, general, your very obedient servant,

LEWIS D. CAMPBELL.

General F. BERRIOZABAL,

Commanding in Chief, Matamoros.

Mr. Lane to Mr. Campbell.

CONSULATE OF THE UNITED STATES OF AMERICA,
Vera Cruz, December 15, 1866.

SIR: Yesterday the American gunboat Winooski put in here expecting to find you. As they have important despatches for and instructions to find you somewhere, I have thought it best to send by them what correspondence I have received since your departure—among them a despatch from Mr. Otterbourg, enclosing message from General Bazaine. I hope I do not err in sending them.

The mail steamer from France arrived here on the 11th instant, bringing two hundred soldiers belonging to the foreign legion. The same day the steamer Florida arrived for the purpose of taking any French troops.

Maximilian left Orizaba on the 12th instant for the city, it is said, but will make a stop at Cholula. With the present feeling existing between him and Bazaine I do not believe he dares go to the city.

Bazaine had Marquez and Miramon arrested, but the latter escaped, and has not yet been recaptured.

It is said the priests have offered to raise Maximilian \$15,000,000 and 36,000 troops, 12,000 each under the command of Marquez, Miramon, and Marin.

That the French are preparing to leave I cannot doubt, from present appearances; still, I may be mistaken.

When I got on shore from the Susquehanna I was met by the report that the prefect of this city, acting under orders from Maximilian, had commanded the Susquehanna to leave this port forthwith. I am sorry to say it was believed by many. When the news of her departure reached Orizaba the bells were rung and the rabble shouted. There were heard *vivas* for Maximilian—groans and cries of death to the Americans and the French.

On Sunday last the French took forcible possession of the custom-house, turning out all the appointees of Maximilian, from collector down, and filling their places with French.

I send you all the newspapers that have come to hand; also papers and proclamations of this country.

The Winooski was very kindly and courteously treated by Admiral Clam.

With kind remembrances to all your party, yourself included, I have the honor to be, with great respect, your obedient servant,

M. D. L. LANE.

Hon. L. D. CAMPBELL, *United States Minister, &c.*

Mr. Seward to Mr. Campbell.

[Telegram.]

DEPARTMENT OF STATE,
Washington, December 25, 1866.

Your despatch of 24th received. You are especially desired to remain in New Orleans until you receive further instructions, after more definite intelligence from Mexico. Should you return home, however, on account of ill health in your family, you will be expected to return as early as possible to New Orleans.

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Seward to Mr. Campbell.

[Extract.]

No. 11.]

DEPARTMENT OF STATE,
Washington, December 27, 1866.

SIR: I have to acknowledge the receipt of your despatch of December 13, No. 6.

* * * * *

Your proceedings at Vera Cruz, Tampico, and Brownsville, as therein related, are approved.

The information which you have given me is appreciated. With a reservation, which I may take a more convenient occasion to mention, the President approves of the notes of which a copy is appended to your despatch.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Seward to Mr. Campbell.

No. 12.]

DEPARTMENT OF STATE,
Washington, December 29, 1866.

SIR: Your despatch No. 7, of the 24th instant, has been received. The proceedings to which it refers are approved. We adhere to the directions given you in the telegram of the 25th instant.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Campbell to Mr. Seward.

No. 8.]

NEW ORLEANS, *December 31, 1866.*

SIR: I regard it proper to inform you of the facts brought to my knowledge of a flagrant wrong lately perpetrated on an American citizen by the authorities of the Mexican republic. These should have been imparted sooner, but, in the constant movements to which this legation has been subject by the embarrassments which have surrounded it, some of the papers bearing upon the affair were misplaced.

On the 13th instant, after Lieutenant General Sherman and myself had returned from Matamoros—we were detained at Brazos Santiago by a storm, which had driven the *Susquehanna* and the *Paul Jones* to sea—a paper was presented to us asking our interference to prevent a threatened outrage to the owner of the American schooner *Mary Bertrand*, that had lately been wrecked on the Mexican coast near Bagdad. The facts of this case were subsequently presented to me in a more formal and reliable manner by the papers herewith enclosed, marked Nos. 1, 2, and 3, to which your special attention is called.

Not having opened any official communication with the government of President Juarez, it seemed proper that I should refer the matter to Mr. Marshall, our consul at Matamoros. Accordingly a telegram was sent to him by Lieutenant General Sherman and myself, copy of which is enclosed, marked No. 4.

Receiving reliable information at Brazos Santiago, on the 15th, that the specie referred to had been actually seized by a military force, and that General Escobedo, who had represented himself to Lieutenant General Sherman and myself as the representative of the government of the republic on that frontier, had refused to interpose his authority for the protection of the rights of our shipwrecked mariners, I started from Brazos Santiago for Matamoros on the 16th, and arrived at Brownsville at 11 o'clock that night, with the view of having his attention more particularly called to the subject. On the following morning, before I had time to cross the river to Matamoros, I received the note from General Escobedo, (copy and translation of which were enclosed in my despatch from this place of the 24th instant,) who had agreed to await my arrival, informing me he would be obliged to leave at once for Monterey.

I immediately despatched Mr. Plumb, the secretary of legation, to Matamoros, for the purpose, if possible, of seeing General Escobedo, and informally urging upon him the necessity of arranging the affair of the seized specie before his departure. On the arrival of Mr. Plumb, however, in Matamoros, at about 11 o'clock a. m., it was learned that General Escobedo had already left for the interior.

The enclosed papers, stating the case, were immediately brought before General Berriozabal, who had been left in command, by Mr. Marshall, and every possible effort used to procure the return of the specie to its owners, but without

avail. The most that could be accomplished was an order from the judge that the money should be placed in our consul's hands until the claimant should procure proof from Tampico that the specie had been properly cleared from that port, thus subjecting him to great inconvenience and expense, and depriving him of his rights for an indefinite period, if not to the entire loss of his property in the present revolutionary and turbulent condition of affairs at that point.

The sudden departure of General Escobedo, (when it was known to him I had just arrived,) in connection with the seizure of this specie, seemed to me somewhat mysterious, if not positively suspicious. This impression was strengthened by the fact that General Escobedo had agreed to wait, with his escort, for me, and had been fully apprised by both Lieutenant General Sherman and myself of the friendly disposition of our government.

Having then established no official relations with the government, I could not further interpose with regard to this affair; but it occurs to me, in view of the many complaints that are made by American citizens in that quarter, and especially in view of the alleged wrongs inflicted by the liberal authorities, as represented by Mr. Ulrich, the consul at Monterey, and others of that city, which were made the subject-matter of your dispatch No. 2, of October 2d last, that I should call your special attention to this case.

In presenting these facts to you, permit me respectfully to make the suggestion, that, from all I could learn, there is little disposition to respect our flag or the rights of our citizens in that region of Mexico.

Such acts seem to me to be flagrant aggressions upon the principles of international integrity and good will, if not positive violations of solemn treaty stipulations. At least they form some of the reasons why I do not feel disposed, until otherwise positively instructed by the department, to appear to obtrude hastily our "good offices" on that government, until its residence shall have been definitively established, and its authorities show, practically, some power and a greater disposition to enforce justice and to respect our flag.

I am, sir, very respectfully, your most obedient servant,

LEWIS D. CAMPBELL.

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

Mr. McGaffey to Mr. Campbell.

BROWNSVILLE, TEXAS,
December 17, 1866.

SIR: The undersigned, a citizen of the United States, has the honor to address your excellency in regard to a seizure of his property by the authorities of the republic of Mexico, under circumstances which the undersigned cannot but consider as illegal and arbitrary. The facts are as follows:

The undersigned, owner of the American schooner *Mary Bertrand*, cleared at the port of Tampico, Mexico, for Brazos Santiago, Texas, and set sail on the 3d instant under the customary sea-papers, having on board \$20,000 in silver, the property of the undersigned and others. The export permit for the silver on board was taken up by the proper officer, at the mouth of the Tamesi river, so that this paper did not remain on board.

It is proper to state that the \$20,000 referred to were the proceeds of a lot of arms and ammunition sold by the undersigned to the republican Mexican authorities of Tampico, and that it was a condition of the sale, made to them by the undersigned, that the purchase money should be allowed to leave the country under a free permit and exempt from duties. This condition was fulfilled by the authorities at Tampico, and the money was placed on board the *Mary Bertrand* by the Mexican customs officers of that port, with the necessary papers.

Afterwards, on the 9th day of this month, the *Mary Bertrand* was wrecked in a storm, and cast upon the Mexican coast, a few miles below the mouth of the Rio Grande. The specie on board was taken ashore and hauled by the undersigned, as part of the wreck, and for greater safety, to Bagdad, at the mouth of the Rio Grande.

While there, a party of Mexican soldiers, forming part of General Escobedo's command,

attempted to take possession of the specie, whereupon the undersigned placed over it, for protection, a flag of the United States, and warned the officer commanding the soldiery that he should respect that safeguard and leave the money undisturbed.

Notwithstanding this, the specie in question was, on Monday afternoon, December 10, seized by the said officer, and afterwards, on the 12th instant, the same was transmitted by him to Matamoros, where the customs authorities of that city now hold it.

The undersigned has been unable to obtain any redress for the injury done to him by such illegal seizure, nor can he secure the possession of the specie to which he is entitled, and the undersigned fears that unless some action is taken in the premises by your excellency he will meet with a total loss of this money.

Therefore the undersigned earnestly appeals to your excellency for the protection to which he believes himself entitled, and respectfully requests your interposition to prevent a great wrong from being inflicted on citizens of the United States who are interested herein.

I am your excellency's most obedient servant,

A. A. MCGAFFEY.

His Excellency LEWIS D. CAMPBELL,
Minister Plenipotentiary and Envoy Extraordinary
of the United States to the Republic of Mexico.

The foregoing affidavit sworn to and subscribed before me this 19th day of December, A. D. 1866.

Witness my hand and the seal of the district court in and for Cameron county, State of Texas, being of the 12th judicial district of the same.

[SEAL.]

S. POWERS,
Judge of the 12th Judicial District of Texas.

STATE OF TEXAS, *county of Cameron :*

Personally appeared before me, the undersigned authority, J. W. Tompkins, to me known, who being duly sworn, upon his oath doth declare and say that he is master of the American schooner Mary Bertrand, now totally a wreck on the coast of Mexico, a few miles below the mouth of the Rio Grande; that she sailed from the port of Tampico, Mexico, on the 3d day of December, A. D. 1866, for the port of Brazos Santiago, in the county and State aforesaid; that he obtained from the customs officers at Tampico the usual clearance papers; that there was, at the time of sailing from said port, twenty thousand silver dollars, in nine wooden boxes, the property of A. A. McGaffey and others—the same specie having been laden and put on board the said schooner by the Mexican customs authorities of said port; that the said authorities furnished affiant with the proper permit for the exportation of said specie, which was taken at the mouth of the Tamesi river by the proper officer, as is usual at said port; that subsequently, to wit, on the 9th day of December, A. D. 1866, the said schooner Mary Bertrand was wrecked and cast away on the Mexican coast aforesaid, and the said specie was removed from on board and taken ashore, the schooner herself being a total wreck.

J. M. TOMPKINS, *Master.*

Sworn and subscribed before me this 17th day of December, 1866, at my office in Brownsville, Cameron county, Texas.

[SEAL.]

EDWARD DOUGHERTY,
Notary Public, Cameron county, Texas.

STATE OF TEXAS, *county of Cameron :*

Personally appeared before me, the undersigned authority, Charles D. Stocking, to me known, who being duly sworn by me, upon his oath did declare and say that he is an American citizen; that on the 3d day of December, A. D. 1866, he left Tampico, in the republic of Mexico, for the port of Brazos Santiago, in county and State aforesaid, on board the American schooner Mary Bertrand, J. B. Tompkins, master; that previous to sailing the vessel was regularly cleared at the custom-house of the port of Tampico, and that the officers of the said custom-house did load and put on board the said Mary Bertrand twenty thousand dollars, contained in nine wooden boxes covered with grass matting; that the said loading and putting on board of said specie by the said Mexican authorities was open and public and in view of the bystanders then and there being; that the affiant knows that the said specie, thus being put on board the Mary Bertrand by the Mexican customs authorities of Tampico, was in payment of a lot of arms sold to the Mexican government by A. A. McGaffey, a citizen of the United States; that subsequently, to wit, on the 9th day of December, 1866, the said schooner Mary Bertrand was wrecked in a storm and cast upon the coast

of Mexico a few miles below the mouth of the Rio Grande, and the said twenty thousand dollars were removed from on board to the shore. Afterwards the same were taken to Bagdad, as part of the wreck, for safety. Affiant further declares that the Mexican authorities have seized the said specie and have now possession thereof.

CHARLES D. STOCKING.

Sworn and subscribed before me at my office in the city of Brownsville, on the 17th day of December, A. D. 1866.

[SEAL.]

EDWARD DOUGHERTY,
Notary Public, Cameron county, Texas.

[Telegram.]

BRAZOS SANTIAGO, *December 13, 1866.*

SIR: Representations have just been made to us that nine cases of silver, said to contain \$18,000, the property of an American citizen, regularly cleared from Tampico for this port, and wrecked near Bagdad, and there placed by the owner in the safe-keeping of the agent of King, Kennedy & Co., are sought to be taken possession of from the owner and his agents by the collector of Bagdad, supported by an armed force, claiming to act under authority. It is stated that forcible possession of the same would be taken last night, notwithstanding the protest of the owner and his agents.

You will please call the immediate attention of General Escobedo to this matter, that the proper orders may be given, if the facts are as above represented.

Respectfully, your obedient servants,

LEWIS D. CAMPBELL.
W. T. SHERMAN,
Lieutenant General U. S. A.

The UNITED STATES CONSUL, *Matamoras.*

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *January 2, 1867.*

HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.:

Your communication of December 27th received. I now propose to visit my sick family and there await further orders. Is this satisfactory? Please answer immediately.

LEWIS D. CAMPBELL.

Mr. Campbell to Mr. Seward.

[Extract.]

No. 9.]

NEW ORLEANS, *January 2, 1867.*

SIR: * * * * *

As it is by no means my desire to remain in this city, and may be neither pleasant to me personally, nor profitable to the government, that I should again wander by sea and by land on the inhospitable border of Mexico just now, permit me to express my regret that I have not been authorized by the department to return, at least temporarily, to my home.

I have the honor to remain, sir, respectfully, your obedient servant,

LEWIS D. CAMPBELL.

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

Mr. Seward to Mr. Campbell.

[Telegram.]

DEPARTMENT OF STATE,

Washington, January 2, 1867.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.,

St. Charles Hotel, New Orleans :

It is expected that you will await further instructions at New Orleans. If, however, you should find it indispensable to visit your home in Ohio, you will not there await instructions, but will proceed to New Orleans for them.

WILLIAM H. SEWARD.

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *January 7, 1867.*

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C. :

If proper, please inform me about how long you will require me to remain here.

LEWIS D. CAMPBELL.

Mr. Seward to Mr. Campbell.

[Telegram.]

DEPARTMENT OF STATE,

Washington, January 8, 1867.

LEWIS D. CAMPBELL, Esq., &c., &c., &c., *New Orleans :*

We wish you to remain at New Orleans while events ripen in Mexico. It now seems that it may be so long as March. But we cannot anticipate events. It may be much shorter.

WILLIAM H. SEWARD.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *January 11, 1867.*

SIR : Although the same information may reach you directly, I deem it not improper to transcribe to you the following extract from a letter, under date of 5th instant, which I have received to-day from Mr. Marshall, our consul at Matamoros, viz :

I am in possession of official intelligence that San Luis Guadaiajara and Aguas Calientes are in possession of the national forces of Mexico.

General Escobedo is now at Monterey, but will proceed to San Luis on the 8th instant. Colonel Canales, with 280 men, is at Victoria. Cortinas is in hot pursuit of him.

General Berriozabal will soon leave Matamoros for the interior, in command of his old brigade. President Don Benito Juarez is at Durango. Indications are favorable to the liberals, and confidence is fast being restored on the Rio Grande, notwithstanding daily reports to the contrary circulated by sympathizing friends of the imperialists. *Apropos*, the proper papers being received from Tampico, A. A. McGaffey's twenty thousand dollars in specie were promptly restored to him.

I have also received to-day from Brevet Brigadier General Brown, commanding sub-district of the Rio Grande, at Brownsville, a letter under same date, in which he says:

The condition of Mexican affairs on the frontier is such as to give us fair promises of peace, and a consequent improvement in trade.

Trusting this information may not be without interest at the present time, I have the honor to be, sir, with great respect, your obedient servant,

E. L. PLUMB.

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

Mr. Campbell to Mr. Seward.

No. 11.]

NEW ORLEANS, *January 12, 1867.*

SIR: In my despatch No. 8, of December 31st, I communicated information in reference to the seizure by Mexican authorities of some twenty thousand dollars of specie from the American schooner *Mary Bertrand*, wrecked on their coast near Bagdad.

I have now the satisfaction of informing you that that specie has been restored to its owners. This just end was not attained, however, without an expenditure of several hundred dollars and a vexatious and damaging delay of two weeks.

This information I receive from Captain McGaffey of the *Mary Bertrand*, who arrived here last night.

I have the honor to remain, sir, your obedient servant,

LEWIS D. CAMPBELL.

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

Mr. Seward to Mr. Campbell.

No. 14.]

DEPARTMENT OF STATE,

Washington, January 14, 1867.

SIR: I have received your despatch No. 8, of the 31st ultimo, concerning the seizure, by some liberal forces under General Escobedo, of a sum amounting to about twenty thousand dollars in silver, belonging to A. A. McGaffey and others, citizens of the United States. Your letter on the subject to the consul at Matamoros is approved.

As the money is now in his hands, there would seem to be no difficulty in the way of its restitution to the owners after they shall have obtained and presented to the consul the requisite proof of its having been properly cleared from Tampico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c., *New Orleans.*

Mr. Otterbourg to Mr. Seward.

No. 6.]

CONSULATE OF THE UNITED STATES OF AMERICA,

Mexico, January 17, 1867.

SIR: A council was convoked in the palace on the 14th, at which were present General Marquez, Marshal Bazaine, the archbishop of Mexico, the minister

of state, with other persons of note, to the number of 37, called by Maximilian again to deliberate upon the question of his abdication or permanence on the throne. Twenty-five members voted in favor of his continuance, after having heard the reports of the finance minister and the secretary in charge of the war department. The first estimates the revenue of the empire at \$22,000,000, when the ground lost by the evacuation of the French shall have been recovered, and the latter returns the number of 25,000 men already armed in defence of the monarchy. Marshal Bazaine expressed his surprise that, with such elements, bands of badly-armed and disorderly liberals should have invariably entered the towns on the withdrawal of the French troops.

Notwithstanding the majority in his favor, Maximilian continues undecided, and Mr. Lanes, the prime minister, is discouraged. Miramon, in command of the western military division, advances but slowly, and distrust is entertained of his loyalty, now that he is beyond the immediate influence of the government. I have been reliably informed that the foreign ministers, in this state of doubt and uncertainty, have been invited, as a court of highest appeal, to emit their opinion as to whether the Emperor should abdicate or stand by the empire.

General Ortega's protest (enclosure No. 1) has caused some impression, and, skilfully used, may lead to an understanding between this general and the actual ministry, which, in the event of Maximilian's abdication, would readily unite with Ortega, from whom they expect to obtain immunity for the past and security for the future. Already, with this end, has discord been sown among the liberal chiefs around the capital, and its first successful result is the proclamation (enclosure No. 2) of General Carrillo, in the State of Puebla, calling his command to rally around the Emperor, as the defender of the national territory against the natural enemy of Mexico and the Mexican race.

The French continue to arrive from the interior, and steadily push forward on the road to Vera Cruz. General Castlenau urges on the evacuation, though not aided as effectually by Mr. Dano as he would wish. The expeditionary corps, it is reported, will be encamped around Puebla during some days, in observation of events at the capital before taking their final march to the coast.

The minister of finance called a meeting of capitalists residing in this city on the 16th instant, and informed them that he needed \$1,000,000 for the government, which they would be expected to pay into the treasury—\$500,000 on the next day, (to-day,) and the rest on the 18th. I have advised two American citizens, who were summoned to this meeting and were assessed in a certain quota of this forced loan, to inform Mr. Campos, minister of finance, that they must have certainly been put on his list by mistake, as they were citizens of the United States.

The position of the French is now so anomalous that the three personages here in charge of their affairs would seem to be at a loss in what manner to extricate themselves with becoming dignity from the difficulties in which they are entangled. They have never exerted the talent or energy which the occasion called for, and events have led me to the conclusion that good will was wanting in their efforts to attain a solution of the situation which it was known would prove satisfactory to the views of the United States government.

No reply, as promised by these gentlemen, has been given me to the suggestions referred to in despatch No. 4, by which the city of Mexico was to be delivered over to some liberal chief who offered guarantees, in his previous conduct, of order and security to its inhabitants. What may yet result I cannot now communicate, since I await the response of these gentlemen, rather than incur responsibility by action in a matter that requires the utmost caution and prudence in its conduct. For proof that General Porfirio Diaz is the chief whose antecedents best furnish the guarantees above referred to, he has been offered by Maximilian the command in chief of the imperial forces, in exchange for his adhesion to the empire, and Marshal Bazaine has, on his own account and for his own purposes, sent communications to him in the State of Oaxaca.

Letters dated from Zacatecas on the 9th instant report the capture of Gonzales Ortega by the Juarist general Anza, who at once remitted him to President Juarez, in charge of a strong escort, under command of Colonel Barrios. President Juarez is reported in Durango.

The enclosure No. 3, translation from the *Patria*, ministerial journal, will illustrate the state of cordiality just now prevailing between the French and the imperial authorities.

For the information of the department, I would mention that D. Luis Arroya, formerly imperial agent in the city of New York, and latterly in charge of the foreign office, has again returned to the United States on an important mission. Notwithstanding the poverty of the treasury, has taken with him many thousand dollars.

I have the honor to be, very respectfully, your obedient servant,
MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

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

[Translation from the *Sociedad* of January 13.]

PROCLAMATION.

General Hermenegildo Carrillo to the Troops under his command :

SOLDIERS: Our native land is in danger. The men whom we believed to be the warmest defenders of our liberties, guardians of our interests and the integrity of our soil, have sold a considerable part of its territory, and invited our enemies to their support. You have already seen the conduct of him whom they call our protector, in Matamoras. You already know that the banner of the stars has waved in that port which was occupied by forces of the United States after they had strewn the soil with innumerable corpses of our compatriots. They desire the extinction of our race, and then to possess themselves of our country. The North, our constant enemy, wants, under a plausible pretext, to penetrate into it, never again to abandon it. The foreign intervention having ceased, the cause which separates us from the imperial government no longer exists. Our duty calls us to-day around the banner which his Majesty, the Emperor has planted; let us rally around it; it is the flag which sustains our independence—let us battle without cessation against its enemies.

Soldiers! the hour of danger is at hand; Mexico expects everything from you, and I trust in your valor and patriotism.

GENERAL HERMENEGILDO CARRILLO.

Secretary General TRISO RAFAEL CORDORA.

PUEBLA, *January 10, 1867.*

[Translation from *La Patria* of January 17, 1867.]

Day before yesterday, D. Pedro Garay was arrested by order of General Marquez. At the time of the arrest, papers containing correspondence with the enemies of the imperial government were found upon his person. These documents and the order of apprehension have been remitted to the court-martial, which has furnished the Emperor with an account of it. Yesterday the commandant of the French place, Mr. Demausion, sent to summon General José Ugarte, director general of police, and Mr. Ugarte having presented himself to the French commander, out of courtesy, Mr. Demausion ordered him to release Mr. Pedro Garay immediately, for the reason that he had a safeguard from Marshal Bazaine, and could not be imprisoned. Mr. Ugarte replied, as it was natural, as he had not ordered Mr. Garay's imprisonment, he could much less put him at liberty, and as the commandant, Mr. Demausion, would insist upon his singular pretension, and Mr. Ugarte with dignity refused to assent, the former ordered the director of police to remain in arrest in the French place until Mr. Garay should be put at liberty; and in fact Mr. Ugarte was made a prisoner by order of the French authorities which had no power thus to treat the Mexican authorities.

The minister of the interior has made an energetic protest to Marshal Bazaine against the irregular and not-to-be-qualified proceeding of the French commandant, and requiring that Mr. Ugarte shall be immediately placed at liberty. We know not up to the hour of closing

our periodical the reply of Marshal Bazaine. Our readers will doubtless be surprised at this circumstance.

Wherefore so great an interest on the part of the French authorities in behalf of Don Pedro Garay, recognized as an enemy of the empire? Why did Don Pedro Garay hold a safe conduct from Mr. Bazaine? Was this safe conduct to serve him in his intercourse with the enemies of the empire? Does a safe conduct, be it what it may, authorize one to conspire with impunity against the government of a nation? Because Garay may hold a safe conduct, is he not to be legally proceeded against, even when correspondence from the enemies of the government is found upon him? Is it feared that amongst these documents there may appear some of a certain nature?

We respect the position of Sr. Garay, who may be beyond the power of justice already, but we ask the French authorities to release Sr. Ugarte, who, as a Mexican, as general, and as an authorized agent of the imperial government, ought not to be treated in a manner which will, without doubt, excite public disapprobation.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *January 19, 1867.*

SIR: I beg respectfully to advise you that Mr. Lane, our consul at Vera Cruz, reached here from that port on a trip for the benefit of his health on the 16th instant. He left last evening for the north with the intention to proceed direct to his home at Portland. His health had improved.

Mr. Lane's statement confirmed what has appeared evident from the general news, viz: the probability that the city of Mexico may be occupied by the liberal forces soon after, if not at the moment that the French leave, and therefore that President Juarez may be expected to reach that point at an early date.

The news from the Rio Grande at hand yesterday, by the despatch boat Blackbird from Brazos to Galveston, is also again favorable, no disorder of any kind having occurred in that quarter nor at Tampico as falsely reported.

The most of these stories of opposition to Juarez, I should say, are too ridiculous to notice.

It would seem very desirable that Mr. Lane should be at his post again, as I trust his health will permit, by the time of the now rapidly approaching occurrence of the interesting juncture when the French rule at Vera Cruz is to be exchanged for either the reactionary or liberal possession of that important port.

I have the honor to be, sir, very respectfully, your obedient servant,
E. L. PLUMB.

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

Mr. Campbell to Mr. Seward.

No. 14.]

NEW ORLEANS, *January 21, 1867.*

SIR: I have the honor to acknowledge the receipt of your despatch No. 14, of the 14th instant.

I have heretofore informed you, by my despatch No. 11, of the 12th instant, that the specie referred to has been restored to its owners; but not without subjecting them to heavy expense and a damaging delay.

Although nothing further seems to be required of me by the department in regard to this matter, I hope it will not be deemed improper to give the reasons why I considered the transaction of sufficient importance to submit it in detail to your consideration.

The specie was the proceeds of arms sold and delivered by the claimants to the liberal government at Tampico. The export permit given them by the

customs authorities was taken up when the vessel crossed the bar at the mouth of the river and sailed into the gulf, by the proper revenue officer, according to the requirements and uniform usages of the government at that port. Evidence of these facts was submitted to the authorities at Matamoros. I could not perceive any right the Mexican government could have to board the schooner when sailing on the high seas under our flag, by a naval or military force, and seize the property, much less when she was wrecked on their coast, and her officers and seamen were sick. It was not so much the value of the specie as the principle involved that induced me to trouble you with the details of the case. Besides, the conduct of the authorities at Matamoros, and the surrounding circumstances, were such as to cast suspicion on the integrity of their motives.

My information, recently derived from the owners of the specie, is, that in ending to Tampico for a copy of their export permit (which was promptly given by the customs officers there) they were subjected to an expenditure of several hundred dollars. It appears, too, that General Gomez, commanding the liberal forces at Tampico, wrote to the authorities at Matamoros condemning their conduct as an insult to our flag and a wanton outrage upon the rights of our citizens.

I remain, sir, most respectfully, your obedient servant,

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Campbell to Mr. Seward.

No. 15.]

NEW ORLEANS, *January 25, 1867.*

SIR: I have this morning received an extra-official letter from Señor Lerdo de Tejada, dated at Santa Catalina, December 24th, 1866, a copy of which (translated) I have the honor to enclose, marked No. 1. The material fact communicated is that President Juarez contemplated only a short delay at Durango, and a departure thence to some city more in the interior of the republic, which is not named.

I have the honor to remain, most respectfully, your obedient servant,

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Señor Lerdo de Tejada to Mr. Campbell.

[Translation.]

SANTA CATALINA, *December 24, 1866.*

SIR: On the way from the city of Chihuahua to that of Durango, where the president of the republic will arrive day after to-morrow, I yesterday received the communication which you addressed me from Brownsville, Texas, the 9th of this month, with copy included of that which you addressed me at Tampico the 5th, the original of which I received at the same time.

With the extra-official character which you have addressed to me these two communications, I have the honor to reply to them.

After referring in them to your voyage to the port of Vera Cruz with Lieutenant General Sherman, and to your subsequent voyage to Tampico and Brownsville, you advised me that Lieutenant General Sherman was going to New Orleans, and that you yourself were going to Monterey, desiring soon as possible to present your credentials as envoy extraordinary and minister plenipotentiary of the United States of America near the government of the republic of Mexico. With this motive you refer to the convenience and importance of being

able, so soon as possible, to commence your official relations, and you express to me your desire to know the place where you can present your credentials.

I have given information of your communications to the President, who appreciates as is due your arrival as representative of the United States of America, and desires much that you may be able very soon to present yourself in your official character.

Although it is to be presumed that the President will not long delay his departure to some city more in the interior of the republic, nevertheless he considers that for the present it will be necessary for him to remain a short time in the city of Durango to attend to the administrative reorganization of various states, as well as to give directions to the contributions they are making to push on military operations in the war in which the republic is engaged.

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

S. LERDO DE TEJADA.

His Excellency LEWIS D. CAMPBELL, &c., &c., &c.

Mr. Seward to Mr. Campbell.

No. 15.]

DEPARTMENT OF STATE,

Washington, January 26, 1867.

SIR: I send you herewith, for your information, a memorandum* of a conversation which passed between me and Mr. Berthemy, the minister of France to this country, on the 17th instant.

I have also to inform you that our consul at Vera Cruz, Mr. Lane, has resigned his position, and that upon his recommendation the name of Mr. E. Saulnier, who has on various occasions acted as consul of the United States to that city, has been sent to the Senate for confirmation in his place.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Seward to Mr. Campbell.

No. 16.]

DEPARTMENT OF STATE,

Washington, January 28, 1867.

SIR: I send you, for your information, a copy of a despatch which has been received from Mr. Saulnier, our present consul at Vera Cruz.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Saulnier to Mr. Seward.

No. 65.]

CONSULATE OF THE UNITED STATES OF AMERICA,

Vera Cruz, January 13, 1867.

SIR: I have the honor to inform you that the Hon. M. D. L. Lane, United States consul at this port, left here on the American steamship Concordia, January 10, 1867, for New Orleans.

The American gunboat Tahoma, Commander Gibson, arrived here January 11, 1867, and is now anchored off the island of Sacrificios.

A conducta containing \$1,900,000 from the city of Mexico arrived here yesterday morning. Seven hundred and fifty men of the French expeditionary force, (*cumplidos*), men whose time has expired, leave here this day on the French mail steamship Empress Eugenia for St. Nazaire.

There also arrived with this convoy from the city of Mexico some 25 persons to embark on

*For this enclosure see correspondence with the French legation. Page 290, vol. I.

said French ship. Among them were Escuduooy Echenove, late minister of war of Maximilian, and Luis Arroyo, minister of Maximilian's household.

A large quantity of provisions are being sent from this city to Paso del Macho, the terminus of the railroad from this city, say some 56 miles from this city, intended for the French troops now on their way from the city of Mexico, and at which point they will await the arrival of the transports to take them to France. In conversation with the Prussian consul here, he assured me that orders have been given to embark the Austrian forces also from this country, and that Maximilian will leave before the French. The family of Marshal Bazaine have taken passage on the French mail steam-packet, to leave here February 13, 1867.

I have the honor to be, with great respect, your obedient servant,

E. H. SAULNIER,
Acting United States Consul.

Hon. WILLIAM H. SEWARD, &c., &c., &c.,
Washington, D. C.

P. S.—I have this morning received the enclosed letter, in which you will see the Austrian force has evacuated the fortress of San Carlos at Perote.

[Translation.]

JALAPA, January 8, 1867.

* * * * *
The French who came to Perote took off the Austrian garrison that had been in the fortress, and those people burned the dead work of the castle, the flying park of artillery, plundered some stores, and all marched off. I wish they may go for good; that they may neither get there nor come back.

The occupation of Juanajuato and San Luis Potosi has reduced the circumference of the empire, after the losses of other cities of importance; and Miramon will not remain at Queretaro, unless he should come back to look after the capital, which is in danger. Keep well; that interests me more than any politics.

D. MIGUEL CARRAN, *Vera Cruz.*

Mr. Otterbourg to Mr. Seward.

[Extract.]

No. 8.] CONSULATE OF THE UNITED STATES OF AMERICA,
City of Mexico, January 29, 1867.

SIR: General Porfirio Diaz's secretary is here, authorized to enter into an arrangement with Marshal Bazaine which shall facilitate the occupation of Puebla and Mexico by the liberal forces. He offers guarantees for the life and property both of foreigners and Mexicans; assurance against persecution on account of political opinion and judgment, by any process except trial by law, according to the constitution of 1857. This officer mentioned to me this morning that he would await Bazaine's decision until the 2d of next month. The marshal would readily come to an arrangement with General Diaz, but up to the present moment has done nothing, from the restraint imposed by Maximilian's presence, who still retains the crown, under his compromise with the church party and motives of revenge against the French. The French, on their part, neglect no measure by which they hope to influence Maximilian's abdication. To this end has been published a circular to the French military in the Mexican service, (Enclosure No. 1,) and the provisions of article 21 of the Code Napoleon, (Enclosure No. 2,) advising French subjects of the consequences to which service under a foreign flag exposes them. From good authority, however, I am informed, that instructions under date of January 10th were received from Paris not to coerce Maximilian in any manner, but to expedite as much as possible the evacuation of Mexican territory. My own opinion, as I have been led to form it, is that the archduke will, before the French abandon Mexico

altogether, decide to leave the throne and the country. The intention is just now to withdraw the rear guard of the French army from the capital between the 4th and 6th of the next month, the circumstance of a kind of tacit armistice between the liberal and French forces being most favorable to that gradual retirement of the latter.

Great fear is entertained on account of the city in case that a peaceful occupation by the liberal troops can not be effected, and under the influence of this alarm French citizens are organizing and secretly arming themselves. I have invited the American residents here to the consulate, advising them not to join any organizations which might compromise their neutrality. All of them have registered their names and residences, in readiness to respond to my call in case of emergency. I can of course not decide to-day what measures events may compel me to take, in case the fears entertained should be verified. I will, under all conditions, endeavor to act with prudence, and at the same time be careful not to compromise the honor of our flag.

Enclosures Nos. 3 and 4 are an anonymous communication, and the remedy for the abuses complained of dictated by his Majesty the Emperor. They illustrate to the full extent the little real power exercised by Maximilian, and what change has been wrought in official administration by the imperial regime during four years of existence in Mexico.

* * * * *

The forced loan imposed by the finance minister to the amount of \$1,000,000, called for by the exigencies of the treasury, has produced the net result of \$49,000.

I have the honor to be, very respectfully, your obedient servant,
 MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.]

Communications of Marshal Bazaine.

The journals of San Luis and Zacatecas bring us the following:

“EXPEDITIONARY CORPS OF MEXICO.—HEADQUARTERS DEPARTMENT OF THE STAFF, NO. 1354.—THIRD CABINET CIRCULAR TO ALL MEXICAN CORPS, RELATIVE TO THE MILITARY OF FRENCH NATIONALITY.—CIRCULAR.

“The marshal, commander-in-chief, has received from Paris a telegraphic despatch, dated 13th of the present month, according to which the intention of the French government is to make, not only the foreign legion, but also all the military of French nationality return to France, who having been before authorized to enlist in the service of the Mexican government, actually form a part of the different corps of the Mexican army. Notwithstanding, such of the military who have a knowledge of the foregoing disposition and may desire to continue in the service of Mexico, are authorized to do so, and to remain in consequence in the Mexican corps to which they actually pertain.

“As respects the French, whatever be their present rank in the Mexican army, officers, subalterns, or soldiers, who manifest a wish not to continue in the service of Mexico, those who are still connected with the French corps will be placed in the foreign legion, where they shall again obtain their former grades, and the others shall return to their native country at the expense of the French government.

“In consequence, in each Mexican corps a list will be made out of all the French who may serve in it, and this list will be remitted to the marshal commander-in-chief, upon each one of such military inscribing after his name the course he voluntarily takes, be it to remain or not in the Mexican service; the military who may adopt the first course shall join the nearest French detachment on the first secure occasion that offers.

“BAZAINE,

“The Marshal Commander-in-chief.

“Copy:

“A. DE ASMONT,

“The General-in-chief of the Department of Staff.”

"EXPEDITIONARY CORPS OF MEXICO.—HEADQUARTERS DEPARTMENT*OF THE STAFF,
NO. 1351—THIRD CABINET.—RELATIVE TO THE FRENCH MILITARY IN THE SERVICE
OF THE MEXICAN ARMY.

MEXICO, *December 19, 1866.*

"DEAR GENERAL: A telegraphic despatch of the 13th instant, which I have just received from Paris, informs me that it is the intention of the French government to cause not only the foreign legion, but likewise all the military of French nationality to return to France, who, having been authorized to enlist in the service of the Mexican government, actually form a part of the corps of the Mexican army; nevertheless, those who with a knowledge of the foregoing may desire to continue in the service of Mexico are authorized to do so, and to remain therein in their actual position.

"In compliance with this order of my government, I give immediate instructions to the battalions of chasseurs and the companies of gendarmes, in order that the French military, be their grade what it may, may adopt the course which suits them, and in order that those who desire to follow the French flag may do so without delay on addressing themselves to the French garrisons. I notify, at the same time, his excellency the minister of war of Mexico, of the means which I take respecting this measure. But independently of the corps of chasseurs and gendarmes, which contain the majority of the French engaged in the Mexican service, there exist moreover in the Mexican army French subalterns employed as officers, and a certain number of soldiers, likewise French, who accompany the former as orderlies.

"It is equally necessary that these two classes of military, of whose actual position to some extent I am ignorant, be advised of the intentions of the French government, and be enabled to join the expeditionary corps if they desire it.

"I request you to contribute to this object by prescribing to the commanders of the corps under your orders, to communicate to all the French of whatever grade the accompanying circular, designed to acquaint them with the state of matters which I have just set forth; and exact the determination which they shall adopt.

"I implore you furthermore, to give your orders to the effect that each chief shall remit me a list of all the French who serve in his corps, noting after each name whether the individual decides to serve or not in the Mexican army. Those who determine to follow the French flag will take the shortest road to Queretaro, and will continue to advise me of their being on the way.

"All these measures are indispensable on account of the report which I have to make to my government.

"Dear general, I hope with due appreciation of the urgent and indispensable nature of these measures, you will contribute to their execution in the most prompt and efficacious manner.

"Accept, dear general, the assurances of my high consideration.

"BAZAINE,
"The Marshal in Chief.

"General MEJIA,
"Commander of the Third Corps, San Luis Potosi."

[Translation from the *En Nouvelle* of January 29, 1867.]

The marshal reminds the French in Mexico of the provisions of the 21st article of the Code Napoleon, conceived in the following terms:

"The Frenchman who without authority of the government enters foreign military service, or connects himself with a foreign military organization, shall lose his character as a Frenchman. He shall not return to France without permission of the government, or regain his status as a Frenchman, except on compliance with the conditions imposed on strangers becoming citizens; all without exemption from the penalties declared by the criminal law against Frenchmen who have borne or may bear arms against their native country."

[From the *Diario del Imperio*.—Translation.]

LIIQUIDATION OF THE BILLS OF THE CIVIL LIST.

An anonymous document has been circulated in this capital, in which are published different complaints of the failure of payment to various creditors of the civil list.

The impression was presented to his Majesty by a person of the imperial house, and its contents have caused him the greatest surprise and disgust, for which his Majesty ordered immediately that a commission should be charged with the liquidation of the outstanding debts, and enter into an investigation of the conduct of the persons intrusted with the administration of the business of the imperial house.

The Emperor has placed at the disposal of the commission all his plate, that with its products they may pay the debts of the civil list, whose estimate the state, on account of its circumstances, has not been able to cover. Besides, his Majesty has provided that if this measure be not sufficient to meet the debt pending, his private property shall be disposed of to the extent necessary, in order that all creditors might be paid, since his Majesty does not wish to avoid any sacrifice in favor of the parties alluded to in the complaint.

The commission, by order of his Majesty, is actually engaged in the fulfilment of the generous determination of the Emperor, as well for effecting the payment as for investigating all kinds of abuses committed at any time and by any class of persons.

The anonymous communication to which we refer is inserted as follows by mandate of his Majesty:

"One proof more of the little confidence which exists among themselves.

"It has reached our knowledge that drafts upon the custom-house of Vera Cruz were given to several of our poor citizens; not only were they compelled to disburse from their own capital to obtain the drafts—for instance he to whom \$800 were due had to deliver into the intendency \$200, and received in paper (bad) an order for \$1,000, so that we did not know a good method, not only of not paying what one owes, (notice to speculators in your neighbor's property,) but of getting money out of one's creditors. Have you ever seen justice in equity? A private individual, never mind what he be, draws or accepts a draft on maturity which if not paid is protested, and the tribunals compel him to make payment, selling for the poor devil who falls into their clutches all perhaps that constitutes his fortune. But how two weights and two measures? Does the intendent of the civil list not know this principle of sound and good morality? Does the Emperor know nothing of this? Is he ignorant, perchance, that money is due to a multitude of persons of all classes who have served him, some with their liberal professions, others with the sweat of their brow, and in short even to the poor Indian, vender of fowls, butter, fruit and vegetables?

"Hundreds of people can prove it. How is it that the Emperor is so badly served and his orders disobeyed, when the signature of the under secretary is attached to the bills? How do they in the custom-house at Vera Cruz, which is in the hands of (Messrs.) the French, refuse to and discredit a government they pretend to sustain? As we above said, they are discredited among themselves as the wolf and the lamb.

"Let him who can, understand. Nor is this all. These unhappy creditors are received by these despots in the most brutal manner; deceived and insulted as it is not possible to be believed of persons unworthy of these offices of trust.

"Who knows but what the heart of the unhappy artisan, who suffers such insults, be more gentle and patriotic than is believed of him? All these men raised one universal cry, for in the gloomiest period of the nation the journeyman has been always paid, whose labor is the only honest means of living for himself, and for many poor beings who surround the upright artisan. We await the result, and if this has no effect we shall enter into particulars, which will not do much honor to the imperial house."

[From the Diario del Imperio.—Translation.]

SALE.

By order of his Majesty the Emperor, there will take place on the 29th, 30th, and 31st of the present month the sale of several carriages, horses, mules, and other articles appertaining to the service of the court.

Persons interested in purchasing can apply to the subscribers, in charge of the sale.

The objects can be seen, in the palace at Mexico, every day from 8 o'clock in the morning until 4 in the afternoon, on application to the porter of the palace.

PEDRO C. NEGRETE.
COL. SHAFFER,
Commandant Pradillo.

MEXICO, January 22, 1867.

Mr. Seward to Mr. Campbell.

No. 17.]

DEPARTMENT OF STATE,

Washington, January 30, 1867.

SIR: I have received your despatches to No. 15, inclusive.

The department is gratified at the favorable termination of the matter con-

cerning the specie which was taken from Mr. McGaffey and others, as reported in your No. 11.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Seward to Mr. Campbell.

No. 18.]

DEPARTMENT OF STATE,

Washington, January 30, 1867.

SIR: I have received your private note of the 23d instant, in which you state the reasons which make it necessary for you to leave New Orleans for a short time, and ask permission to do so, which is accordingly granted you, if you think it eminently necessary; which question is left to your discretion.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Campbell to Mr. Seward.

No. 17.]

NEW ORLEANS, *February 4, 1867.*

SIR: I have received to-day your despatch No. 16, dated the 28th ultimo, enclosing a copy of a despatch to you from Mr. Saulnier, the acting United States consul at Vera Cruz, dated the 13th ultimo.

I had previously received, from private and unofficial sources, substantially the same information which Mr. Saulnier's despatch communicates. I have also been informed by parties who lately arrived here from Vera Cruz that circumstances conspiring there indicate that all the French expeditionary forces will probably be out of Mexico by the middle of March.

I have also received information (rather vague and indefinite, however) from intelligent persons here, who claim to be well informed of events that are occurring in Mexico, that the various combinations opposed to President Juarez, and led by Miramon, Marquez, and others, are actively preparing to make a vigorous resistance to the entrance of the liberal army into the city of Mexico; that their forces and means at command are formidable, and that they have received material aid from the French authorities.

I have the honor to remain, sir, very respectfully, your obedient servant,
LEWIS D. CAMPBELL.

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

Mr. Campbell to Mr. Seward.

No. 18.]

NEW ORLEANS, *February 9, 1867.*

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 17 and 18.

The continued sickness of my daughter, and other causes of a private and domestic nature, render it very important, in my judgment, that I should make a short visit to my home, and I will leave here this evening for that purpose.

Should the department have anything of importance to be communicated to me speedily before my return to this city, I respectfully ask that your despatches may be forwarded to me at Hamilton, Ohio.

I remain, sir, most respectfully, your obedient servant,

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Otterbourg to Mr. Seward.

No. 9.]

CONSULATE OF THE UNITED STATES OF AMERICA,
City of Mexico, February 10, 1867.

SIR: I have to announce the evacuation of this capital on the 5th instant by the French forces under command of Marshal Bazaine in person, which I communicated on the same day by telegraph to our consul at Vera Cruz, authorizing him to report the fact officially to the department. This event was precipitated by an entire rupture of all relations some five days previous between Prince Maximilian and his excellency. The day preceding his departure the marshal published a farewell address, enclosure No. 1, to the inhabitants of Mexico, which may be regarded both as an apology for what had been done as well as for what should have been done under more propitious circumstances.

With a design of observing events, and of being in a position to act as the condition of affairs might require, the French forces encamped at but a short distance from the capital on the day of the evacuation. Had the imperialists employed, as it was reported to be their intention, unnecessarily severe measures to suppress a movement rumored to be initiated by the liberals in the city, the marshal would have interposed his forces; while if the liberals succeeded in mastering the capital, his excellency would be near by, and prepared to enter into negotiations with the successful party.

General Marquez, the chief of the second military division, took immediate command of the city, of which in an address and proclamation, enclosures Nos. 2 and 3, he advised the population on the morning of the 6th. Inasmuch as by this proclamation General Marquez places the capital under martial law, and assumes irresponsible powers of judgment and exercise of will, I determined to address him a note, of which enclosure No. 4 is a copy. His reply, enclosure No. 5, refers my communication to the minister of foreign affairs for a decision of the points involved in the inquiries directed to the commander-in-chief. The proclamation has awakened much excitement and disquietude among the representatives of the nations who have recognized the empire, and induced a meeting of the diplomatic corps for a discussion of the measures proper to be taken in order to meet the dangers threatened by a state of affairs so suddenly brought into existence. Acting with entire independence of all other foreign agents, from the relative position of the United States and the authorities here, I have found it necessary to recur to different measures which might secure the interests of American citizens, and the honor of the flag that covers them.

The finance minister, from the unsatisfactory results of the forced loan imposed upon capitalists, as communicated to the department in a former despatch, has appealed to a general contribution of one per cent. upon property and values of every kind, enclosure No. 6. The decree authorizing this contribution, though unquestionably designed to obtain resources for the maintenance of civil war, gives but little room for direct protest against its provisions. I have, while awaiting the result of the protest from the foreign ministers against the exaction of this new forced loan, made by a skilful mode of imposition, applicable alike to foreigners and natives, desired citizens of the United States, who have

sought advice upon the subject at this office, to return on the 11th instant, the day named for the collection of the first instalment, when I could probably give a decisive opinion as to the most effective course to be adopted. Contrary to all expectations Maximilian still remains in the palace, and there exists the same uncertainty as to his continuance or departure as prevailed previous to the retirement of the French army from the capital. Our reports announce the French to have reached San Martin, 20 leagues from Mexico, on the high road to Puebla, in prosecution of their march towards the port of Vera Cruz.

Official information was last night received of the rumors of Miramon's complete rout at San Jacinto, a point between Zacatecas and Aguas Calientes, with the loss of his entire army, artillery and military chest. He himself escaped to Queretaro, accompanied by several officers, and was joined at the same city by General Severo Castillo, now in command of Mejia's division, who had fallen back with his forces from Leon on learning the defeat of his chief.

President Juarez is believed to be at San Luis Potosi with the officers of his government.

The imperial General Tabera has suffered a severe disaster while returning from Toluca, whither he had gone with a column of 1,000 men to cover the withdrawal of the garrison into Mexico. The blow was inflicted by General Velez, an officer who a short time ago pronounced in favor of Ortega against Juarez and the empire.

The most accurate information gives the number of foreign soldiers at present in the service of the empire at 1,500 men of all arms. These men, rejecting the offer of a return to Europe extended by the French government through Marshal Bazaine, have remained at their own risk and peril in this country.

Business enterprise and commercial activity, which for months past have been declining, are now completely paralyzed in consequence of the condition of the political situation and the heavy contribution.

I have the honor to be, very respectfully, your obedient servant,
MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

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

[Translation.]

EXPEDITIONARY CORPS OF MEXICO.

MEXICANS: Within a few days the French troops will leave Mexico.

During the four years that they have resided in your beautiful capital, they have had none but motives to congratulate themselves upon the sympathetic intercourse which has been established between them and its inhabitants.

It is, therefore, in the name of the French army under his command, as also from the impression of personal sentiments, that the marshal of France, commander-in-chief, takes leave of you.

I address you, therefore, our desires in common for the felicity of the generous Mexican nation.

All our efforts have aspired to establish internal peace. Be assured, and I declare it at the moment of leaving you, that our mission has never had other object, and that it has never entered within the intention of France to impose upon you any form whatever of government contrary to your sentiments.

MARSHAL BAZAINE.

HEADQUARTERS, MEXICO, *February 3, 1867.*

[Translation.]

The General-in-chief of the 2d army corps to the inhabitants of this capital:

COMPATRIOTS: I have just taken charge of this beautiful city, and as you know me, I believe it to be unnecessary to say anything. You have proof that I know how to sacrifice myself for what is confided to me, and I will perish sooner than permit the slightest disorder.

Consequently, I have taken all my precautions for your security. I have the armed force necessary, and you for yourselves are about to see in what manner this plaza is garrisoned. I hope there may be no restless character who shall entertain the mad pretence of disturbing the peace, that I may not find myself under the sad necessity of applying the law, to which I am firmly resolved.

HEADQUARTERS, MEXICO, February 5, 1867.

LEONARDO MARQUEZ.

[Translation.]

LEONARDO MARQUEZ, GENERAL OF DIVISION AND CHIEF OF THE SECOND ARMY CORPS.

Be it known, although there is no motive actually for alarm in the capital, these headquarters having the obligation to foresee every eventuality, however remote, in the use of the faculties which the ordinance concedes, has thought proper to decree:

ARTICLE 1. The great bell of the cathedral, which shall be sounded for the space of ten minutes, will give the signal of alarm for the city.

ARTICLE 2. On the sounding of said alarm all inhabitants of the city will retire to their dwellings and remain therein, with closed doors, and not go out again, or appear at the balconies, windows, or upon the *azoteas* (flat roofs) until the alarm shall cease, which will be announced by the ringing, for an equal length of time, of the large bell of the cathedral.

ARTICLE 3. Every individual, be his rank what it may, who, in any manner, shall infringe the foregoing article, will be punished by the government directly, according to the circumstances of his fault.

ARTICLE 4. Consequently, the armed force, which shall be conveniently posted for the security of the population, will receive orders to imprison the culpable, and to employ force should it be necessary.

ARTICLE 5. Equally, those shall be punished or consigned to the tribunal to which it corresponds, who arm themselves without the knowledge of these headquarters; who discharge or fire arms, or cause alarm by means of any detonation; who make any demonstration of hostility; who use subversive expressions; who utter aloud alarming or seditious cries, or who, in any manner, excite the slightest disorder.

ARTICLE 6. Immediately as any fire-arm is discharged, or any detonation heard, the armed force will present itself at the house where the shot may have proceeded, or the detonation been produced; the door will be opened in the ordinary way, or by force; the culpable party will be apprehended, and if he be not found all the inmates of the dwelling will be punished in conformity with article 3 of this edict.

ARTICLE 7. From the moment that it is announced to the city that the alarm has ceased, all the inhabitants are at liberty to open their doors, go out into the streets, and engage in their occupations, with the single circumstance of not committing any disturbance, because, in case of so doing, it will be repressed as herein provided.

Given at headquarters, Mexico, February 5, 1867.

The General-in-chief, L. MARQUEZ.

Mr. Otterbourg to General Marquez.

CONSULATE OF THE UNITED STATES,
Mexico, February 6, 1867.

The consul of the United States of America finds himself, in consequence of the proclamation of his excellency General Leonardo Marquez, dated yesterday, 5th instant, under the obligation imposed by his position as guardian of the American flag and the interests which it represents under the guarantees of treaties, to make respectfully the following inquiries of the general-in-chief in command of this capital:

Whether the third article of his excellency's proclamation includes legations, consulates, and other foreign agents; whether the person in charge of the United States legation and archives should be expected to open the doors of the house where that property is kept to any party, armed or unarmed, who might demand admittance thereto; and whether, in view of the second article of the proclamation already quoted, American citizens, without any interference in the political questions of Mexico, occupied solely with their daily pursuits, shall have free access to the consulate of the United States.

Upon the reply to these inquiries, which only as a duty the undersigned addresses to his excellency the general-in-chief, depends the answer to the many peaceful citizens of the United States, who, under the existing circumstances, have applied at this consulate, soliciting guidance for conduct in which may be involved their dearest interests.

The undersigned has the honor to assure his excellency the general-in-chief of his distinguished consideration.

MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

His Excellency General LEONARDO MARQUEZ,
Commanding Second Corps.

General Marquez to Mr. Otterbourg.

[Translation.]

SECOND ARMY CORPS—GENERAL-IN-CHIEF—No. 1074.

MEXICO, February 6, 1867.

The general-in-chief of the second army corps has the honor to acknowledge to the consul in charge of the legation of the United States the receipt of his note of this date, and to state that as it contains matters to be decided by the minister of foreign affairs, the original has already been referred to that department.

I avail myself of this opportunity to present to the consul in charge of the legation of the United States the assurance of my high consideration.

L. MARQUEZ,

General-in-Chief of the Second Corps of the Army.

Mr. MARCUS OTTERBOURG,

Consul in charge of the Legation of the United States of America.

[From the Diario del Imperio, February 4, 1867.—Translation.]

MINISTRY OF THE TREASURY,
Mexico, January 28, 1867.

SIRE: In the report which I had the honor to present to your majesty upon the resources on which you can rely to cover the public expenses, I made known the necessity of an extraordinary expedient for the formation of a fund wherewith to equalize, as far as practicable, the income and disbursements, while the laws for contributions are in progress of execution, and produce the result which I expect from them; since, for the moment, the want is seriously felt of the products of the maritime custom-house of Vera Cruz, which to-day cannot be disposed of. I indicate to your majesty the extraordinary recourse of a forced loan, not because this odious means of providing resources forms a part of my system, but because, after having endeavored to contract a small voluntary loan, to be promptly returned under sufficient guarantee, it was brought to my notice, in the name of several proprietors, that the exaction of a loan, with the character of a forced loan, would be well received, and would be collected without contradiction. Under this impression I adopted the means, although with repugnance, consigning at once the products of a branch of the treasury to the reimbursement of the contractors of the loan. But if, in fact, some few of the persons assessed have commenced to pay up the amounts assigned them, the generality resist and compel the government to adopt coercive means in order that its provisions may not prove illusory.

With the energy which the want of resources requires, the exaction of the loan will be able to be carried into effect, and the ministry in my charge would thus notify the executors of the measure, were there not another way of obtaining the end proposed with more certainty, greater generality in the imposition, and the absence of even the slightest motive of any well-founded ground of complaint. Inasmuch as the loan cannot be extended to a great number of persons, nor be partitioned in strict proportion, from the want of exact data, the end proposed can be obtained without their inconvenience by the products of an extraordinary contribution, which, falling upon the mass of contributors, will lessen the weight of the exaction, and its quotas be graduated from precise data already existing.

Frequently in Mexico recourse has been had to the imposition of a contribution equivalent to one fixed upon capital invested in real estate or in business; tax-payers were already habituated to it, and have always received it with less repugnance than the loans; and although the basis is not in conformity with any rentistic system, and never would be, on account of the repetition of the impost, as has been done in former years, at present, when the ordinary contributions have diminished considerably, when they were at the highest rate, I resolve to propose to your majesty to decree its imposition, for this sole occasion, in preference to the loan, and calculating that even with its imposition the tax-payers will pay on real property less than in the past year.

As to those who pay upon industrial and mercantile establishments, they will be taxed more than the preceding year, because the license duty was extremely low; yet they will contribute extraordinarily less than the proprietors of real estate, in proportion to their respective capitals, in view of the fact that capital employed in mercantile pursuits incurs the risk of being lost or diminished, while that invested in real estate can only be temporarily unproductive, without diminution; and in respect to industrial establishments, they will pay less than the mercantile branches, because, besides the previous considerations, their profits proceed more from industry of man than from the amount of capital invested.

The annexed project of a decree, which I have the honor to submit to the enlightened examination and sovereign approbation of your majesty, unites brevity in the proceedings, which the circumstances demand, with the greatest possible equality in the apportionment,

as flowing from the same bases which are actually serving for the collection of the ordinary contributions, and, as is just, contains the provision that the amount paid to date on account of the loan, by the persons among whom it was disbursed, will be credited to the one per cent. extraordinary.

Should the project meet the high approbation of your majesty, you will deign to sign the decree, or determine what may be your sovereign pleasure.

Sire, the under secretary of the treasury, charged with the ministry,

JOSE MARIA CAMPAS.

The EMPEROR.

MAXIMILIAN, EMPEROR OF MEXICO.

In virtue of what our under secretary of the treasury in charge of the despatch has manifested, and after hearing our council of ministers, we decree:

ARTICLE 1. To meet the estimates of the public administration during the present year, every capital of one thousand dollars and upwards, whether employed or to be employed in any branch of industry, shall pay a contribution of one per cent.

ART. 2. This contribution shall be paid in two equal instalments—the first within the first six days, exclusive of feast days, reaching from the day following the publication of this law at any place, and the second fifteen days after the completion of the first-named term, within the six following days.

ART. 3. This contribution is due upon and is to be collected where the property is situated; but in the capital of Mexico and points of the valley it shall be collected from the tax-payers who reside therein, although they may hold their property in other departments; and the obligation which this loan imposes upon the owners of capital shall, in their cases, be discharged by their managers, whether under the name of administrators or on account of infirmity, absence, minority, legal interdiction, sequestration, partnership, or usufruct of the owner.

ART. 4. This contribution, which is imposed once for all, shall be exacted in the following manner: That assessed upon rural and urban property shall be collected upon the value at which these have been appraised to the end of December of the last year, just passed, for the payment of the contribution on real estate in the last four months ending with the said December. For capital employed in mercantile pursuits the collection shall be made by triplicating the quota which every person ought to have paid in one year for a simple contribution, and not double, according to the last qualifications under which the payments of the last four months of the year 1866 were made. The branches of business opened the present year will be assessed by analogy with others of equal kind, should they not be already classified. An amount equal to one year's payment, according to the existing assessment, shall be collected upon industrial establishments. For mining concerns and others difficult to be classified, the collection shall be made upon the manifestation which the owners or their representatives shall have given in writing within the term fixed in article two, in the intelligence that if, after payment, it shall result that the truth has been concealed in the manifestation, either by diminishing the amount of capital or making it appear less by any other method, the facts shall be exposed at the collectors' offices, and double the amount, or two per cent., shall be charged to those who have presented false manifestations.

ART. 5. There are no exceptions to the payment of this contribution, not even in favor of those mercantile or industrial companies which by any right whatever may have been excepted in former cases.

ART. 6. Proprietors of rural or urban estates upon which mortgages exist are allowed to deduct from the amount one per cent. of the amount of the total value of his payments without injury to the especial contracts which they may have entered into.

ART. 7. In this capital the payment of the contribution to which the present law refers shall be paid in the general direction of rents, to which effect an especial section is established, charged exclusively with the collection and delivery of the products into the general treasury.

ART. 8. In towns and places beyond the capital the collection of this impost will be taken in the offices of direct contributions.

ART. 9. The collectors of this contribution and their agents will employ the economico-coactive authority to make effective the collection within the term indicated, and will be assisted by the public authorities in all cases where force is required.

ART. 10. Those who shall have paid any sums of money under the last forced loan imposed by the government, with guarantee of a branch of the public treasury for its return, shall be paid from the funds of the present contribution, crediting them in the amount they have paid or returning them what may appear to their credit, according to what corresponds to each individual.

ART. 11. All those who, from any motive soever, shall delay or neglect to present their returns during the days named as the first term, shall suffer the penalty of paying double the

amount of this impost on the qualification which the respective officers shall make, and without a right to future reclamation.

ART. 12. Our ministry of the treasury is charged with the execution of this decree.
MAXIMILIAN.

Given in Mexico, February 1, 1867.

By the emperor :

JOSE MARIANO CAMPOS,
Under Secretary of the Treasury in charge of the Despatch.

Mr. Otterbourg to Mr. Seward.

No. 10.] CONSULATE OF THE UNITED STATES OF AMERICA AT MEXICO,
February 16, 1867.

SIR: Prince Maximilian left, as notified in enclosure No. 1, for Queretaro, accompanied by an army corps from General Marquez's division, estimated variously at 3,500 and 5,000 men.

The impression among those best informed upon subjects of this nature prevails that the emperor, convinced at last of the unsatisfactory results which the present situation promises for the country, goes with the object of extending propositions to President Juarez. The main desire of his majesty is to obtain guarantees for those who as partisans have been compromised in his service, and to resign his position in favor of the liberal party.

Enclosed, No. 2, is a copy of the protest addressed to this government by the foreign representatives against the recent contribution of one per cent., to which no reply has been returned by the office of foreign affairs up to the present hour. Aware of the result so far attendant upon the action of the diplomatic corps, I have refrained from the expression of any opinion which might positively influence the course of citizens of the United States, and, the more, as the decree imposing this contribution affects American interests chiefly where it applies to the issue of licenses or patents, the tax upon which has never been greater than one-fourth of the amount collected upon capital or large mercantile establishments.

The liberals are fast closing in about the capital. Diego Alvarez occupies Cuernavaca with between 4,000 and 5,000 troops from the State of Guerrero, and has pushed his advance into the valley within a distance of four leagues from this city. On the road to Vera Cruz the forces of the same party are stationed at three leagues from Mexico. Since the withdrawal of the French army every courier to the coast has been intercepted, and the wires of the telegraph are cut to the interruption of the regular and usual communication with the port of Vera Cruz.

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

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

[Translation.]

MAXIMILIAN, EMPEROR OF MEXICO.

Wishing to be present at the operations of the army in the interior, and to obviate, meanwhile, delay in the despatch of the business of the government, we decree:

ARTICLE 1. During our journey into the interior, the minister, with the convenience of the president of the council of ministers, will despatch the business of their respective branches.

ART. 2. The president of the council of ministers will despatch alone, or in council with his colleagues, as he may deem convenient, matters of gravity and importance.

ART. 3. The minister, the council of state, and all the authorities and functionaries civil and military, of the empire, will comply with the orders of the president of the council of ministers.

ART. 4. The despatch of the business of the government will be done in our name.

ART. 5. Neither laws nor decrees shall be abrogated or issued except in urgent cases, on hearing the president of the council of state, and the respective section of the same council, should the urgency of the case permit. The laws and decrees shall be issued in our name, and shall be signed by the president of the council of ministers, and countersigned by the minister of the respective branch, upon his responsibility.

ART. 6. We reserve to ourselves the business of our house and court, with others which our instructions express.

Our ministers are intrusted with the execution of this decree so far as it appertains to each of them.

Given in Mexico, the 12th of February, 1867.

MAXIMILIAN.

By the emperor:

JOSEPH MARI,

The Minister of Interior.

[Translation.]

MEXICO, February 9, 1867.

The undersigned, representatives of the friendly powers, residing in Mexico, have the honor to address his excellency the minister of foreign affairs, to inform him that a decree bearing date of the 1st of this month was published the same day in the imperial journal, which imposes an extra tax of one per cent. on city and country property, on manufacturing establishments, and on all commercial and financial affairs where a capital of more than \$1,000 is invested, with the hard condition to those concerned who reside in the capital or in the valley that even though the property is situated in other departments, they are to pay tax on it in the capital, when the tax is also assessed and paid in the places where the property is located.

Although this tax is called general, the undersigned cannot consider it as such on account of particular circumstances that caused its imposition.

The minister of finance, who advised the emperor to this, says plainly in the preamble to the decree it is intended as a substitute for a forced loan exacted a few days before, but not carried out, because of the resistance offered, and the government did not wish to resort to coercion, so repugnant to its policy.

This declaration of the minister of finance leaves no doubt about the expression *forced loan*, from which foreigners would have been exempt as substituted by this extra tax so as to reach everybody. In fact, they are the same thing under different titles.

Foreigners being exempt from that species of contribution by virtue of the law of nations, and treaties in force between their respective governments and Mexico, relative to forced loans and extra taxes, the representatives of the friendly powers have, on previous occasions, protested against similar imposts on their countrymen, though imposed then, as now, on the condition that they were but for a *single time*; and they have been frequently renewed, and on this occasion twice within three months. The subjects of the nations whose representatives have the honor to address the minister of foreign affairs on this occasion have had recourse to their legations to claim the protection that is due them.

Urged by the necessity of granting it to them by reason of the short time fixed for the payment of the first half of the assessed quota, the undersigned are pleased to hope that the imperial government will be kind enough to consider immediately their representations against a measure that largely involves the interests of their countrymen settled in Mexico.

A large portion of the foreign commerce is now in a precarious condition, owing to the system adopted for the imposition of the patent tax, which is not calculated upon the amount of the effective capital possessed by the proprietors of commercial establishments, but for the inhabitants of the capital, in relation to the place where they reside, and to the kind of business in which they are engaged. The result is, that merchants having only \$10,000 capital pay for \$40,000, by reason of the place where they live—that is, they pay four per cent., when those having \$40,000, but living in a place less advantageous for their business, pay only one per cent.

In spite of the injustice of this system of taxation, instead of reforming it, as was hoped, the government increased it in 1866 by one per cent., so that merchants now pay two per cent. for their patent right.

Laying aside this considerable overcharge, and not considering the troubles of the country, and the complete stagnation of business, that under more favorable circumstances constitutes the prosperity of a nation, article four of the decree cited requires, not the one per cent., but "the triple of the quota that each would have paid per year for single tax, and not double, in conformity to the last qualifications that served for the payment of the last third of the year 1866."

That the minister may judge of the injury of such a tax, we will mention the case of a Spanish subject who keeps a grocery and liquor store. He represents a capital of \$5,000, as assessed by the board of 1865, for that purpose. That man will have to pay the imperial government in 1867, if not exempted from the extra tax, and if no new tax is imposed, as we fear there may be, for the remaining 10 months of the year, the following sums:

1st. Patent right, payable every two months	\$120
2d. For his house, two per cent. every three months.....	24
3d. For shop doors, three per cent	120
4th. Patent of registry	23
5th. Three times the tax of one per cent	90
	377
Making a total of.....	377

which sum represents the third of his effective capital.

The position of property-holders who have real estate in the departments held by the dissidents is still more embarrassing than that of persons in trade. They not only have suffered, and still suffer in the present state of affairs, incalculable losses from the civil war, but the rebel authorities compel them to pay present and back taxes, established by the republican government, besides exactions and forced loans imposed by their military chiefs much too often, so that these proprietors, who certainly ought to be protected in person and property by the government, are abandoned by it, though involuntarily and by *vis major*, and are compelled to pay double taxes, which will certainly involve them in ruin at no distant day.

If the imperial government, from circumstances known to all, cannot act justly towards them, extending a hand to protect them and preserve their interests, how can it exact from them, without violating those principles of equity and justice which they have for a motto, the payment of taxes, and even extra taxes, like those that occasion the present remonstrance?

The undersigned, deeming it their duty to protest against an impost so injurious to their countrymen, have the honor to make the preceding statement and remonstrance to his excellency the minister of foreign affairs, in order to persuade the imperial government to take the necessary steps to relieve foreigners of this extra tax.

The undersigned embrace the occasion to renew to his excellency the assurance of their most distinguished consideration.

- MARQUEZ DE LA RIBERA, *Spanish Minister.*
- A. DANO, *French Minister.*
- A. MAGNUS, *Prussian Minister.*
- F. HOORICKS, *Belgian Chargé d' Affaires.*
- F. CURTOPASSI, *Italian Chargé d' Affaires.*
- B. DE LAGO, *Austrian Chargé d' Affaires.*
- B. T. C. MIDDLETON, *English Chargé d' Affaires.*

His Excellency THOMAS MURPHY,
Minister of Foreign Affairs, &c., &c., &c.

Mr. Seward to Mr. Campbell.

No. 20.]

DEPARTMENT OF STATE,
Washington, March 2, 1867.

SIR: I transmit to you, for your information, a copy of a letter which has been received from a Mr. J. A. Bennet, of New York, dated the 21st ultimo, containing an article clipped from the New York Herald, which purports to be a decree issued by the President of Mexico.

I also send you a copy of a letter signed by a Mr. Thomas A. Dwyer, of San Antonio, Texas, and dated the 12th ultimo.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Bennet to Mr. Seward.

NEW YORK, February 21, 1867.

SIR: I have the honor of addressing you for the purpose of directing your attention to a decree purporting to have been issued by President Juarez in Mexico, particulars of which were published in the New York Herald of Saturday last, and copy of which I now enclose.

This decree substantially is directed against foreigners of all denominations doing a retail business in the various cities of Mexico, and doubtless is promulgated for the purpose of suppressing the numerous French trading establishments established during the French occupation. As it is also equally applicable to those establishments owned by American citizens, who have always looked to their own government for due protection in their rights and privileges, it is more than probable, taking into consideration the feeling at present prevalent throughout the country, that unless immediate measures be taken for the purpose of checking such proceedings, the decree will be duly enforced against them also, as foreigners and aliens.

Understanding our commercial treaty made with President Juarez to guarantee us in the same rights and privileges as those granted to Mexican citizens, many American merchants have invested their capital in commercial enterprises in Mexico on a scale of magnitude too vast to be suddenly withdrawn, and we naturally turn to a representative of our own government, to whom we can appeal on the spot for protection, in case of outrage or injustice.

I would respectfully ask, to whom can we now appeal? Minister Campbell, we understand, is still in New Orleans, from whence he could easily reach the headquarters of President Juarez, either by way of Tampico or Vera Cruz; and his presence at that point is more than imperatively demanded at the present crisis for the due protection of American interests, both political and commercial.

It is far from my intention to presume to suggest the proper course for you to pursue in this exigency, as from your exalted position you are doubtless better able to judge of the political necessities of the situation; still, my thorough knowledge of the country and people teaches me to anticipate trouble, and my establishments in the city of Mexico, Guanajuato, and other cities, I am assured, are at any time liable to be suppressed under the new decree, with very little probability of redress either from the government of Juarez or any other Mexican government. I may here state that, during the last occupation of the city of Mexico by President Juarez, his government was principally supported by forced loans, rigorously exacted, and taking into consideration the present impossibility of replenishing his impoverished exchequer by means of duties collected at the custom-houses, it is more than probable that similar means of raising money for immediate and pressing emergencies will again be resorted to.

At the present time American merchants are enduring the gross injustice of being charged double duties on their goods on arrival at Mexican ports, the French, in possession of the custom-house at Vera Cruz, insisting on collecting the duties, the same goods on removal into the interior being again charged the full duties by the Mexican authorities. This is done by the present government, but we may rest assured that President Juarez will be no more willing than those now in power to recognize the compulsory duties paid to the French.

Had we a powerful minister at this time at the headquarters of President Juarez these things would be impossible, or could not be of long continuance, and American merchants would feel more secure than they can do at present in pursuing their accustomed avocations.

In this exigency, when Mexican politicians of all parties and speculators of all grades are seeking to further their own particular views in Washington, the interests of the principal parties concerned, namely, the merchants, are liable to be overlooked or neglected.

These merchants should be heard, and many of them, from their own personal experience and the correctness of their own private advice, are capable and would be very willing to communicate much information of a valuable character regarding the present state and future prospects of Mexico, and not easily to be obtained elsewhere. Meanwhile they are anxiously inquiring now why Minister Campbell is not at his post, in this the time of their utmost need.

With much respect, I am your very obedient servant,

J. A. BENNET.

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

The Idea Liberal, the organ of Juarez in Zacapoaxtla, publishes the following alleged decree of Juarez:

BENITO JUAREZ, PRESIDENT OF THE UNITED STATES OF MEXICO.

To all the people: Know ye:

ARTICLE 1. All the powers of Europe having recognized the government of the usurper styled imperial, all relations between the republic of Mexico and the aforesaid powers are hereby terminated.

ART. 2. Such nations as desire to renew their relations with the republic must name new ministers to negotiate new treaties conformable with the interests of this republic.

ART. 3. All retail commerce exercised by strangers in the country must cease.

Mr. Dwyer to Mr. Seward.

SAN ANTONIO, TEXAS, *February 12, 1867.*

SIR: Respectfully I beg to suggest that Americans doing business in Mexico should be exempted from forced loans, which have proved ruinous to our country people in Mexico. Secure for us such exemption and American merchants will convert a hazardous into a secure and most profitable business.

The moral support of the United States restores republicanism and libera^l rule to Mexico, with rapid steps, and some special return is due from Mexico. Let it take the form of American citizenship securing our merchants from forced loans in Mexico, and a great commercial advantage will be gained.

I am, sir, respectfully yours,

THOMAS A. DWYER.

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

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *March 7, 1867.*

SIR: In the absence of any advices myself, I take the liberty of enclosing herewith slips from this morning's papers of this city, containing some late information of interest from Mexico, at hand by a steamer which arrived here from Vera Cruz yesterday.

From these present and previous public advices it appears that there were at Vera Cruz, on the 24th ultimo, the Magenta iron-clad, (said to be one of the largest iron-clads in the French navy,) carrying the flag of Admiral La Ronciere le Nury, and the iron-clad frigates Magnanime and Flandre; and that on the 25th there arrived the war steamer Megere, and on the 26th the man-of-war Castiglione, from France. Although the transports with troops are rapidly leaving, it does not appear that any of the iron-clads have yet left.

From all the advices it appears that Maximilian has left the city of Mexico, and is now wandering somewhere in the country in the condition of a petty partisan chieftain. The statement that he has six thousand Austrian and French troops, is from an ex-confederate source, and is a gross exaggeration, as is also, I presume, the statement that he has any idea of attempting to cut his way through to Texas. The account in the Crescent is entirely from a confederate point of view.

The rapid reoccupation of all points by the liberals as fast as they are evacuated by the French, indicates the probability that by this time the capital is again, or very soon will be, in the possession of the national forces.

I have a letter to-day from Mr. Chase, our consul general at Tampico, under date of 11th ultimo. He reports all quiet in that quarter. Should the French hold on to the port of Vera Cruz for a time, it will throw a very large commerce into the ports of Tampico and Matamoros, which latter is practically Brownsville and Brazos Santiago.

Mr. Chase reports 11 feet of water on the bar at Tampico, which is a return towards its favorable character in former times.

The importance of regular communication between this place (New Orleans) and Tampico, at once, by means of a gunboat assigned for that service, is very great. Were such communication established, the Mexican government, I do not doubt, would at once put on a courier from Tampico to the city of Mexico, and also to San Luis Potosi, and thus communication with all points of the interior could be maintained, whatever may be the condition of affairs at Vera Cruz and on the line from that place to the city of Mexico.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

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

[From the New Orleans Crescent]

IMPORTANT FROM MEXICO.—POLITICAL AND PERSONAL.—WHAT A RESIDENT THERE SAYS.

MARCH 7, 1867.

From Major John Edwards, successor of Governor Allen as editor of the Mexican Times, who arrived yesterday in the steamer Cortes, we learn the following facts in relation to Mexican affairs:

The major says that the evacuation of Mexico by the French is a fixed fact. Of the army of occupation, which numbered 24,000, there remained, at the sailing of the steamer Cortes, but 6,000. Marshal Bazaine, true soldier as he is, remained in the rear of his evacuating army, and brought up everything with completeness and despatch.

A word in favor of Marshal Bazaine may not be amiss. Wherever an American came to him, wherever a confederate appealed to his sympathy, he was a generous soldier, always giving help and encouragement. At least a dozen families, unable to leave Mexico, were furnished free transportation by the marshal.

Immediately upon the withdrawal of the French army from the city of Mexico, the liberals, under Porfirio Diaz, invested the city, captured Puebla, Orizava, Cordova, and Paso del Macho, waiting until the last of the French had left Vera Cruz, before attacking the most vital and most necessary town in Maximilian's broad empire.

The taking of these towns by the liberals does not mean relinquishment of the contest by the imperialists. The emperor Maximilian, at the head of 8,000 well-equipped troops, 6,000 of which are Austrians and French, has marched towards San Luis Potosi with the avowed intention of giving battle to the forces of Juarez, whenever and wherever met. If successful, he will demand and obtain terms for his foreign followers, and for those Mexicans who adhered to his standard. If unsuccessful, he will make the best fight in his power, and cut his way to the Rio Grande.

Military proscription is rampant. The French, as a body, must leave Mexico, or be ruined morally and pecuniarily. In Sonora, Tamaulipas, Sinaloa, Michoacan, and Puebla the foreigners in a body have been proscribed and banished. There is no love for the people of the United States, and the only sympathy for them at all is because they are presumed to represent opposition to the French, and to have expressed dislike to them.

The settlement of Cordova is among the things of the past. The departure of General Price, which has been duly chronicled, will be followed by almost all who were associated with him at Cordova.

Judge Perkins has gone to Paris, France. Governor Harris left two weeks since for Havana. General Shelby still remains in Cordova, and probably will remain for several months to come. He is still the same kind, generous, whole-souled man he ever was; and no one from the United States ever asked for bread and received a stone, or for a fish and received a serpent.

The contest in Mexico will probably last four months or more. At the end of that time Maximilian will be in Texas, not because he has not made a heroic fight, and many friends, but because the fight was made too late. For this, and this alone, he will be forced to leave the country. With him there will leave some of the wealthiest and most influential men of Mexico.

The condition of the country is worse than has been known for 20 years. The main thoroughfare between the city of Mexico and Vera Cruz is interrupted about every 15 miles, and everything the unlucky passengers possess is taken with a quiet shrug of the shoulders, and a polite declaration that "*No te importa*," which means that it makes no matter to me.

Personalities.—Beverly Tucker, who is proscribed in the United States, recently travelled from San Luis Potosi to the city of Mexico, and was robbed five times. The first time they took his money, the second time his clothes; the third time they tried to get his money, but because he had none they struck him on the head with a sabre, and his son, who was with him, received a terrible wound just over the right temple, which came near putting an end to his sight, if not his life. The fourth time, the stage in which he had taken passage was attacked and robbed in the streets of the city of Mexico; and twenty leagues beyond, towards Vera Cruz, the stage was again stopped, and Beverly Tucker was robbed for the fifth time.

Governor T. C. Reynolds, of Missouri, will remain in the city of Mexico and see the issue of affairs there. General T. C. Hindman will leave in two weeks for the United States, where it is his intention to practice law in Memphis, or merchandise in New York.

With the evacuation of Mexico by the French the rest of the foreigners think it best to leave the country; and those of all nationalities are leaving as fast as steamers will bear them from Vera Cruz.

The great idea in the Mexican mind is to get rid of foreigners, *volens volens*; and whether it is the French this year, or the people of the United States next, it makes but little difference to them.

[From the New Orleans Daily Picayune, of March 7, 1867.]

IMPORTANT FROM MEXICO.—MOVEMENTS OF THE FRENCH ARMY.—THE FRENCH FLEET AT VERA CRUZ.—THE LIBERALS OCCUPY THE COUNTRY.—THE CUSTOM-HOUSE AT VERA CRUZ.

The steamship Cortes arrived at this port yesterday afternoon from Vera Cruz, Saturday, the 2d instant. She entered the mouth of the river and passed up this side of Fort Jackson Tuesday evening, but was compelled to come to anchor on account of the dense fog. She brings a large number of passengers, and letters and papers as late as due, except the Verdad, of Vera Cruz, which did not issue on the morning of the 2d on account of its press breaking down.

The waters of Vera Cruz and the adjoining harbor of Sacrificios were lively with French shipping, taking on troops, provisions, and ammunition of the expeditionary corps. The work of embarkation goes on rapidly. There were but few troops at the grand rendezvous of Paso del Macho, the upper terminus of the railroad, when our informants came down. They were in nearly the last convoy. The army moved down all the way from the city of Mexico in perfect order, and made a splendid appearance. Their discipline was remarked and admired by all. The zouaves carried 42 pounds weight on their shoulders, besides their muskets. Two stragglers are reported to have been caught and beaten by the liberals, but afterwards released. Nor was there much disorder among the retiring imperialist families. Everything was conducted with perfect military discipline. Marshal Bazaine arrived at Vera Cruz on the 28th. General Castagny commanded the rear guard, and passed through Orizaba on the 26th. He had arrived at Paso del Macho, and was expected down at Vera Cruz soon after the Cortes sailed.

So fast as the imperialists left the country the liberals occupied it. They were in possession of Puebla, Orizaba, Cordova, and all the table lands. They stood ready to occupy Paso del Macho and the railroad when the French shall have left. They were, also, surrounding the valley and swarming over the whole country. The movements of Maximilian and of the belligerents in the field are summed up in our letter from Orizaba.

On the 27th was published, at Vera Cruz, the following, by order of the French consulate:

ARTICLE 1. The execution of the convention, signed at Mexico on the 30th of July last, will be suspended until the French and Mexican governments are in accord. Each of these two governments reserves to itself, absolutely, whatever it considers its rights relative to the aforesaid convention.

ART. 2. The French agents will remit the administration of the maritime custom-house at Vera Cruz to the Mexican agents the 1st of March next, after the exchange of a proce-verbal and accounts rendered.

ART. 3. The Mexican administration of the custom-house at Vera Cruz shall pay, at the end of each month, counting from the 1st of March next, the sum of \$50,000 in specie, into the hands of an agent of France, specially designated, or in default of him, into the hands of the French consul at Vera Cruz, which sum shall be taken into consideration in the definitive settlement of the accounts between the two governments.

ART. 4. This arrangement will be immediately executed, and shall remain in force until the two governments are in accord relative to the convention of the 30th of July, conformably to what is said in article 1, without prejudice to the customary exchange of ratification to which the present arrangement shall be submitted.

This manifesto is dated at the city of Mexico, February 22, and signed by the French minister, Dano, and by Mr. Murphy, the imperial minister of finances.

[From the Evening Picayune, New Orleans, March 7.]

LETTER FROM ORIZABA, MEXICO.—MOVEMENTS OF THE FRENCH AND NATIVE BELLIGERENTS.

ORIZABA, MEXICO, February 21, 1867.

The French army's rearguard is still here, waiting for transports. General Castagnay is in command of it.

From this point Marshal Bazaine despatched a letter to Maximilian, again inviting him to go out with the French army. The letter was not replied to.

Maximilian at the head of an army of 5,000 men, with 25 pieces of artillery, moved out of the capital on the 16th, and toward Queretaro. Two skirmishes occurred on the way, the liberals retreating and flying in every direction. A sergeant was shot at the side of the emperor. He will unite at Queretaro with Miramon, and have a combined force of 16,000 men at that place.

There is no doubt but that Miramon was worsted by Escobeda, but to what extent has not transpired.

The Mexican Times (American) compares Miramon's movements with those of Sheridan. The paper has made another turn: imperial—then liberal—then imperial again.

Generals Chacon (imperial) and Corona (liberal) met somewhere near Altenqueque, when a sharp fight ensued, resulting in the rout of Corona, and the loss of prisoners and guns.

Wires have been cut between the capital and Puebla, and the latter city submerged by destruction of the canal. Liberals are in force on the road between the two places; in fact, they hang on the rear of the retreating French and occupy every evacuated town.

There is a liberal force near this place and at Cordova, waiting the moving of the French, when they will, if strong enough, possess themselves of them.

A complete understanding exists between the liberals and the French; no collisions occur, and the French move in security without guards.

This city has an imperial garrison of 1,000 men, sufficient, it is believed, to hold the place unless the troop should prove treacherous.

Many Americans have accepted transportation and free passage to the States from the French marshal. French authorities have lately been specially kind to Americans.

A. B. C.

MAXIMILIAN IN MEXICO.

The French have left Mexico. The liberals have occupied the country as fast as they retired, and still Maximilian remains behind. He is said to have moved out of the capital, in the uniform of a Mexican general, at the head of a few thousand troops, to re-enforce Miramon, who had sustained a slight reverse. Whatever may be the issue of these ignoble conflicts in the interior, it would appear that Maximilian is cut off from the world, for some time to come at least, without any chance of escape. His enemies, the liberals, encircle him on every side, the north, the south, the east, and the west, and his fate depends on the small chance of winning innumerable petty conflicts in the field, and thus propping up day by day a tottering throne. The first act of the Mexican empire is over: the curtain has fallen, and all is dark behind the scenes. What further developments this inimitable historical comedy or tragedy is yet to unfold, lie hidden beyond the reach of human ken.

Strange are the destinies to which men are born. Ferdinand Maximilian Joseph is, next to the family of his elder brother, Emperor of Austria, the heir of all the glories and honors of the house of Hapsburg. He will not be 35 years old till the 6th of July next. He was married on the 7th of June, 1840, to Charlotte Marie Amelie, the richest heiress of Europe, the accomplished daughter of Leopold, King of the Belgians, and granddaughter of Louis Philippe, King of the French. The nuptials were the most brilliant ever celebrated in Europe, and were succeeded by fete after fete, to which none others have been compared. To-day she, the descendant of two famous lines of kings, is a lonely occupant of the palace of Miramar, on the Adriatic; he, the descendant of a long line of emperors, is playing the part of a Mexican chieftain, at the head of a few thousand leperos, in the interior of Mexico.

Maximilian was the flower of the reigning family of the Hapsburgs, and of all the sons of the Archduchess Sophia, was the most brilliant, spirited, and beloved by the people of Vienna. Highly educated, he filled successively the difficult positions of governor of Lombardy and chief of the Austrian navy, with an industry, wisdom, and success which are above all praise. What could have induced him to accept the empire of Mexico was the mystery of mysteries at the time. Perhaps, as some say, it was pecuniary trouble, for he had been a princely spendthrift; perhaps it was an overgrown ambition o'erleaping itself "to fall on t'other side;" perhaps it was the romantic yet laudable belief that the descendant of Ferdinand and Isabella, the patrons of Columbus, could consolidate the empire of the New World, and give an impulse to civilization that should be felt throughout all future ages, and make his name, like that of his ancestors, immortal. However that may be, it is even a still greater mystery why, after the empire has confessedly collapsed and all these dreams must now be over, he should remain behind and degenerate into a Mexican partisan chieftain.

Mr. Plumb to Mr. Seward.

LEGATION OF THE UNITED STATES TO MEXICO,

New Orleans, March 8, 1867.

SIR: In the absence of Mr. Campbell, I have the honor to acknowledge the receipt of your despatch No. 20, of the 2d instant, transmitting for his information copies of letters received by the department, relating to a reported decree of the President of Mexico, restricting foreigners in Mexico from the retail trade, and to the subject of forced loans in Mexico.

With reference to the latter subject, as it is one certain to be pressed upon the attention of the legation at once, upon its arrival in Mexico, by American citizens residing there, I trust I may not be considered as presuming, if I beg respectfully to take the liberty of calling the attention of the department to the correspondence upon this subject which was communicated to the Mexican government in 1862, by the then minister, Mr. Corwin, and to inquire if the position at that time officially taken by Mr. Corwin will govern the future action of the legation in the attention that necessarily will have to be given to this important and prominent subject of complaint.

The correspondence referred to will be found on page 9 of volume 2 of the diplomatic correspondence relating to Mexico, (1863.) The only intimation of the views of the department upon this subject that appears in the published official correspondence, is that contained in a despatch which will be found on page 34, volume 1, (1861,) of same correspondence, which refers to a previous correspondence of Mr. Corwin upon the same subject, (volume 1, page 26,) in which the position taken by him does not appear to have entirely met the views of the department.

I am, sir, with the highest respect, your most obedient servant,
E. L. PLUMB.

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

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

No. 13.]

CONSULATE OF THE UNITED STATES,
Mexico, March 9, 1867.

SIR: Enclosed herewith I have the honor to transmit copies, No. 1, of a reply to the foreign representatives by the minister of foreign affairs of this government upon their protest against the contribution of one per cent.

No. 2 is the answer of the representatives thereto.

No. 3, the reply of the minister of foreign affairs, that completes, for the time, a correspondence which, though it may not be of any immediate importance, I have thought might, in the possession of the department, prove highly interesting, in connection with the history of the French intervention, and be referred to with advantage in the future.

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

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington, D. C.

[Translation.]

MEXICO, February 28, 1867.

To his excellency the envoy extraordinary and minister plenipotentiary of her Catholic Majesty ; to his excellency the envoy extraordinary and minister plenipotentiary of his Majesty the Emperor of the French ; to his excellency the minister resident of Prussia ; to the chargé d'affaires of Italy ; to the chargé d'affaires of Austria : to the chargé d'affaires of Belgium ; to the chargé d'affaires of England :

The undersigned, acting minister of foreign affairs of his majesty the emperor of Mexico, has the honor to reply to the joint note of the representatives of the friendly powers resident at this court remonstrating and protesting against the application to their countrymen of the decree of the 1st instant, in relation to the contribution of one per cent. on all capital above \$1,000.

The protest is thus founded, 1st, on the declaration of the minister of finance, in the preamble of the decree, where he states that it is substituted for the forced loan decreed some days previously but not executed; 2d, on the fact that foreigners in Mexico are exempt, by the laws of nations and treaties, from forced loans and extreme taxations.

As to the declaration of the minister of finance, the joint signers of the note assert that there is no doubt but the phrase *forced loan*, from which foreigners would have been exempt, is changed to *contribution extraordinaire*, so as to include everybody, and the question is the same though differently expressed.

Now the undersigned will say to the authors of the assertion that it is not true that words and phrases have been changed so as to include persons who would be exempt under the expression *forced loan*.

To the second objection of the representatives, the undersigned will call their attention to the following circumstances: Most of the treaties between Mexico and foreign powers contain this clause: "Forced loans bearing especially upon them (that is, citizens of the other contracting power) shall not be imposed;" and if it was in one treaty it had to be extended to all, to put each in the rank of "the most favored nation." This is the reason why foreigners in Mexico are exempt from forced loans, and not from any principle of the law of nations, as the signers of the joint note assert. But if foreigners are exempt from forced loans for the reasons stated, they are not exempt from extraordinary contributions any more than from taxes enforced by the law of nations or by the text of treaties. The representatives say in their joint note that the minister of finance has substituted the phrase "extraordinary contribution of one per cent. on capital" for "forced loan," with the intention of including foreigners. How could the minister do this if foreigners were exempt, as the representatives affirm, from a general extraordinary contribution?

The *income tax* was first established in England as an extraordinary contribution for a single year, to make up the deficit in the budget of that fiscal year. It was afterwards raised and made a permanent tax; yet, in neither case were foreigners exempted.

The undersigned therefore informs the representatives that, as their countrymen are not exempt by the law of nations nor by treaties from such contributions, comprising all the inhabitants of the empire, they remain subject to the same charges, requisitions, and imposts as the Mexicans, and the government of his Majesty considers foreigners residing in the country to be subject to the contribution.

In their joint note the representatives allude to a want of justice in the system of patent rights. It is scarcely necessary to inform them that the right of enforcing taxes and the manner of collecting them are exclusive attributes of sovereignty, and, when it does not violate international law nor treaties, it cannot be a cause of remonstrance on the part of representatives of foreign powers, and their joint note does not touch it. The case applies also to owners of real estate in districts held by the rebels; foreigners and natives are on an equal.

Before closing, the undersigned must say that the imperial government was somewhat surprised that, in a remonstrance of no political importance, the representatives of friendly powers near this court thought necessary to use a joint form instead of addressing the minister separately, as they can always do when they think proper.

The undersigned embraces the occasion, &c., &c., &c.

TH. MURPHY.

MEXICO, March 4, 1867.

The undersigned, representatives of the friendly powers residing in Mexico, received, day before yesterday, the communication of the 28th February, which the acting minister of foreign affairs addressed to them in answer to their joint note of the 9th of the same month.

They regret that the observations which they have thought proper to present in relation to the contribution of one per cent. on capital were not more favorably received by the government of the Emperor Maximilian, and they do not hesitate to make it known to your excellency.

The objections made to their communication cannot affect their opinions, and, without discussing the principles of the subject, they persist in maintaining the conclusions of their note.

The contribution of one per cent. on capital is an extraordinary decree, in their opinion, made under peculiar circumstances to aid particular enterprises, which gives it the nature of a war tax, and the undersigned still insist that their countrymen should be exempted from it.

In relation to what they said about patents, the undersigned are surprised that the minister of foreign affairs has misunderstood them. They know that the right to impose taxes and distribute them is an attribute of national sovereignty. They acknowledge and respect the right. In alluding to the system adopted for fixing the patents that are to serve as a basis for the contribution of one per cent., they merely wish to draw attention to the unequal effect it would have upon their countrymen. In many cases houses of small capital would be more severely taxed than others of considerable means. They meant nothing more, and did not digress from the question, as your excellency supposes.

Almost all the foreigners engaged in commerce or manufactures are suffering from the

crisis, and as their means are mostly invested in practical operations, their contributions to public taxes are very unequal. Most of them operate on credit, and contributions of one per cent. on capital would break them, or force them to suspend business, to the great injury to the resources of the imperial treasury.

The undersigned had hoped the government of the emperor Maximilian would understand them. If it does not, all they can do is to protest, with all reserves in favor of the rights of their countrymen.

The undersigned must add that, so far from being unusual, the joint form of note at which Mr. Murphy is surprised conforms to all the usages and diplomatic antecedents found in this country. To use that form, it is not necessary for the business to be of political importance. In using it the undersigned only intend to show the unanimity of their views in relation to the one per cent. contribution on capital.

Although the question is not political it is very important, and the undersigned regret that your excellency has delayed so long in answering their note, as it has prevented them from advising their countrymen in the matter. They would be sorry to think it a want of respect that should be communicated to their governments.

The undersigned embrace this occasion, &c., &c. &c.

MARQUES DE LA RIBERA,

Minister of Spain.

A. DANO, *Minister of France.*

MAGNUS, *Minister of Prussia.*

FR. HOORICKS, *Chargé of Belgium.*

FR. CURTOPASSI, *Chargé of Italy.*

BON DE LAGO, *Chargé of Austria.*

R. T. C. MIDDLETON, *Chargé of England.*

His Excellency Mr. MURPHY,
Minister of Foreign Affairs.

MEXICO, March 6, 1867.

The undersigned, minister of foreign affairs of his majesty the emperor of Mexico, has the honor to acknowledge the reception of the second joint note, dated the 4th instant, which the representatives of the friendly powers residing in Mexico addressed to him in reply to his note of the 28th of last month.

The undersigned now answers the demand at the end of the joint note—regretting that the representatives have thought it necessary to make the demand—by assuring them that his delay in answering their note of the 9th of last month has not proceeded from want of respect, but from exceptional circumstances impeding the progress of government.

The imperial government is pleased to see the explanations which the representatives wish to make in relation to what they say of treaty rights in their note of the 9th of February; but, under all circumstances, the undersigned is compelled to sustain the sovereign rights of the nation on this point.

In regard to the joint form of the note of the representatives, it did not astonish the undersigned very much; but to a certain extent he thought it singular, and said as much. As to the assertion made by the representatives in their last note, that the form was usual and in conformity with all diplomatic antecedents in this country, the undersigned will observe, that though the foreign diplomatic corps, during several republican administrations, often addressed the minister of foreign relations in joint notes, it does not prove a rule for usage in diplomatic antecedents in this country. It would be an innovation upon established customs of all nations, as the representatives must know, where the joint form is only used in special cases of the greatest political importance.

Therefore, if the diplomatic corps judge proper in future to use that form, the undersigned will reply separately to each member who signs the joint note.

The undersigned embraces the opportunity, &c.

TH. MURPHY.

Mr. Ouerbourg to Mr. F. W. Seward.

No. 14.]

CONSULATE OF THE UNITED STATES,
City of Mexico, March 9, 1867.

SIR: It has been announced as official that eighty French soldiers in the service of the empire taken at the battle of San Jacinto, in which the imperialists under the command of General Miramon were routed, have been shot by General Escobedo in obedience to the orders of President Juarez. In consequence Miramon issued a proclamation, ordering reprisals, which the editors in this city

have been strictly enjoined not to make public, as it is understood that Maximilian disapproved of this measure of retaliation and at once countermanded its being carried into effect. The liberals, on the other hand, justify this execution of the prisoners by reference to the circulars from the French government, which Marshal Bazaine published, inviting French military of all grades to return to France, with a warning of the penalties incurred under French law by those who entered the ranks of any government other than their own.

Advices from Queretaro to 4th instant inform us of the concentration of liberal forces to the number of 20,000, from distinct and remote quarters of the republic, under Generals Escobedo, Regules and Corona, and of the consequent critical position of the imperial army of 10,000 men, commanded by Maximilian in person. Troops have been accumulated in his rear to cut off communications with the capital, which with Queretaro, Puebla and Vera Cruz, are the only cities of wealth left to the empire. In this relative position of the parties, even though the capital may be taken at the moment General Porfirio Diaz shall make an attack in form, a battle expected from day to day near Queretaro will alone decide the fate of the empire or concede it a lingering existence of some few months longer.

The effects of these military operations make themselves known in the prices, progressively higher, demanded for provisions, and the more jealous precautions of the authorities.

The difficulties of meeting the ordinary expenses of government increase in direct proportion, as the resignation of the minister of hacienda (finance) openly acknowledges; for his excellency, having remitted \$100,000 to the army of the emperor, distrusts his ability to cover the estimates by further resort to his extraordinary financial artifices. The stoppage of trade, the tardy returns of the last imposition of one per cent. and the impossibility of extorting new contributions from a city exhausted by taxation, fully warrant the retreat from a position the calls upon which no minister can meet short of a recurrence to universal confiscation, however that measure may be disguised under specious names.

Enclosure No. 1 shows that residents beyond the bounds of the imperial rule, equally with those who still support its sway, are paying the exactions of civil discord and military rule.

Within the last week the latent hostility to Americans has been manifested in the arrest by minor agents of the government of two citizens of the United States upon frivolous and unfounded pretexts; and it is due alone to the more enlarged comprehension of the higher authorities, an example of which is exhibited in enclosures Nos. 1, 2, and 3, that I have been able at all to hold my ground without compromising the dignity of the United States, and that measure of respect to which the officials are entitled as long as they do not forget what they owe to themselves and to the government authorities with whom they cannot avoid being brought in contact.

A person by the name of Zerman, claiming the rank of brigadier general of the United States army, who presented himself last year in this consulate with a passport from the Department of State, is now serving in some sort of character the government police in this capital.

I have been informed that speculators, anticipating a loan to be effected in favor of Mexico in the United States, are purchasing and engaging the refusal of reclamations against the Mexican government, with the expectation that a certain amount would be retained for the payment of claims which were invested with an American character.

The private secretary of Prince Maximilian is very busily engaged in the compilation of the correspondence of Marshal Bazaine and other officials with the emperor of Mexico.

The publication of these papers promises completely to vindicate the conduct of Maximilian, and to attach the responsibility for the errors of his administration where it justly belongs.

No mail from the United States has been received at this consulate during the last six weeks.

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

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington, D. C.

Mr. Otterbourg to General O'Haran.

[Translation.]

CONSULATE OF THE UNITED STATES,
Mexico, March 7, 1867.

The undersigned has the honor to transmit, for the information of his excellency General O'Haran, the accompanying copy of the original letter just received in this consulate, and requests that he will give to its contents the earliest attention that his many engagements may permit; since, satisfying himself of the facts referred to in the letter, he will arrive at the conclusion, with the undersigned, that Mr. Christian has well-founded grounds of complaint.

With assurances of consideration and respect,

MARCUS OTTERBOURG,
United States Consul.

His Excellency General THOMAS O'HARAN, *Prefecto Politico.*

General O'Haran to Mr. Otterbourg.

[Translation.]

MEXICO, *March 7, 1867.*

The undersigned has the honor of acknowledging to the consul of the United States the receipt of his note of this date in relation to the prisoner Christian, and to make known to him the fact that the "prefectura politica" is convinced of the connection of the said individual with the dissidents, and of his having conducted himself in public places in an offensive and obscene manner in reference to the Emperor.

However sufficient be these grounds for instituting proceedings against Christian, the undersigned, duly appreciating the mediation of the consul in this business, confines himself to a measure alike according with the laws of our country and the wishes of Christian, expressed through the consul—that is, the separation of Christian from the national territory, as a dangerous foreigner.

Consequently the said Christian will be set at liberty, but under the express condition that he immediately put himself en route for Vera Cruz to leave the imperial territory.

The undersigned renews to the consul the assurances of his consideration and respect.

T. O'HARAN,

The Prefecto Politico, General of Brigade.

The CONSUL OF THE UNITED STATES.

Mr. Plumb to Mr. Jacobson.

ST. CHARLES HOTEL, NEW ORLEANS,
Monday, March 11, 1867.

MY DEAR MR. JACOBSON: I enclose to you herewith, for the information of the Secretary of State, a slip from this evening's paper containing important news from Mexico, just telegraphed from Galveston. The steamer from Brazos will probably reach here to-morrow, when I may have special advices to communicate. Mr. Campbell arrived here Saturday evening, the 9th instant, after an absence of just one month.

In haste, most truly yours,

E. L. PLUMB.

E. P. JACOBSON, Esq., &c., &c., &c.

[From the Evening Picayune.]

SPECIAL DESPATCH TO THE PICAYUNE.—IMPORTANT FROM MEXICO.—MAXIMILIAN WITH THE IMPERIAL ARMY.—ISSUE OF A PATRIOTIC PROCLAMATION.—HE WILL FIGHT TO THE LAST.—DEFENCE AND INVIOIABILITY OF THE COUNTRY.—REORGANIZATION OF THE ARMY.—MOVEMENTS OF THE MEXICAN CHIEFTAINS.

BRAZOS SANTIAGO, *March 8.*

The mail steamer leaves for New Orleans to-day, with news from Brownsville, Matamoras, the Mexican border, and the far interior of Mexico.

We are in possession of very important news from the armies in the interior. It came to hand through the most authoritative sources, and is entirely reliable.

The Emperor Maximilian arrived at Queretaro on the 17th ultimo, and at once placed himself at the head of the imperial army.

He immediately issued a stirring proclamation to the army and people. In substance, Maximilian says that he will defend the integrity and inviolability of Mexico, and that, being released from French complications and embarrassments, he will be able to devote his entire energies to the work.

The imperial forces at Queretaro number about 10,000 men, and comprise the commands of Generals Miramon, Mejia, Mendez, and Castillo; these forces Maximilian says he has organized within the last two months.

By special order of the Emperor Maximilian, General Marquez, who accompanied him from the city of Mexico, has been placed in chief command of the imperial armies.

General Miramon will command the army of the south; General Mejia that of the north, and General Castillo that of the centre. All these generals, together with that of General Mendez and Governor Vidaurri, were at Queretaro on the 18th ultimo.

It is stated that all the foreign embassies at the Mexican capital have protested against the rule of General Marquez.

Juarez arrived at San Luis Potosi on the 25th, and the liberal accounts say he was received with great *eclat*.

General Escobedo, with the main force of the liberals, was at San Miguel de Allende.

FROM MEXICO.—FROM THE SOUTHWEST PASS.

GALVESTON, *March 11.*

By the arrival of the despatch boat from Matamoras, the Bulletin has specials to the 4th instant.

Juarez was at San Luis Potosi on the 21st ultimo. Maximilian was at Queretaro with an army of 10,000 men, in three divisions, commanded respectively by Miramon, Castillo, and Mejia. General Marquez is chief of staff to Maximilian. Escobedo was at San Miguel, eighteen leagues distant, awaiting re-enforcements.

Four thousand under Regules, and eight thousand under Corona, were expected. As soon as these arrived they would give Maximilian battle. The emperor will command in person. Two thousand troops garrison the city of Mexico. Porfirio Diaz was at Huamantla with eight thousand. He expected four thousand re-enforcements before attacking the city.

In his official order taking command of the army Maximilian says: "This day I have desired for a long time, but obstacles were in my way. Now, at last, free from all compromise, I can follow my will."

The foreign representatives at the capital have presented a protest to Maximilian, rehearsing previous robberies and murders by his chiefs, and asking security.

Mr. Campbell to Mr. Seward.

No 19.]

NEW ORLEANS, *March 12, 1867.*

SIR: I received your despatch No. 19, dated March 2d, on the 6th instant, just as I was leaving my home in Hamilton, Ohio, for this city. I thank you for the information on the subject of the payment of salaries you have so kindly communicated in reply to my private note.

I arrived here on the morning of the 10th instant, and have received, by the hands of Mr. Plumb, your despatch No. 20, also dated March 2d, transmitting for my information copy of a letter from a Mr. J. A. Bennet, of New York, with

copy of his clippings from the New York Herald. Also, enclosing copy of a letter from a Mr. Thomas A. Dwyer, of San Antonio, Texas, on the subject of "forced loans" in Mexico. I have no reliable information as to the character of either Mr. Bennet or Mr. Dwyer, and no means here of ascertaining whether the pretended decree of President Juarez, sent you by Mr. Bennet, is genuine or not. In my anomalous position here, I feel quite powerless to assist American citizens in Mexico without some definite instructions from you.

I have classified the complaints of Messrs. Bennet and Dwyer with those of Mr. Joseph Ulrich, and others, of Monterey, transmitted to me by your despatch No. 2, of October 2d, 1866, and with those of Messrs. McGaffey and Stocking, of the American schooner Mary Bertrand, wrecked on the coast of Mexico, near Bagdad, and referred to in my despatches numbered 8, 11, and 14.

Awaiting instructions on these and other questions involved in Mexican affairs, I remain, most respectfully, your obedient servant,

LEWIS D. CAMPBELL.

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

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *March 13, 1867.*

SIR: I have received to-day, under date of the 4th instant, from the consul at Matamoros, an extra of the official paper published at Monterey, Mexico, of the 28th ultimo, which contains a proclamation purporting to have been issued by Maximilian on placing himself at the head of his army, at Queretaro, on the 17th of February; and also what purports to be a formal representation, addressed by the French, Prussian, Spanish, Belgian, English, and Italian representatives in Mexico, to Maximilian, denouncing the president of his cabinet, D. Teodosio Lares, and the general-in-chief and second in command of his armies, Marquez and Miramon, and protesting against his placing power or trust in such hands; at the same time intimating that any further struggle on his part to maintain his position will prove useless, and, in the interests of humanity, should be abandoned.

This latter document, if authentic, is of such importance that its text should be taken from some other source than an interior Mexican newspaper, and I send herewith the translation only as a matter of information in case the document in an official form shall not yet have reached the department.

I am, sir, with the highest respect, your most obedient servant,

E. L. PLUMB.

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

MAXIMILIAN'S PROCLAMATION TO HIS ARMY.

[Translation.]

The emperor to the Mexican army.—Order of the day.

To-day I place myself at the head and take command of our army, which scarcely two months since was commenced to be raised and organized.

This day I have for a long time ardently desired. Obstacles beyond my control have stood in my way. Now, free from all compromises, I can follow only my sentiments as a good and faithful patriot. Our duty as loyal citizens obliges us to combat for the two most sacred principles of the country: for its independence, which is threatened by men who, in their

selfish purposes, would alienate even the national territory; and for interior good order, which we see each day outraged in the most cruel manner, against the interests of our pacific fellow-countrymen.

Our action free from all influence, from all foreign pressure, we will seek to maintain high the honor of our glorious national flag.

I expect that the generals will give to the officers, and these to their gallant soldiers, the worthy example of the most strict obedience and the most rigid discipline, as is due from an army that should illustrate the national dignity.

Of courage and haughty pride it is not necessary to speak to Mexicans; these are the natural inheritance of our country.

I have appointed the valiant General Marquez chief of my staff, and have divided the army into three corps, giving the command of the first to the gallant General Miramon, leaving the command of the second to its present chief, and of the third to the intrepid General Mejia.

I also await the immediate arrival of the distinguished General Mendez, with his faithful and tried troops, who will take their place in the second corps. I am accompanied also by the patriotic General Vidaurri, who will organize as soon as possible his forces and open the campaign in the north.

Let us confide in God, who protects and will continue to protect Mexico, and we will combat valiantly and tenaciously with our sacred invocation. "Viva la independence."

MAXIMILIAN.

SAN JUAN DEL RIO, February 17, 1867.

Representation and protest addressed by the foreign representatives resident in Mexico to Maximilian.

[Translated from the Spanish.]

MEXICO, February 4, 1867.

SEÑOR: The undersigned, representatives of nations friendly to Mexico, have the honor to address themselves to your majesty in discharge of the sacred duty which rests upon them to watch over the lives and the interests of the foreign citizens resident in this country.

Your majesty will observe a novelty in the form of this note, but when you learn the object of it, all motive for surprise will cease.

At this moment, when the unhappy crisis in this unfortunate nation, created by the premature termination of the French intervention, appears to be about to culminate, it is necessary to declare it, we cannot expect any guarantee from the government of your majesty in favor of the subjects whom it is our duty respectively to protect. Only the most strict morality could give any foundation for our hopes that life and property will be respected in the sad days of trial of which the first symptoms already appear; and, unfortunately, the most reliable information that is afforded by impartial and honorable foreigners resident in Mexico for many years, corroborated by facts of public notoriety and by authentic documents, unhappily convinces us that your majesty is surrounded by men upon whom rest very grave charges for unlawful and shameful proceedings.

The president of your cabinet is D. Teodosio Lares, who presided also under the administration of General Santa Anna, overthrown towards the end of 1855. There were then ministers with Mr. Lares, Messrs. D. Manuel Diez de Bonilla, D. Ignacio Aguilar y Marocho, and D. Joaquin Velazquez de Leon.

The succeeding administration to that of General Santa Anna indicted the said ministers for usurpation and abuse of power, specifying, among other charges, that Messrs. Lares and Aguilar had extracted from the treasury, as an advance of three years' salary yet to accrue, the sum of \$30,000; that Mr. Bonilla had disposed for his own benefit of the funds proceeding from the charge paid by foreigners for letters of security and passports, and had even appropriated some of the furniture in use in the department under his charge; and that Mr. Velazquez de Leon transferred to his residence the funds destined for material improvements, and even a piano presented by an inventor who solicited a patent.

These records remain open, the accusation in force, and nothing has appeared in vindication of the accused.

The command of the armies of the empire is confided to Generals Marquez and Miramon. Your majesty cannot have forgotten, because the recollection is still fresh in Europe, and the parties interested are still suffering the consequences of the criminal outrage perpetrated by these two generals at the end of the year 1860, violating the seals of the British legation, and breaking into the safes and extracting therefrom some millions remitted there by the liberal government, resident then at the port of Vera Cruz, for the payment of the interest on the English debt, and which sums so taken instantaneously disappeared.

Nor was it other than these same Generals Marquez and Miramon, seconded actively by General Horan, who also figures in the government of your majesty, who were proved responsible for the cold-blooded assassinations committed at Tacubaya, in April, 1859, upon

beardless youths, philanthropic physicians, and pacific citizens torn ruthlessly from their homes in the neighboring villages.

This painful review which the gravity of the circumstances and our imperious duty obliges us to present to the consideration of your majesty, sufficiently explains the reasons for our want of confidence in the aid and protection from your government which we have a right to expect; and it explains, also, the reasons why in this note we depart from the common usage established in international relations.

It is not incumbent upon our position whether or not it is proper or consistent with humanity to prolong a fruitless resistance, which compromises interests worthy of our solicitude; it belongs to us only to demand of your majesty, as formally and solemnly we do demand in the name of public law, effective securities for the subjects of our respective governments, which cannot consist except in the removal of the functionaries before mentioned; and in case that proceeding shall not be possible we shall protest, as from the present we do protest, against all acts of violence which are attempted to be exercised upon the persons and the property of said subjects.

Your majesty will be pleased to accept our respects.

ALFONSO DANO,
Minister Plenipotentiary of France.
A. DE MAGNUS,
Chargé d'Affaires of Prussia.
EL MARQUES DE LA RIVERA,
Minister Plenipotentiary of Spain.
FREDERICO HOOMICK,
Chargé d'Affaires of Belgium.
C. R. F. MIDDLETON,
Chargé d'Affaires of Great Britain.
FRANCISCO CURTOPASSI,
Chargé d'Affaires of Italy.

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

No. 15.]

CONSULATE OF THE UNITED STATES OF AMERICA,
City of Mexico, March 15, 1867.

SIR: For the past week Puebla has been closely besieged by the liberal forces under command of General Porfirio Diaz. But until the arrival of his artillery which was expected on the field yesterday from Jalapa, active operations against the place have been limited on the part of the besiegers to working their way by the pick through the buildings of the suburbs. As from invariable experience hitherto, the decision of such struggles in Mexico depends upon conditions remote from the actual issues, it would be presumption to venture an opinion as to the results in favor of either of the combatants.

A courier was reported to have brought to the palace news of a victory obtained not far from Queretaro by the imperial army, with the entire rout of the liberals. Three days, however, having passed without customary rejoicings or official confirmation of the report, public opinion of the critical situation of Maximilian and his troops is rather strengthened than changed by this attempt to animate the partisans of the empire in the capital. All communication between this city and the port of Vera Cruz has been closed by order from the liberal headquarters.

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

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington, D. C.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *March 18, 1867.*

SIR: During my stay here I have occupied some of my leisure in reading a work which has accidentally fallen into my hands, containing the official publication by the Mexican government of the correspondence connected with the rupture between France and Mexico that occurred in 1838-'39, and which was followed by the attack by the Prince de Joinville on Vera Cruz.

I find one of the prominent points of complaint then urged by France was that of "forced loans," which formed the second principal point in the ultimatum then presented. In the recent demands of France and of the allied powers on Mexico, that point has not formed a subject of special correspondence or mention, nor do I know what has been the treatment of the subject by our own legations previous to 1861, but since that period all that has transpired relating to it is what I referred to in my official note to the department of the 8th instant. I have, therefore, thought that as the topic is one of some interest, and may have to form the subject of future and perhaps early correspondence, the views of the French government as presented at the period I have referred to, and the stand taken by the Mexican government at that time, might not be altogether without interest as a matter of reference.

I have consequently made a translation of such portions of the correspondence as most clearly show the character and interpretation given to what are termed "forced loans," and the views of the respective governments upon the subject. The views then taken are equally pertinent to the discussion of the subject at the present time, and the concession of the whole question offered to be made by the Mexican government may be important.

To this latter point I would beg respectfully to call attention.

I am, sir, with the highest respect, your most obedient servant,

E. L. PLUMB.

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

FORCED LOANS IN MEXICO.—FRENCH VIEW.

Baron Deffandis to the Minister of Foreign Affairs.

LEGATION OF FRANCE IN MEXICO,

Mexico, June 27, 1836.

The undersigned, minister plenipotentiary of France, has read in the public papers, first, a decree of the general congress of the 17th of this month, which authorizes the government to impose, for the purpose of covering the deficit existing in the public revenues, a forced loan of \$2,000,000, which is to be apportioned upon all the extent of the republic, and in such a manner that the maximum of each contribution shall not exceed \$1,000. Second, an order of the supreme government, by which the contributions which are to be exacted are divided into four classes, the first of \$1,000, the second of \$500, the third of \$250, and the fourth of \$100. Finally, a list addressed to the minister of treasury which contains the names of 200 firms or individuals established in Mexico, upon whom is imposed the maximum of \$1,000.

The undersigned reserves to himself to present at a later moment to the Mexican government general observations against forced loans, which, among all means of procuring money, are the most contrary to the principles of political economy, as well as of equity, and which rather appear contributions imposed in time of war and with the idea of penalty, by a victorious army upon its enemies, than imposts exacted in time of peace and for the purpose of the public utility by a regular government from its citizens. But the undersigned believes it to be his duty to abstain at present from such discussions.

On the one hand he has been a witness for a short time past to the efforts which the administration has made with congress to obtain the establishment of a system of finance more in harmony with the present state of civilization and of science, as well as with certain recent portions of the legislation of Mexico, and he therefore hopes the system of forced loans approaches its termination. On the other hand he cannot deny that the present extraordinary

circumstances in which the republic is placed demand prompt and extraordinary measures, and this last consideration is sufficient to lead him to maintain silence.

The sentiments of friendship which unite France and Mexico, also, do not permit the undersigned to discuss too readily with the supreme government the measures of public policy to which it may be obliged to resort. He will not, therefore, present any objection against the principle of the present forced loan; he only believes it his imperative duty to address to Señor Monasterio his representations with reference to the apportionment which has been made of the loan by the list addressed to the minister of the treasury.

The undersigned would have desired to await the subsequent lists, in order to judge and discuss with more precision the sum total and the general apportionment of the part that has to be collected in Mexico. But he finds himself obliged to hasten his reclamations by reason of the short term of eight days conceded for the payments; and being obliged to believe, at the same time, that the future lists will be conceived in the same spirit as the one already published, he will proceed to argue upon that natural hypothesis.

Of \$200,000, the total of the sums the collection of which is ordered, by the ministerial list, in Mexico, more than \$40,000 are to be paid by foreigners; that is to say, these are called upon to pay more than the fifth part of the impost. If, then, as is unquestionable, the apportionment of an impost, whatever it may be, cannot have more than two equitable bases, to wit, the number and the fortune of the contributors, it is easy to prove, by the most simple calculation, established upon these two bases, that the foreigners, and consequently the French, are enormously overcharged.

1. The undersigned will not pretend to make a comparison between the number of the foreign population and the total population of Mexico. This comparison would not be logical, because the greater part of the indigenous population are in a condition that renders it absolutely impossible that they should pay even the least part of the impost, and consequently they cannot enter into any calculation. But limiting himself, as is just, to establishing a comparison between the number of the foreign population and of all that portion of the national population that are in condition to bear their part of the taxes, it is evident that the foreign population, far from contributing toward the present forced loan in the proportion of one-fifth, should pay scarcely the twentieth.

2. If, further, the question is examined under the aspect of the comparative riches of the two classes of contributors, natives and foreigners, the conclusion deduced will be even more unfavorable to the ministerial apportionment. In fact, the religious corporations of the capital alone, who do not contribute more than the sum of \$11,000, are immensely richer in capital and even in income than all the foreign population united, who are called upon to pay more than \$40,000. It is sufficient, to ascertain this, to cast a glance over the statistics attached to the report presented to congress by the minister of ecclesiastical affairs in 1833.

Adding then to these riches of the religious corporations the very considerable and well-known wealth of the Mexican citizens who appear in the ministerial list, and adding further, as is necessary, the property of all other persons who are in a condition to bear a part of the impost, it is impossible not to arrive at least at this conclusion, that the foreign population, in place of paying a fifth part of the loan, ought to pay scarcely a fiftieth part.

The projected apportionment of this loan is, therefore, in so far as relates to foreigners, and, consequently, in so far as relates to the French, beyond all the limits indicated by the two sole bases upon which an apportionment of this character can be equitably adjusted.

It also appears a consequence entirely contrary to justice to establish a maximum of \$1,000, and still more a minimum of \$100, which have been assigned, respectively, as the limits of the individual quotas.

In fact a maximum of \$1,000 cannot be equitable, except in so far as it applies exclusively to persons for whom it is an insignificant charge, and perhaps only deprives them of a small part of their superfluous income. If, on the contrary, there is a necessity to apply it to persons for whom it is a very heavy burden, and whom it deprives not only of an essential part of their income, but sometimes of a portion more or less considerable of their capital, it is evident that this maximum has been fixed upon false calculations, and that, theoretically conceived in a spirit of moderation, it is practically supremely oppressive.

With reference to the minimum of \$100, in no case can it appear equitable. If it should be applied to the generality of contributors, it would produce infinitely more than the loan decreed, and would be totally ruinous for a multitude of persons. If, on the contrary, as is probable, it is not applied except to a small number of individuals, it will result that the greater part of the population that are in a condition to pay some part of the impost will pay nothing. Why this unjust privilege? Such persons as cannot contribute with \$100, might, perhaps, with \$80, \$60, \$40, \$20, \$10, or \$5.

These small quotas would be so much the more proper to re-establish justice in the apportionment of the impost by the diminution of the higher quotas, as it is always the small contributions that yield the greatest sums; as is proved by the history of finance in all countries.

Under grave circumstances, such as those in which the republic is now placed, an apportionment of imposts which should exact only from every person interested in the security and tranquillity of the country such sacrifices as are in proportion to the means of each, would be a measure so necessary and just that no one would have a right to complain. In this manner, in his own country, which has had its periods of misfortune, the undersigned

has seen all the inhabitants, who had the means to do it, hasten to the succor of the state; from the king who gave his millions to the laborer who gave five francs. But an apportionment of contributions which scarcely touches large fortunes, and does not reach in any manner the poorer, but which annihilates the middle class, or those whom it is pretended are such, cannot but give rise to unusual and well-founded reclamations. Thus, the undersigned has received the most earnest complaints from his compatriots with reference to the apportionment of the present forced loan, and he can do no less than to listen to these complaints and become their organ. Besides, with all confidence, the undersigned submits the preceding considerations to the intelligence of the supreme administration, and expects from its justice an apportionment of contributions founded upon bases entirely different, at least so far as relates to the subjects of his majesty, and he especially solicits Señor Monasterio to co-operate with all his influence towards this just end.

The undersigned renews, &c.

Señor A. MONASTERIO,

Charged with the Department of Foreign Relations.

BARON DEFFANDIS.

LEGATION OF FRANCE IN MEXICO,

Mexico, April 11, 1837.

The last forced loan of two millions imposed in Mexico has called the most serious attention of the government of France to the general question with reference to this class of imposts.

Perhaps there is no country in the world where the government has not been obliged to resort, beside the ordinary and permanent contributions to those of an extraordinary and temporary character; and it is without doubt by reason of this example that the different administrations which have succeeded in Mexico since the independence, have come to establish, beside the fixed imposts, their forced loans. On the other hand, foreigners have submitted to these loans by virtue of the general principle according to which strangers established in whatever country should, outside of certain known exceptions, bear the same charges as the native citizens.

But such measures and such doctrines, which are perfectly just under certain circumstances, may be entirely inadmissible under different circumstances.

First. In all nations regularly administered, extraordinary and temporary contributions are never exacted except in special cases of extreme necessity, and excessively rare.

Thus it is that no contribution of this class has been collected in France since the year 1816—that is to say, for 21 years.

In Mexico, on the contrary, forced loans appear to be the favorite combination of the ministers of finance. In the month of December, 1835, (in order not to cite acts entirely recent,) the first forced loan was decreed; in the month of June, 1836, it was followed by the second; and finally, in the month of December of the same year, 1836, a ministerial proposal (which fortunately did not receive the legislative sanction) sought to establish, in fact, the third loan, under the appearance of an augmentation of the quotas of the second.

In this manner, the extraordinary imposts, which in other nations only create a momentary embarrassment to the contributors, are here a constant and continuous source of ruin.

Extraordinary contributions, whether they rest upon all the territory and upon all the population capable of sustaining the charge, or whether it appears more just to exact them only in certain localities and from certain particular classes of society, are apportioned, in all countries, in so far as possible, according to the legal, proportionable, and consequently equitable bases which are adopted for ordinary imposts.

This, for example, is what occurred in France with reference to the extraordinary contribution already mentioned, of 1816, placed upon the city of Paris.

In Mexico, on the contrary, the apportionment of the forced loans is made by estimates purely administrative, without fixed basis, and necessarily accompanied by a multitude of instances of injustice, and this injustice in apportionment is another source of ruin to the persons from whom they are exacted.

Third, and finally, foreigners, besides being subjected here in the exaction of forced loans to the general grave inconveniences just mentioned, have a special reason for complaint.

In place of paying in Mexico, as in other places, such part of the forced loans as is in proportion to their fortunes compared with those of the citizens of the country, they have constantly to support the heaviest part of these imposts. This result, so little in conformity with natural equity and the principles of public right from which it is derived, arises from the fact that on the one hand there are found only a small number of native citizens comprehended in the apportionment of the loans, while very few foreigners are omitted from it; and on the other hand, that the greater part of the native citizens comprehended in it are not made to pay, while all foreigners found in the same case are prosecuted with the greatest rigor.

These facts are of public notoriety. The proofs are within the knowledge of all, and one of the most notable instances has lately occurred in the failure to comply with the legal dis

position which requires the publication of the lists of the persons who have paid their quotas in the forced loan of 2,000,000.

According to the special instructions which have been received by the legation of France the considerations which precede have appeared to the government of his Majesty more than sufficient to take the resolution of which the undersigned has been charged to inform the Mexican administration, which is, not to tolerate the application to French subjects of any forced loans, under whatever denomination that may be established.

But the government of the King has observed that it can, besides, found its determination in this sense upon article 9 of the declarations of 1827, and it has blamed the undersigned for not having appealed to this article when the loan of 2,000,000 was first levied.

With reference to this loan in particular, the government of his Majesty, from sentiments of loyalty which, perhaps, will be found worthy of note, has not withdrawn from the concessions of principle which its representative here, without instructions and even against those he had, has taken upon himself to make.

It would not, therefore, have asked that the French subjects should be indemnified for the quotas that they have paid under the loan of 2,000,000 if the loan had been established upon a common agreement, and according to the legal, proportional, and equitable apportionment proposed by the undersigned. But the legation of the King is ordered to demand, in the most positive manner, the restoration of the sums of which his subjects have been thus violently deprived.

The undersigned requests Señor Monasterio to have the goodness to communicate to him the definitive determinations of the supreme government upon the two questions, the one general, and the other special, treated of in this note, and has the honor to renew, &c., &c.

BARON DEFFANDIS.

Señor O. MONASTERIO,

Charged with the Department of Foreign Relations.

Second point of the complaint of France in the final ultimatum presented by the French plenipotentiary from the anchorage at Sacrificios, March 21st, 1838.

"II. The collection, by means of violence, of forced loans, contrary in their nature as well to public law as to the existing treaties, and not less opposed to the principles of equity by reason of the unjust partiality of their apportionment."

Demanded by France as a treaty stipulation, article 4, clause 2.

"Not to impose in any case in the future, upon the subjects of his Majesty, either contributions of war of any class, or imposts similar or analogous to those known under the denomination of 'forced loans,' whatever may be their purpose or object."

Final project of a convention presented by the French plenipotentiary in the conferences at Jalapa, November 20th, 1838, just before the outbreak of hostilities.

ARTICLE I. Until a treaty of amity, commerce, and navigation, based upon the common interests of the two countries, shall establish in a definite and invariable manner the relations between France and Mexico, these relations shall be provisionally governed by the act known by the name of the declarations of 1827, (although not yet ratified,) principally to what relates to articles 7, 9, and 11 of said declaration.

Article 9 of said declaration is as follows:

"In all that relates to the police of the ports, the loading and discharging of vessels, security of merchandise, property, and effects, the inhabitants of the two countries shall be respectively subject to the laws and statutes of the territory where they reside. They shall be equally exempt from all forced military service of sea and land, and there shall not be imposed especially upon them any forced loans. Their property, also, shall not be subject to other charges, requisitions, or imposts than those paid by native citizens."

MEXICAN VIEW.

Exposition, published after the war had commenced, by the minister of foreign affairs, Don Louis G. Cuevas, upon the differences with France, being a résumé of the course pursued in the negotiations, and the stand taken by the Mexican government. Mexico, January 10, 1839.

[Extract.]

With reference to forced loans, France should have proceeded with frankness and learned the real sentiments entertained by the government with reference to this species of taxation.

Forced loans, as all know, have been imposed in circumstances of difficulty and of extraordinary want of resources for the nation.

Whenever this measure has been taken, it has given rise to heated discussions and has been looked upon with repugnance by both foreigners and natives.

The government, notwithstanding, compelled by necessity, has not been able to do less than to adopt means as well known to be undesirable as regretted by all.

The existing treaties do not prohibit forced loans where they are general, and though the foreign text of some appears to prohibit them generally, the Spanish proves in the most irrefragable manner that the prohibition only extends to special forced loans, and not to those which comprehend all classes.

It cannot be doubted, also, that the government should consult the Spanish text, nor should it be restrained in any manner by the stipulation relative to the declarations of 1827, for besides the fact that the Spanish of these has the same signification as that of the treaties, it is very obvious that, as the said declarations have not been ratified, they are of no force or value.

Notwithstanding this, the good intention of the government, its equity, and the desire with which it was animated to make known to that of France that in the adjustment of the existing differences it would never abandon the principles that it believed most in conformity with the universal practice of civilized countries, required that in this point it should manifest a disposition favorable to satisfy the demand relative to France.

Forced loans, in fact, indicate by their very name an arbitrary act and an attack upon property: the violence by which they may be exacted, and the difficulty of an equitable and proportionate application, have rendered inevitable measures as alarming as disagreeable for Mexicans and foreigners. They have been viewed, also, in a very unfavorable manner by other governments of friendly nations, and, indeed, have appeared little in conformity with the principles of order and civilization of all representative countries. In view, therefore, of these observations, as well founded as politic, this point ought to be ceded, but in such a manner as shall not be understood to be a special concession to the government of France, but taken as a general resolution not to impose forced loans in the future, the reclamation with respect to the French will at the same time be satisfied.

This declaration would not in any way impair the legality of these loans in the past, nor give rise to reclamations from other powers, because, although on the part of Mexico it should be agreed not to impose them in the future, no responsibility would be assumed for the past, with respect to which the reasons on which the declarations would be founded would be solely that of public convenience and policy, and not of rigorous right nor of strict justice. The present administration can proceed upon this point with all the more liberty from the explanations that have already been made in congress by the organ of the ministry regarding the inconveniences of forced loans, and the desirableness that they should not hereafter be decreed by the legislative body. Thus, notwithstanding the extraordinary scarcity in the treasury in consequence of the blockade of the ports of the republic, there has not been initiated during my administration any such measure, and there have been only proposed such as were in conformity with the indisputable right of the nation, to provide sufficiently for the public expenditures.

The article of the convention of Jalapa relative to this subject avoided all difficulties, was in conformity with all that could be desired in the adjustment by the governments of friendly nations and by the Mexicans themselves, and has manifested equally that on the part of Mexico all would be ceded that it was possible to yield, and the convenience of facilitating the desired adjustment was recognized.

Final proposition of convention submitted by the Mexican plenipotentiary at Jalapa, November 26, 1838.

ARTICLE 6. The Mexican government being agreed that forced loans shall not be imposed either upon natives or upon foreigners, the demand of the government of France in this point with respect to French citizens is, consequently, satisfied.

Spanish text.

ARTICULO 6. Estande conforme el gobierno Mexicano en que no se impongan préstamos forzosos ni á nacionales ni á extranjeros queda en concecuencia satisfecha, en este punto la demanda del gobierno de Francia respecto á los ciudadanos Francesas.

Mr. Seward to Mr. Campbell.

No. 21.]

DEPARTMENT OF STATE,

Washington, March 18, 1867.

SIR: This department has received a communication from Mr. Plumb in reply to a despatch from this department addressed to you at New Orleans, transmitting certain complaints relative to the subject of forced loans in Mexico, brought

to the notice of the department by citizens of the United States. Mr. Plumb suggests that instruction be given to your legation for guidance when it shall be found necessary to act in the premises on arrival in Mexico.

The department does not deem it wise to anticipate the question before your mission reaches its destination. Then it may become a matter of practical consideration, and you will be expected to report upon all questions, as far as possible, before taking definite action with regard to them.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Campbell to Mr. Seward.

No. 20.]

NEW ORLEANS, *March 18, 1867.*

SIR: I received to-day a communication from Franklin Chase, esq., our consul general at Tampico, dated 11th ultimo, enclosing a petition addressed "to the United States government," by Generals Gomez and Cuesta, and G. Cortinas, collector of that port.

These papers (original) I enclose, marked No. 1 and No. 2. The latter (being addressed to our government) I deem it my particular duty to forward, verbose though it be, and in some respects rather unintelligible. Its authors claim to represent the republic of Mexico and to have authority from President Juarez to negotiate a loan, &c., which would seem to entitle it to some significance.

I have read these papers with a desire to glean from many words their purport, and to ascertain the purpose of the parties. They desire that the United States should make them a loan of five million dollars, and take as security a lien on the custom-house at Tampico, with Mr. Chase to manage the transaction. They also want "two gunboats," a "battery of cannon," "men and money," &c., &c., &c.

My instructions give me no authority to encourage or countenance any proposition of intervention, and I therefore respectfully submit the papers to you.

I remain, very respectfully, your obedient servant,

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Chase to Mr. Campbell.

UNITED STATES CONSULATE GENERAL,
Tampico, February 11, 1867.

SIR: At the instance and request of Generals Gomez and Cuesta, and the collector of this port, I have the honor to enclose herewith a petition from those gentlemen, the object of which is fully explained in the said petition, and as the petitioners are now strongly in favor of defending the cause of President Juarez, I trust that you will be pleased to render your powerful aid in the furtherance of their views.

I write this at a late hour at night, in order to send it by the American schooner Fanny, bound for Pensacola.

I hope you will be pleased to forward the petition to the honorable the Secretary of State, or to the Hon. Matias Romero, at Washington.

Pray pardon the brevity of this, and accept the assurances of my highest esteem and respect.

FRANKLIN CHASE.

Hon. LEWIS D. CAMPBELL,

*Envoy Extraordinary, &c., of the United States
to the Republic of Mexico, New Orleans.*

From the authorities and generals of this district of Tampico de Tamaulipas.

TAMPICO, February 6, 1867.

To the United States Government :

We, the authorities and generals commanding this district, of which Tampico is the centre, beg to request officially, in the name of the legal President of Mexico, Don Benito Juarez, the aid of the United States government, so as to enable us to suppress the numerous enemies now rising up against us, and who now, with the influence, power, and aid of the bishops and clerical body, together with the wealthy community in the city of Mexico and throughout the republic, have been and are too powerful for us, under present circumstances, to maintain our positions without aid and forces of both men and money, (being now without the means of sustaining our army either here or in the interior,) although this is the second port in the republic of Mexico, or the first in our hands.

Secondly. Zacatecas is now in the hands of the reactionaries under command of General Miramon. President Juarez, while on his way to that city, was obliged to retreat, as he came near being arrested. Such is the unsettled state of the country throughout the interior as well as on the coast. No importations have been made of any consideration in this port, and hence no revenue has been derived from this custom-house.

The trade is at a stand, so that there is no means left of procuring the requisite supplies of artillery, (so much wanted,) food and clothing for our own troops and those in the interior, who depend mostly on the supplies sent from this port; and hence the necessity of addressing ourselves to you in the name and behalf of our legal chief and authority, Don Benito Juarez, whom we acknowledge President *de jure*, holding the four great words, independence, emancipation, liberty, and equality.

A list of the armament required we submit accompanying this letter, soliciting at the same time a loan of five millions of dollars, to be secured upon the custom-house of this port and negotiated through the United States consul general as a trustworthy person, with whom you can consult and safely confide, and we, through him as your agent, shall act, having full confidence in his ability, honor, and wisdom to carry out all for the contracting parties to the letter. This loan will save our nationality, for now our common cause of national independence will, if not saved, split into partial interests and anarchy, whereas, if granted, the union of affection and exertion will cheer us on, and enable us to expel our enemies from without as well as those now in our midst. San Luis Potosi is surrounded by reactionaries, and we are fearful of the sad news reaching us every moment that it has fallen. Tampico is then their next aim, and if in their hands it would give them one of the best ports in Mexico and the faculty of joining our enemies from without, so that it is necessary to have two gun-boats, if they possibly can be spared, for our protection, as well as a battery of cannons to protect the entrance at the bar.

General Canales is in the interior, working with Ortega to raise him to the presidency, and in the mean time the clerical body are raising and have raised already \$10,000,000 to sustain the reactionaries; this sum is to be followed by \$15,000,000 more, making in all the total sum of \$25,000,000 to secure their victory over President Juarez; while the authorities here are doing and will do their best to sustain Juarez, if timely aid is lent them in men and money—that is to say, \$5,000,000, with the security of this custom-house, which will be lawfully given and most faithfully complied with.

The roads first must be opened to the interior, which can be done with the above aid, say only one million per month, so as to enable our army to obtain their supplies of arms, munitions, food, and clothing. Two steamers being also required, one to have constant intercourse with New Orleans and New York, and the other with her armament to remain in this river. This will be, if aided by the United States government, the means of opening a field of prosperity to the republic of Mexico, and still more to the United States, that probably no stretch of imagination can now reach, and can by its aid easily consolidate the collective strength of Mexico by uniting all those parties in favor of President Juarez into one mass, by a well-timed organization.

In a word, the authorities here and the people know their rights, but unfortunately, through the French and those devastating civil wars, they lack the means to manifest their will or their powers, and hence they now supplicate your government through your agency to come to their support and aid by a well-timed assistance, and to join in assisting us in establishing peace and reform, the great corner-stone of prosperity and the sure blessing of a free people, in order to build up a national temple of peace and freedom with open portal, so that every loyal Mexican citizen may enter; not only 8,000,000 of souls who owe their birth to the country, but all who may emigrate to cultivate the soil and rest under the blessing of peace; for such has been our depressed situation that the authorities here have been compelled to create means through forced loans on the merchants, who are, with but one exception, all foreigners. This has been both oppressive and offensive, until now this city, and indeed the district and country, is completely drained of money or available means, even to the real estate, which has been taxed at two and a half per cent. on its valuation for the supplies of the army. This has created an ill-feeling against us among the foreign merchants, as well as for the exemption of American citizens from the forced loans, yet we were compelled to do so to sustain our army.

Thus you will clearly see our hopeless position, with the scourge of enemies from without and yet worse enemies from within, who are draining the heart's blood of the nation. In fact, the compliance with this loan will not only relieve us, but it will create a new birthday to Mexican independence and nationality. Will the United States government see to this in behalf of a free and faithful people, and come to our aid out of the national loans to the Juarez government, whom we represent, for the protection of republican institutions?

Respectfully submitted:

ASCENCION GOMEZ,
MANUEL MA. CUESTA,
G. CORTINAS,
Administrador de la Aduana.

Mr. Campbell to Mr. Seward..

No. 21]

NEW ORLEANS, *March 20, 1867.*

SIR: I received this morning two official communications from Franklin Chase, esq., consul general at Tampico, dated March 1st and 2d.

That of March 1st, marked No. 8, I transmit herewith. The other merely encloses a duplicate of the petition of General Gomez and others, the original of which I sent you with my despatch No. 20, asking our government to make them a loan of \$5,000,000; also for gunboats, battery of cannon, men, &c., &c. Mr. Chase informs me that a copy of the same paper has been forwarded to Mr. Romero.

It may not be improper to add that when I was at Tampico, on the 5th of December last, Mr. Chase informed me that he regarded General Gomez and Cuesta as friendly to Ortega's claim to the presidency. They may now, however, be truly devoted to the cause of President Juarez.

If our government has gunboats not necessarily on duty elsewhere, it might be prudent to have some of them cruising in the Gulf of Mexico, with a view to protect our citizens and our commerce there.

I remain, sir, very respectfully, your obedient servant,

LEWIS D. CAMPBELL.

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

Mr. Chase to Mr. Campbell.

UNITED STATES CONSULATE GENERAL,
Tampico, March 1, 1867.

SIR: I have the honor to acquaint you that the mail from San Luis Potosi, which arrived here on the evening of the 27th ultimo, brought me dates from that city to the 21st ultimo, by which I am informed that President Juarez and the members of his cabinet entered that city several hours before the departure of the above-mentioned mail, where he received the most enthusiastic manifestations of joy and professions of adhesion from his countrymen, in which the foreign residents participated.

By the same mail I am informed that the imperial forces are at Queretaro, with a force variously estimated at from 5,000 to 7,000 strong, with Maximilian at their head, and that Miramon and Marquez are generals of division under his immediate command.

On the 23d instant General Gomez published a "Bando" in this city, imposing a new extraordinary tax of three per centum on capital and real estate. I have claimed exemption for our countrymen, and have hopes that my defence in their behalf will be attended with success.

I now indulge the hope of soon having the honor of seeing you again in this place, *en route* for San Luis Potosi, as it is more than probable the president will be detained there for several months.

I have had a vast deal of trouble here since the 11th of January last with the owners and crew of a steamer called the *Heroine*, of New Orleans. The object of bringing this vessel here was to sell her, but no purchaser could be found, and the crew, composed of such men as General Butler met with at New Orleans, are clamorous for their pay and discharge.

In the mean time the master who brought the vessel here, together with the nominal part owner, Dr. Richard H. Porter, abandoned the steamer and returned to New Orleans, leaving the crew to become a burden upon this consulate.

After I had subsisted the ship's company, comprising 20 men, for four days, and in the mean time aided the other part owner, Lewis Wolfley, to negotiate a loan on the said steamer, to enable her to be sent to Vera Cruz, where there was a probability of obtaining a good price for her, the crew revolted against my protection and put themselves in the hands and under the advice of a certain Dr. William H. Read, who, from secession principles, left the United States and located in this vicinity.

Dr. Read at the same time holds a power of attorney, which was surreptitiously ordered and executed by the said Porter while in this city, after having formally relinquished the unconditional management of the business of Mr. Wolfley.

The result of all this is insubordination of the crew, who refuse to obey the master appointed by me to take care of the vessel, and who is now suffering in the hospital from the wounds which they have inflicted upon him.

Under this state of things, together with the unsettled state of affairs in this country, the interests of our countrymen require the protection of one of our gunboats in this river, and I trust that you will be pleased to use your influence with the Secretary of the Navy to send one here with the least possible delay.

I have the honor to be, sir, with the highest respect, your most obedient servant,

FRANKLIN CHASE.

Hon. LEWIS D. CAMPBELL,

*Envoy Extraordinary and Minister Plenipotentiary
of the United States to the Republic of Mexico.*

Mr. Seward to Mr. Campbell.

No. 22.]

DEPARTMENT OF STATE,

Washington, March 23, 1867.

SIR: Your despatch No. 19, of the 12th instant, which asks for special instructions upon the subject of claims of citizens of the United States against Mexico, has been received.

In reply I have to state that until you shall have presented your credentials, you will make no representation to that government on the subject, and in no event without having reported to the department the facts in the several cases, in order that special instructions may be forwarded to you. This restriction, however, need not apply to such cases as may arise after you shall have been received by that government, and which may require prompt interposition.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

L. D. CAMPBELL, Esq., &c., &c., &c.

Mr. Seward to Mr. Campbell.

No. 23.]

DEPARTMENT OF STATE,

Washington, March 27, 1867.

SIR: I have received your despatches Nos. 20 and 21, of the 18th and 20th instant, together with a memorial addressed to the United States government from certain authorities and generals of the district of Tampico, transmitted to you by Mr. Chase, the consul general at that city. The views of this government on the subject of the memorial have been explained to Mr. Chase in a communication, a copy of which is sent you herewith for your information. As regards the request of Mr. Chase to have a United States war vessel stationed at Tampico, it has been submitted to the Secretary of the Navy.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Seward to Mr. Chase.

DEPARTMENT OF STATE,
Washington, March 26, 1867.

SIR: I have received through the hands of the United States minister to Mexico, now at New Orleans, a communication which you addressed to him on the 11th of February last, together with a memorial addressed to the United States government from certain authorities and generals of the district of Tampico de Tamaulipas. In that paper the memorialists ask this government to loan them \$5,000,000, and to place two armed steamers in Mexican ports for communication with New Orleans and New York.

II. The United States are solicited to render these aids as an act of intervention in support of the President, and against the armed insurgents of that republic.

This government has, throughout the whole of the recent distractions in Mexico, declined to hold intercourse with any party in that country other than the constituted national authorities, and with them only in the regular forms of international correspondence.

I am, sir, your obedient servant,

WILLIAM H SEWARD.

FRANKLIN CHASE, Esq.,
United States Consul General, Tampico, Mexico.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *March 29, 1867.*

SIR: Mr. Diaz, the Mexican consul at this place, arrived here yesterday by the steamer from Brazos, on his return from San Luis Potosi, which place he left on the 5th instant.

He informs me that diligences now run regularly twice a week from Matamoros through to San Luis Potosi, making the trip in seven days, and that the roads are considered quite safe. He states that up to the date of his departure from San Luis, and of the still later news of the 11th instant which reached Matamoros before he left there, no recent engagement of importance had occurred between the national forces and those now adhering to Maximilian in Queretaro; and that the campaign of the latter, if his object was to strike the liberals in detail, has failed, for the liberal forces have now effected their concentration, and, to the number of over 20,000 men, are stationed within supporting distance before that city. The situation, in Mr. Diaz's opinion, affords almost the certainty of an early and effective triumph of the national arms.

This opinion is so strongly participated in, he states, by the government of President Juarez, that they have made no preparations for any lengthened stay at San Luis, even leaving their wagons still unpacked, and are confident of being able to continue the journey toward the capital very soon.

At the same time it is not his impression that the government will move from San Luis until the city of Mexico is actually in the possession of the national forces.

From this information from Mr. Diaz, it appears that access to the residence of the government of President Juarez is perfectly open and practicable by way of Matamoros, as is also the case by way of Tampico; which latter place continues in the quiet possession of the liberals, not of the imperialists, as falsely telegraphed on the 22d instant from Galveston.

On the other hand, in considering ways of access to Mexico, it is possible Vera Cruz may be occupied by the liberal forces now before it at a very early day.

The foreign and commercial portion of the population there, I am informed, are very anxious for this termination of what has now become only a useless resistance, prolonged to the detriment of the commerce of that port.

I have considered it my duty to communicate the above, although I constantly

feel that whatever can be written from here must be almost useless, as the information received by the department from various sources in Mexico is so much more direct and complete.

I am, sir, with the highest respect, your most obedient servant,

E. L. PLUMB.

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

Mr. Seward to Mr. Campbell.

No. 25.]

DEPARTMENT OF STATE,
Washington, April 2, 1867.

SIR: I have to inform you that the department has commenced negotiations with the minister of Mexico in this country for a treaty, whereby citizens of the United States residing in Mexico are to be exempted from all forced loans or military exactions or requisitions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.

Mr. Seward to Mr. Campbell.

[Telegram.]

DEPARTMENT OF STATE,
Washington, April 6, 1867.

The capture of the Prince Maximilian at Queretaro, by the republican armies of Mexico, seems probable. The reported severity practiced upon the prisoners taken at Zacatecas excites apprehensions that similar severity may be practiced in the case of the prince and his alien troops. Such severities would be injurious to the national cause of Mexico, and to the republican system throughout the world.

You will communicate to President Juarez, promptly and by effectual means, the desire of this government, that in case of his capture the prince and his supporters may receive the humane treatment accorded by civilized nations to prisoners of war.

The expense of making the communication to President Juarez will be defrayed by this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c.,
St. Charles Hotel, New Orleans.

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *April 6, 1867.*

Your despatch by telegraph received. Presuming that the department expects me to make the communication to President Juarez by special bearer of

despatches, I will forthwith adopt measures to send one to Queretaro via Tampico, unless otherwise instructed.

LEWIS D. CAMPBELL.

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

Mr. Campbell to Mr. Seward.

No. 25.]

NEW ORLEANS, *April 6, 1867.*

SIR: Receiving your telegram of this date at half past 1 o'clock p m., I proceeded immediately to make arrangements to transmit to his excellency President Juarez an expression of the views of our government, as I understand them from your despatch, on the subject to which it refers.

Herewith enclosed you will find a communication I have hastily addressed to his excellency S. Lerdo de Tejada, minister of foreign affairs of the United Mexican States.

Major General Sheridan, on my application, has very promptly placed at my disposal, for this special service, the United States despatch steamer Black Bird, now at Galveston.

I send as special messenger John White, esq., (who served with distinction in the federal army,) whom General Sheridan has recommended to me as a man in whom the utmost confidence may be placed, and whose discretion, energy, endurance, integrity, and trustworthiness he has fully tested. I transmit herewith a copy of the instructions I have given him. He will leave this city for Galveston by railroad and steamer on Monday morning, the 8th, and probably arrive there on the morning of the 9th, at which time the Black Bird will be ready to proceed with him to Tampico, without an hour's delay.

I also transmit a copy of my letter to the captain of the despatch steamer Black Bird, and a copy of my letter to Franklin Chase, esq., our consul general at Tampico.

From the tenor of your telegram I infer that promptness in transmitting the views of our government is deemed important. The means and the route I have chosen will unquestionably effect the object much sooner than any other I could possibly make available.

I have the honor to remain, very respectfully, your obedient servant,
LEWIS D. CAMPBELL.

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

Mr. Campbell to Señor Lerdo de Tejada.

NEW ORLEANS, U. S. A., *April 6, 1867.*

SIR: For reasons which are doubtless well understood by you, it has not yet been in my power to present formally to his excellency President Juarez my letters of credence as envoy, &c., &c., of the United States to the republic of Mexico.

The instructions of October last, under which I started on my mission, gave me a discretionary power, in a certain contingency, to establish my official residence, temporarily, "at any place in the United States or elsewhere near the frontier or coast of Mexico." For causes not necessary herein to be explained, I left Matamoros and came to this city in December last, since which time, under instructions from the Secretary of State, it has been the place of my official abode.

The government of the United States has observed with much satisfaction the withdrawal of the French expeditionary forces in Mexico, and the advance of the armies of the constitutional government towards the capital of the republic. This satisfaction has recently been

disturbed by the reports it has received in regard to the severity practiced on the prisoners of war taken by your armies at Zacatecas. Its fears, too, have been thereby excited that in the event of the capture of the Prince Maximilian and the forces under him, this severity might be repeated.

I have this day received by telegraph a despatch from the Secretary of State instructing me to express to his excellency President Juarez these apprehensions, in the most expeditious manner. Therefore, I communicate them by special bearer of despatches.

The government of the United States has sincerely sympathized with the republic of Mexico, and feels a deep interest in its success; but I have to express the belief that a repetition of the reported severities referred to would shock its sensibilities and check the current of its sympathies. It is believed that such acts to prisoners of war as are reported cannot elevate the character of the United Mexican States in the estimation of civilized peoples, and may tend to bring into disrepute the cause of republicanism, and retard its progress everywhere.

The government instructs me to make known to President Juarez, promptly and earnestly, its desire that in case of the capture of the Prince Maximilian and his supporters, they may receive the humane treatment accorded by civilized nations to prisoners of war.

I have the honor to be, very respectfully, your excellency's most obedient servant,
LEWIS D. CAMPBELL.

His Excellency S. LERDO DE TEJADA,
Minister of Foreign Affairs of the United Mexican States,
San Luis Potosi, Mexico.

Mr. Campbell to Mr. White.

NEW ORLEANS, April 6, 1867.

SIR: On the recommendation of Major General Sheridan, I have selected you as special bearer of despatches to the government of the republic of Mexico.

You will proceed as expeditiously as possible to San Luis Potosi, or to such other point in Mexico as may be found necessary, and deliver in person to S. Lerdo de Tejada, minister of foreign affairs, (or if he be not there, to President Juarez,) the sealed communication addressed to the minister.

From this city you will go forthwith to Galveston, and from that port proceed to Tampico without delay on the United States despatch steamer Black Bird.

On your arrival at Tampico, deliver promptly the sealed letter addressed to Franklin Chase, esq., United States consul general, and go forward as rapidly as you can to San Luis Potosi.

Having delivered the sealed communication addressed to the minister of foreign affairs, you will return immediately by the best and most expeditious route to this city and report to me. Before returning you will obtain such reliable information as you can touching the condition of affairs in Mexico. You may also be the bearer of any communication that government may desire to send to ours through your agency. You will keep an accurate account of your expenses, and report the same to me on your return.

Respectfully yours, &c.,

LEWIS D. CAMPBELL.

JOHN WHITE, Esq., *New Orleans.*

NEW ORLEANS, April 6, 1867.

CAPTAIN: Arrangements have been made with Major General Sheridan to convey on the Black Bird John White, esq., to Tampico. Mr. White goes to Mexico on business of great importance to the government, and it is very desirable that you should go to Tampico with all the speed that may not be unsafe.

Very respectfully yours, &c.,

LEWIS D. CAMPBELL.

CAPTAIN U. S. DESPATCH STEAMER BLACK BIRD,
Galveston, Texas.

Mr. Campbell to Mr. Chase.

NEW ORLEANS, April 6, 1867.

SIR: Acting under instructions received to-day by telegraph from the Secretary of State, I desire to forward by the speediest available means an important despatch to his excellency President Juarez, by John White, esq., a special messenger, who will hand you this letter.

As I regard the route to San Luis Potosi via Tampico as the shortest and safest, the special messenger will leave this city on Monday morning, the 8th instant, for Galveston by

railroad and steamer. Immediately on his arrival at Galveston he will sail for Tampico on the United States despatch steamer Black Bird. On his arrival at Tampico you will promptly aid him in the speedy discharge of his important duty. General Gomez, commanding the liberal forces, will doubtless furnish him transportation and an escort.

You will make an account of any expenses you may incur, and the same will be defrayed by the Department of State.

Your official communications of the 11th of February last, and of the 1st instant, with the enclosures, were, when received, immediately transmitted to the Secretary of State, who informs me he has communicated to you directly the views of the government on the important subjects to which they refer.

I remain, sir, very respectfully, your obedient servant,

LEWIS D. CAMPBELL.

FRANKLIN CHASE, Esq.,
United States Consul General, Tampico, Mexico.

Mr. Otterbourg to Mr. Seward.

No. 21.]

CONSULATE OF THE UNITED STATES,
Mexico, April 7, 1867.

SIR: Lieutenant General Marquez, exercising full powers with which he had been invested by Maximilian, proceeded on the 28th ultimo in the discharge of a mission intrusted to him at Queretaro, by ordering a forced loan of \$850,000 forthwith to be levied upon the city of Mexico. This, assessed immediately on heavier capitalists, makes its effects felt generally by commerce already exhausted from repeated taxation, and has morally weakened the cause it was levied to support. The newly appointed minister of finance, General Vidaurie, who accompanied Lieutenant General Marquez on his return from Queretaro, likewise issued a decree, enclosure No. 1, which appropriates to the state the amount of one entire month's rent to be received by the owners of tenements, besides an additional charge of the half of one month's rent to be collected from the tenant. An attempt to justify measures so severe and more than onerous to a community impoverished by war and relentless taxation, would appear in a letter from Prince Maximilian to the Minister Aguirre, enclosure No. 2, from which the inference is open that Maximilian is forced to act under the necessity of an exceptional situation imposed upon him by President Juarez's rejection of every offer of conciliation. In consequence of these rigorous courses, General Marquez was enabled to set out on the 30th of March, as was at that time supposed, for the relief of Queretaro, with full 4,000 men, and a convoy of \$270,000.

Whether such was indeed his object, or a preliminary attack upon General Diaz, then besieging Puebla, his combinations have been frustrated.

The unexpected fall of Puebla on the 3d instant, enclosure No. 3, left General Diaz free to move against Marquez, whose retreat upon Mexico has been intercepted by the opening of the dikes of the lake San Cristobal, and the accumulation of scattered forces of the constitutional party in his rear. A large detachment of troops, disengaged by the arrival of re-enforcements from the frontier, has been hurried off from the lines before Queretaro, to co-operate for the destruction of Lieutenant General Marquez, now tacitly accepted as the only man who can for any time sustain the contest on the side of the conservative party.

Enclosure No. 4 is a plan of Queretaro, upon which are traced the positions of the besiegers, whose operations, stimulated by the capture of Puebla and their possession of the entire southern border of the city, promise an early and successful period to the siege.

The European representatives held a meeting to deliberate as to their course of action in regard to the violent forced loans levied, chiefly on foreigners, and the latest contribution upon rental proceeds. Though there was, as I have

been informed, a strong expression of indignation, and threats even were remotely indulged in, no step was taken nor protest made to counteract the execution of a loan and decree, for the discussion of which the diplomatic corps had been called together. In explanation of so singular an exception to the recognized and customary usage on like occasions in Mexico, it has been intimated to me that a collective note upon Mexican affairs, to be remitted to their respective governments, is meditated by the foreign representatives. The remark struck me so forcibly, that I have deemed it not unnecessary to communicate to the department an indication of a design, which, carried into effect, may result in new complications, to be followed by the most important consequences.

I have to make it a subject of regret that the lax practice heretofore pursued in Mexico exposes me to the displeasure of foreigners, whom, in obedience to the Constitution and instructions from the department, I decline to recognize as citizens of the United States on the mere evidence of papers of intention declared years ago, by parties who have never thought it of sufficient interest to reside in the United States during the term required by law for the perfection of their rights.

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

MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.]

On hearing our ministry of hacienda, we decree :

ARTICLE 1. All owners of city property in the empire shall contribute once for all, with the character of an additional impost towards the wants of the treasury, the amount of one month's rent as paid by their tenants, without exception of those who shall have received in advance the rent of one or more months.

ART. 2. Rural estates in the empire shall likewise contribute once for all, and with the same character, an amount equal in value to one-third of the contribution of 6 per cent. decreed December 3, 1866.

ART. 3. Tenants of all urban property throughout the empire shall likewise contribute, in the same manner as proprietors, one-half of a month's rent. In this article are comprised those who from any cause whatsoever occupy dwellings free of rent, and those who by virtue of offices live in national edifices.

ART. 4. Proprietors occupying their own houses, either entirely or in part, shall pay a contribution of one and a half month's rent, according as they may have been or shall be assessed for the payment of the 6 per cent. contribution decreed in December, 1866, for the portion they inhabit.

ART. 5. Proprietors who owe amounts on their properties shall deduct from the payment to the holders of their obligations one month's interest thereon without prejudice to the special contract between the parties.

ART 6. Contributors shall pay their quotas at the offices of direct contributions of their respective precincts in four instalments, to be reckoned from the 1st to the 15th of April next; from the 15th to the 30th of April; from the 1st to the 15th of May, and from this last date to the 30th of the same month, in the capital of the empire; and in the other towns and villages, each term shall consist of fifteen days, reckoning from that following the date of the publication of this decree, so that the entire collection shall be completed in the term of 60 days.

ART. 7. Should these terms have expired before the contributors shall have paid in the full amount of their several quotas, they shall incur the penalty of a double impost, and the collectors shall remit without delay to the prefects and sub-prefects a list of the debtors in order that these effect payment upon their responsibility within the precise term of three days, or the collectors issue writs of execution with the costs annexed.

ART. 8. A discount of 25 per cent. on the quota of their contributions shall be made in favor of those who complete within the first term the payment of their four instalments corresponding to the entire term.

ART. 9. The same data and bases shall be adopted for the exaction of the present imposts as are employed for the collection of the contribution of 6 per cent. upon the products of tenements, &c.

ART. 10. There are excepted from the payment of this contribution: First, tenants who pay a rent of less than ten dollars per month. Second, capital upon which the nation holds a mortgage. Third, capital destined for the dowries of nuns. Fourth, capital, the interest of which is paid on account of institutions of beneficence or of public instruction, whenever the last are sustained at the expense of the public funds; consequently, the collectors, on proof in accordance with pre-existing laws, shall discount to the owners of the tenements one month's interest upon such capital, but exact the contribution on the remainder of the products of the property.

ART. 11. The depositary or the recipient of the rents, be he who he may, must, without a judicial order, pay the quota upon tenements that are in litigation or embargoes: in their defect the tenant or the person in possession with any title whatsoever to the property, without prejudice to his right of action against the party who may appear to be the owner or lawful proprietor.

ART. 12. The general direction of rents shall establish regulations for the collection of this contribution and pay the expenses of the same.

ART. 13. Our minister of hacienda is charged with the execution of this decree.

Given in Mexico, March 30, 1867.

By the emperor, and in absence of the lieutenant general of the empire.

SANTIAGO VIDAURRI,

Minister of Hacienda and President of the Ministry

[Translation.]

QUERETARO, March 2, 1867.

MY DEAR MINISTER AGUIRRE: As my departure for Queretaro when I put myself at the head of the newly formed army might be falsely interpreted as well in the country by malevolent persons as abroad, through ignorance due to the many calumnies which our enemies disseminate with activity respecting the conduct of our government, I believe it necessary to make a few observations which might serve as explanation and guide in the present difficult moments.

The programme traced by me in Orizava after having heard the frank and loyal expressions of the councils of state, has not changed in the slightest degree. The idea of a national congress ever dominates with me as the sole and only solution which can form a durable future and a basis to bring together the parties that cause the misfortune of our unfortunate country.

I emitted the idea of the congress, which already on my arrival in the country I entertained, so soon as I had the assurance that the representatives of the nation could meet free from foreign influences.

While the French dominated the heart of the country there was no possibility of thinking on a congress with freedom of deliberation. My visit to Orizava quickened the march of the troops of the intervention, and so arrived the day when a constituent congress could be openly talked of. That it was not possible before to take such a step was demonstrated in the strong opposition which the departing French authorities made to the idea emitted.

The congress elected by the nation, a true expression of the majority, and with the accumulated sum of power and liberty is the only remedy capable of concluding the civil war and of staunching the sad flow of blood. I, sovereign and chief, called by the nation, submitted again with pleasure to the expressions of its will, governed by the most ardent desire of thus concluding promptly the desolating contest. I did more; I addressed myself personally or through trusty and loyal agents to the several chiefs, who say they fight in the name of liberty and of the principles of progress in order that they should submit, as I, to the legitimate vote of the national majority. What was the result of these negotiations? That men who invoke progress did not wish or could not subject themselves to such a trial, and replied by the shooting of loyal and distinguished citizens. Rejecting the fraternal hand which sought peace among brothers, or rather blind partisans, they wished to dominate exclusively with the sword in hand.

Where, then, is the national will? On which part is there the desire of true liberty? The sole apology for them is their own proper blindness, so the sad events which under such a banner are enacted and cry aloud to heaven, manifest it. On them, then, we cannot reckon, and we have no other duty than to act with every energy to restore liberty as quickly as possible to the people, that they may be able to express freely and frankly their will.

This is the reason why I myself marched to this city in all haste, seeking by all possible means to restore to our unhappy territory peace and order and to save, a second time, the country from noxious foreign influences. In the east the bayonets of intervention already appear. It is then necessary to arrive at the desired moment, that other armed influences, direct or indirect, may not attempt our independence and the integrity of our native land. We are at the supreme hour on witnessing that a trade is driven with our soil. It is for that very reason necessary to seek, by every remedy, a period to this critical situation, and to free Mexico from every oppression, come it from what quarter it may. Lastly, a national congress will determine upon the destinies of Mexico, as far as her institutions and her form of

government, and if this reunion should not take place because we who strive for it succumb the contest, the judgment of the country would always concede us the right; for it would say that we have been the real defenders of her liberty; that we never sold the territory of the nation; that we strove to save her from the double oppression of an intervention, and that in good faith we offered the means of making the national will triumph.

Receive the assurance of my benevolence, with which I am your most affectionate,
 MAXIMILIAN.

Mr. Jacot to Mr. Otterbourg.

[Extract.]

CONSULAR AGENCY OF THE UNITED STATES OF AMERICA,
Puebla, April 5, 1867.

SIR: The siege is happily over. The defenders of the city did their best and really fought well, but their moral courage being lost they were overpowered by the numbers.

The liberal army has behaved admirably. They attacked the city at fourteen different points and took them all, and yesterday the forts were given up.

With a few exceptions, unavoidable in such cases, everything went well. The greatest order prevails now in the city. Rafael Garcia is governor of the state, and all the old clerks are under his orders. I mean all the clerks that served the liberal government when the French came in the city.

Very respectfully, sir, your most obedient servant,

A. JACOT,

Consular Agent of the United States of America.

M. OTTERBOURG, Esq.,
United States Consul, Mexico.

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *April 8, 1867.*

I started messenger for San Luis Potosi with despatches, this a. m., to Galveston, by rail and steamer; thence to Tampico, by fast despatch steamer Blackbird. I have sent you full despatch by mail.

LEWIS D. CAMPBELL.

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

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

No. 24.]

CONSULATE OF THE UNITED STATES,
Mexico, April 11, 1867.

SIR: To the facts already reported in despatch No. 21, April 7, from this consulate, I can only add that Lieutenant General Marquez reached the capital at 10 o'clock last night, accompanied by about 250 horsemen.

The rumors to-day are that, kept in check by the liberal cavalry at the hacienda of San Lorenzo, he was completely routed, with the total loss of his army and convoy of treasure, on the arrival of General Porfirio Diaz with the forces from Puebla.

A council held in the palace this morning resolved at every extremity to defend themselves against the constitutional forces now in full march from the field of battle to take the capital.

Press gangs are active in every quarter of the city, seizing upon all males

capable of military service and horses, wherever to be found, for the requirements of the government.

In the midst of the general excitement it is impossible to foresee what may occur from one moment to another. The pressure brought to bear upon the authorities might yet induce a change of resolution and convince them of the policy of abandoning the city.

I have heretofore been fortunate in obviating the impositions upon American citizens of forced loans and contributions exacted of foreigners, to the entire disregard of the representations made to the contrary by foreign ministers.

To informal applications made for my intervention I have replied that, when those charged with the security of the population should require and solicit such intervention, the consul of the United States would be prepared to act as events might dictate, in the interests of humanity.

Since the above was written 2,000 of General Marquez's forces have come in from the field of their defeat, and have been incorporated with the new levies caught up for the defence of the capital.

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

MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

Hon. F. W. SEWARD,

Assistant Secretary of State, Washington, D. C.

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

No. 25.]

CONSULATE OF THE UNITED STATES,

Mexico, April 17, 1867.

SIR: In pursuance of the resolution to defend the capital adopted in a council called together on General Marquez's return from the scene of his defeat, most rigorous measures have been resorted to for the exaction of instant payment of the forced loan and contributions imposed prior to his expedition. Soldiers have been stationed in the houses of recusants, and, where they could not succeed in eluding the vigilance of the police, heads of families have been imprisoned upon the hesitation to answer the impositions of the authorities. A second forced loan is exacted, and contributions based upon the most extravagant pretensions in political economy are levied anew upon the population. No resource has been left untouched that could possibly furnish the means of resistance, which it has been resolved to sustain to the last extremity.

Under the influence of this system of terror, many citizens of the Hanseatic towns have made urgent appeals to me for protection, the responsibility of which I have as invariably declined unless it be solicited by a written communication from the consul general of the league. Though the circular to consuls (a copy of which is herewith enclosed, No. 1) does not require such applications to be made in writing, I have been more decided in this reply to several verbal calls to the same effect of the consul general, by the difficulty experienced in shielding American citizens and their interests, which alone would appear motive sufficient to put on record the protection extended in the present dangerous crisis by the United States to the citizens of another power at the solicitation of their representative, the consul general of the Hanseatic cities. And the propriety of my decision is sustained more fully, if it be true, as intimated, that the reluctance to consent to this single condition proceeds on the part of the consul general from instructions received by him from the cities he represents to apply for countenance and advice to the minister of Prussia accredited near the government of Prince Maximilian.

I respectfully submit the entire subject to the judgment of the department, and shall await instructions as to any future action in the matter.

The liberal army, following up their recent success, is now massed around the city to the number of 20,000 men, as reported, and is making preparation to commence an attack in form as soon as the siege train shall have been received from Puebla.

Under an impression prevailing generally that but an ineffectual resistance can be offered to the forces now upon the capital, the corps of foreign representatives suspended their discussion of the terms of another protest against forced loans and contributions, in order to learn from the high Mexican functionaries their proposed action in the present momentous situation. On the reply that the city would be defended to the last cartridge, the diplomatic corps addressed to the secretary of foreign affairs, in return to the answer, enclosure No. 2, to a former protest, a notification (a copy of which I have not as yet secured) of their resolve to ask of their respective governments instructions in regard to their future relations with this government.

A letter from the consular agent at Puebla gives the information that the liberal authorities have imposed on that city a forced loan of \$150,000, and a contribution of one per cent. on all capital exceeding \$250. I have advised the consular agent, in reply to his request for instructions as to his conduct in the protection of American citizens against these impositions, that Americans would pay the legal imposts levied upon Mexicans, and that at a proper season the government of the United States would interfere wherever any infraction may have been committed upon the rights of their citizens.

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

MARCUS OTTERBOURG,

U. S. Consul in charge of United States. Legation.

Hon. F. W. SEWARD,

Assistant Secretary of State, Washington, D. C.

P. S.—No news that can be relied upon has been received from Queretaro.

[Circular to consuls.]

LEGATION OF THE UNITED STATES,
Mexico, June 18, 1862.

SIR: On the 22d of May last I informed you that the republics of Bremen, Hamburg, and Lubeck had placed their citizens of Mexico under the protection of the United States, and requesting you to extend such protection, "should they need it." Some doubts have arisen as to the extent of your powers under this order. I have to inform you that in all cases where a consul of either of these powers resides in the same place with yourself, you are in no case to act as to the persons under his protection unless he shall request you. Where there is no such consul, you will of course extend such protection as may be proper to the citizens of either of said republics, in the absence of their proper consuls.

Very respectfully,

THOMAS CORWIN.

Senor Pereda to Mr. Hooricks.

[Translation.]

POLITICAL SECTION.

MEXICO, *April 10, 1867.*

The undersigned, assistant secretary of the department of foreign affairs, during the indisposition of his excellency the minister, and as he had the honor to announce in his communication dated 7th instant, addressed to his excellency the minister of his Majesty, dean of the diplomatic corps, has made report to his excellency the president of the department

charged by the government with the collective note dated 6th of the same, relative to the anticipations which, in exchange for bills on Vera Cruz, the government has been obliged to ask for from various landed proprietors and merchants at this capital, among whom it is supposed may be some Belgian subjects, because Mr. Hooricks is one of the signers of that note.

His excellency being informed of the contents of that note, has thought proper to decide, in concert with the council of ministers, that it be said in reply to the chargé d'affaires of Belgium, that the present circumstances of the empire are notoriously such as to make necessary the exceptional measures that have been dictated, so that it cannot fall back from them at this moment, and that if there has been any excess in executing them, not occasioned by undue and disrespectful insubordination, the government will instruct its agents to conduct themselves with favor toward foreigners, provided they manifest, at the same time, the obedience and respect due to the public authority.

Such is the conclusion which the undersigned has order to transmit to the chargé d'affaires of Belgium.

The undersigned avails of the occasion to assure the chargé d'affaires of his Majesty the King of Belgium of his distinguished consideration.

J. N. PEREDA.

Mr. FREDERICK HOORICKS,
Chargé d'Affaires of his Majesty the King of Belgium.

Mr. Campbell to Mr. Seward.

No. 27.]

NEW ORLEANS, *April 24, 1867.*

SIR: Mr. Marshall, our consul at Matamoros, came to this city yesterday and returned to-day. I learn from him that Mexican affairs are quiet on the Rio Grande, and that reliable information had been received at Matamoros of the capture of Puebla by the liberal forces.

My special messenger to President Juarez, Mr. White, on reaching Brazos Santiago, on the steamer Blackbird, received information through Major General Reynolds, commanding at Brownsville, Mr. Marshall, and General Berriozabal, commanding the liberal forces at Matamoros, which induced him, acting under the advice of General Reynolds, to change his route, and proceed overland from Matamoros to San Luis Potosi.

It appears that Gomez, who commands the so-called liberal forces at Tampico, and Canales, who has also a force near that city, are not co-operating in good faith with President Juarez, and have refused to obey the orders which emanate from him. It is said they hold the custom-house of that city, and are disposed to use their commands rather for their own personal aggrandizement and benefit than to advance the common cause of the Mexican republic. These are stated facts of which I was not apprised when I instructed Mr. White to proceed via Tampico, and I am well satisfied that the advice of General Reynolds was discreet. Under such circumstances there would have been little reliability in the escort which General Gomez might have furnished him from Tampico into the interior. The result of my observations when at Tampico, in December last, left the impression on my mind that the military authorities there were not very devoted to the cause of President Juarez, and I have learned nothing since that should change it.

Mr. White left Matamoros with an escort furnished by General Berriozabal, and probably reached San Luis Potosi about the 20th instant. I expect his return here within the next ten days, with full information as to the situation of affairs in Mexico, which, when received, I will as speedily as possible communicate to you.

I have the honor to remain, very respectfully, your obedient servant,

LEWIS D. CAMPBELL.

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

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

No. 29.]

CONSULATE OF THE UNITED STATES OF AMERICA,
City of Mexico. April 30, 1867.

SIR: The army of General Porfirio Diaz, now for 12 days in undisputed possession of the environs and outlets of this capital, has during the last week with slow but steady progress been closing in about the city itself.

Already do the effects of a vigorous siege begin to be suffered by the masses of the population, with whom the struggle to procure means of subsistence from day to day must too soon become, at the exorbitant prices attained for articles of first necessity, more than difficult, if not altogether impossible.

Contributions to the amount of \$14,000 a day are levied in proportion to an arbitrary assessment of each individual's pecuniary resources but as few are able promptly to meet such requisitions, the authorities fail not to wrench money from delinquents by processes which it would be vain to attempt to describe.

The current expenses, the pay and provisioning of troops are only partially covered, and the treasury continues to be empty; of one million of dollars produced, according to the report of persons with the best opportunities for information, by forced loans and contributions extraordinary and ordinary, no more than \$300,000 has been able to be accounted for by those charged with the collection and distribution of the funds.

Commerce is suspended, business establishments, wholesale and retail, generally closed, and all social intercourse is at an end. Yet, notwithstanding the privations and sufferings hourly accumulating upon 230,000 inhabitants, shut up in this capital, so little unity of purpose or spirit of community moves the masses, that the longest experience in Mexican life could not set a period to a situation which days ago would have driven another population into tumult.

On the reiterated inquiries of American citizens into some mode of relief from the daily exactions of money, I at length resolved to call on General Vidaurri, named by Prince Maximilian at Queretaro his minister of finance and president of the ministry, with the intention to insist on an exception in favor of citizens of the United States from the terms of circular, enclosure No. 1. An abstract of what was said at this interview will furnish perhaps the clearest report of the course I have had to pursue in this delicate juncture of affairs.

I inquired of General Vidaurri whether he would hear my objection to the circular. Invited by his reply to continue, I frankly told him that the motive of my permanence in Mexico was to protect, in accordance with instructions from the government of the United States, the interests of their citizens within this consular district; I could not, therefore, while remaining here allow it by my silence to be supposed that the existing authorities had a right to exact from American citizens a contribution towards the support of the war now waged in Mexico; the payment of money for such an object would constitute them belligerents, in violation of the neutrality which, as was understood, is the condition of Americans residents here, and the negative advantage of which I could not consent they should forfeit against their wishes as expressed to me; if the minister of finance persisted in carrying into effect the dictates of his circular and my protest proves unavailing, I would leave the city rather than appear by my presence to submit to any measure that could interfere with the letter or spirit of instructions in regard to the protection of citizens of the United States. The chief of bureau here interposed with the remark to General Vidaurri, that if Americans were exempted, the subjects of other foreign nations would advance the same right to exemption. I answered, it was not my mission to discuss that point or to say how far other foreigners might be entitled to exemption; were they neutrals and not represented by an official in relation with the authorities, they ought, it appeared to me, certainly to be exempted; but that sacrifices, where required of foreigners, should be made by subjects of those governments which had acknowledged the power at this city and had, through representatives, manifested an interest in their maintenance; most assuredly such sacrifices ought not to be looked for from Americans, who were the only neutrals in Mexico. Admitting to General Vidaurri, however, that I had no authority to interfere where any American citizens voluntarily offered the quotas, in which they were assessed, I must, as long as the consulate was crowded by parties crying out against enormous exactions daily repeated, protest, as I do protest in the most solemn manner.

General Vidaurri here engaged to communicate in writing his reply to my observations, and, within a few hours, the original of enclosure No. 2 was received at the consulate.

On the 27th instant, not being disposed to incur the odium of further exactions, enforced by the authorities to uphold a cause he considers hopeless, General Vidaurri declined to lend any longer his services in official positions where, as rumor declares, he has gathered large provision for himself against future vicissitudes.

Following the interview above reported, which soon became public through the anxiety of numbers interested in the result, the European representatives made it known, that if the circular was not withdrawn, they would demand their passports.

Enclosures Nos. 3 and 4 give the note upon this announcement and the reply thereto, in consequence of which relations are at this moment suspended between foreign powers and the authorities in the palace of the government, of which I was officially notified by the senior members of the diplomatic corps.

The action of these representatives plainly indicates a design to draw a distinction between European policy in Mexico and that of the United States, with a settled effort to cast upon our government the moral responsibility of the actual situation, and thus to force upon it a direct intervention in the affairs of this country.

A more immediate consequence of the verbal protest made to General Vidaurri was a communication, No. 5, from citizens of the Hanseatic League, resident in Mexico, which, together with my response No. 6, supplies the department with the necessary information upon this subject in view of what has been previously transmitted in despatch No. 25, of April 17th ultimo. Again urged by prominent liberals and others to negotiate with General Porfirio Diaz the departure of families from the besieged city, I have as constantly given the answer, that whenever the corporation, as legal guardian of the capital, should invoke an interference, my good offices would be employed in behalf of its helpless inhabitants.

My reply to the French minister, who called at this consulate to express his anxiety on account of Prince Maximilian's personal safety, and in ignorance, as he said, of my instructions, desired an opinion of what might be done to preserve his life, was also to the effect that my services could always be exerted on the side of moderation and humanity.

Baron Magnus, minister of Prussia, is credited with exerting every effort to retain Prince Maximilian on the throne of Mexico, not from a regard to his interests, but rather to secure for Prussia the sympathies of Austria against France. The same minister has been encouraging negotiations with General Diaz, directed to secure guarantees for the remainder of the Austrian Legion in the service of Maximilian. To these overtures General Diaz has replied without variation, that if the Austrians disbanded and engaged no longer to serve as soldiers in Mexico, he would pay their expenses and look to their safe embarkation for Europe; otherwise, he would shoot them whenever they were caught in arms against the government of his country.

Impressed with the injustice of leaving American citizens to bear losses suffered by embargoes, and the arbitrary acts, civil and military, of the so-called imperial authorities, for which there is not even a remote prospect that the constitutional government will entertain any reclamation, I have endeavored, unofficially, to obtain from the treasury some indemnity for a class of wrongs which merit attention the more as the aggrieved parties were in the pursuit of pacific and ordinary occupations; and while encouraged in such unofficial exertions in favor of citizens of the United States by the tenor of despatch of January 12th, 1867, from the department to this consulate, in reference to the case of Mr. Charles Moorhead, I have been careful ever to avoid "any acknowledgment

by implication of legal authority on the part of the empire of the French or the Prince Maximilian in Mexico."

Regardless of the suspicion in which all foreigners are held, and the precaution taken by this consulate to anticipate any excuse on the side of the authorities to molest our citizens, two Americans have been arrested and are now imprisoned; the one, Mr. Pedro Dalcour, director of a college, for many years a resident of Mexico, is accused of complicity in a conspiracy to seduce and deliver over to the besiegers one of the fortified gates of the capital; the other, M. B. C. Barksdale, editor and proprietor of the Mexican Times, a paper salaried by the ministry, of which the evidence exists in this consulate, is charged with the publication of seditious and subversive articles. My intervention in these cases has been, in the actual state of irritation against foreigners, restricted to insisting with the prosecuting attorney on the right of the accused to an early examination, and to be held to answer on bail, provided the evidence against them permitted, until a final trial of their cause could be had.

Two other Americans are reported to have left the city in the character of spies into the liberal camp, where they have been apprehended and are detained as prisoners.

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

MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

Hon. F. W. SEWARD,

Assistant Secretary of State, Washington, D. C.

[Translation.]

MINISTRY OF TREASURY: If the imperious law of necessity straitens the government to impose loans upon private individuals in order to provide itself some funds with which to cover the pay of the troops and to meet other expenses of war, which circumstances demand, it has been proposed at the same time that these sacrifices should not fall solely on a determinate number of persons, but on all who have any possibility of making them, according to their abilities, so that in this manner such sacrifices may be less burdensome to individuals, and that the entire amount which must be delivered may be paid in instalments, for the greater convenience of contributors.

To this end the government has provided that an assessment be made amongst all persons in this capital who have means sufficient to pay the amounts assigned them, which apportionment shall be equivalent in amount to the daily estimates for the troops, and some part of the most indispensable extraordinary expenses, the individuals assessed completing the said amount by the trivial advance which is absolutely necessary.

In virtue thereof and after having heard the views of various persons who merit the confidence of the government for their probity and their reputation they enjoy in public, I have assigned to you the amount of two hundred dollars (\$200) daily, which you will place in the treasury without awaiting a call upon you for it, with immediate payment of the amount corresponding to four days, reckoning from to-day and successively every three days in advance.

This loan shall continue during the time strictly necessary, for as soon as the new contributions decreed commence to produce what is expected or other resources are provided, it shall cease altogether or in greater part; but, as exemptions or deductions cannot be granted, for they would lessen the amount reckoned upon each day, you must abandon every petition or representation directed to this end, because with pain I find myself prevented from giving them any attention, and I shall be obliged to communicate the facts to the most excellent lieutenant general of the empire, in order that he may dictate thereon the measures he shall think proper.

I desire sincerely that such an event should not take place, and that lenders avoid the vexatious proceedings and disgusts which measures of pressure employed by the military authorities generally produce.

I have repeatedly manifested the same to all who have attended at this ministry to discuss the subject, and on them it depends whether my purpose be attained or they suffer the consequences of a denial to perform the service which the situation demands.

VIDAURRI,

The President of the Ministry and Minister of Finance.

[Translation.]

MEXICO, April 26, 1867.

In virtue of the conference which you held with me this morning, in behalf of American citizens resident in this capital, whose protection is commended to you, I manifest that, acceding to your desires, no forced loan nor any other service shall in the future be imposed upon them.

VIDAURRI,

The President of the Ministry and Minister of France.

MARCUS OTTERBOURG, Esq.,
Consul of the United States.

[Translation.]

For more than two months the undersigned representatives of the armed powers residing in Mexico have not ceased to protest, verbally or in writing, against the forced loan and various vexations to which the subjects of their respective governments have been subjected by the imperial government. Not only have their representations not been noticed, but a more stringent measure has now been decreed. The greater part of their countrymen are condemned to pay a daily quota, and the circular written on the occasion seems to be intended to implicate all who are interested; for it clearly says that "the quotas thus collected shall be used to pay the expenses of the army and other expenses of the war; that the collection will be continued as long as circumstances require it;" that means as long as the siege of the capital lasts. Again, "those who refuse to pay are liable to be reported to the military authorities, to be treated as these authorities see fit." Wishing to avoid every cause of dispute, the undersigned called on the minister of foreign affairs yesterday, and he being absent, they stated to Mr. Peredo that the act was contrary to international law and to existing treaties between the governments, and requested the repeal of the law, in so far as their countrymen were concerned. Mr. Peredo told them the question would be submitted to the council of ministers on Wednesday. They repeated their request yesterday, asking that the council meet to-day, and that the execution of the decree be suspended till a decision could be made. Mr. Peredo informed the dean of the diplomatic corps this morning that the lieutenant general of the empire refused to grant their request, and did not think proper to suspend the measure, nor convene the council of ministers before the usual time of meeting. The business was so important that it ought not to be delayed. The undersigned see in this refusal an uncivil act to their respective governments as well as to themselves, and they justly complain of it.

The undersigned moreover are aware that the execution of the decree is about to be enforced, for many of their countrymen have been notified to pay their quota to-day. They can do nothing against this.

The undersigned, conscious of having done all they could, regret to be obliged to cease all relations with the imperial Mexican government, till circumstances allow them a further decision.

The undersigned avail themselves of the occasion to offer to his excellency the minister of foreign affairs the assurances of their high consideration.

MARQUIS RIBERA, *Spanish Minister.*
ALPH. DANO, *French Minister.*
A. DE MAGNUS, *Prussian Minister.*
FREDERIC HOORICKS, *Belgian Chargé.*
F. CURTOPASSI, *Italian Chargé.*
BARON DE LAGO, *Austrian Chargé.*
C. MIDDLETON *English Chargé.*

MEXICO, April 29, 1867.

[Translation.]

MEXICO, May 1, 1867.

The undersigned sub-secretary of foreign affairs, on account of indisposition of his excellency the minister, has the honor to advise Frederick Hooricks, esq., chargé d'affaires of Belgium, that having notified his excellency the lieutenant general of the empire of the collective note which the gentlemen representatives of friendly nations resident at this court addressed to this ministry under date of 29th ultimo, has received an order from his excellency, after consultation with the council of ministers, to reply that the imperial government is informed (received as information) that the aforesaid representatives have declared that they cease all relations with it, hoping that circumstances may permit them to take an ulterior decision.

On communicating it to the charge d'affaires of Belgium as one of the signers of note cited, the undersigned has the honor to repeat the assurances of his distinguished consideration.

FREDERICK HOORICKS, Esq.,
Chargé d'Affaires of his Majesty the King of the Belgians.

J. NEPO PEREDO.

MEXICO, April 27, 1867.

We, the undersigned, citizens of the Hanseatic cities, Hamburg, Lubec, and Bremen, and residents in the city of Mexico, respectfully represent that we have on repeated occasions applied in vain for protection to our representative, the consul general of the Hanseatic cities. But he, from motives it would be unnecessary and ungracious here to dwell on, finds himself unable to make any move towards the protection of our interests and personal liberties against the exactions and violent measures resorted to by the Mexican authorities, for the purpose of extorting money to sustain a situation wherein we have as foreigners observed a strict neutrality. That in view of these facts our urgent and constant instances addressed to the said consul general, to the end that he should solicit formally through the consulate, of which you are in charge, the protection of the United States, generously proffered to us on proper application, have been as invariably disregarded or evaded. Therefore, no longer able to endure with patience the abuses and attempts hourly aimed against our liberties and property, we have resolved to leave aside all minor considerations, and in a body do request you, as agent of the only foreign government whose citizens are distinguished by any forbearance on the part of the authorities, to exert in defence of our dearest interests, as consul of the United States, that influence which has proved so efficacious in the protection of American citizens. And we trust that the perils by which we are encompassed in the actual critical period shall justify this, our application, made in a manner so little in accordance with the forms of the circular which authorizes your action in our behalf, as consul of the United States.

We are, however, emboldened in a deviation from these forms and requirements under the firm conviction that the government of the United States will approve the action of their consul in Mexico on extending to us, at this dangerous crisis, a measure of that protection which, under far different circumstances, it was accorded that we, as citizens of a friendly commercial power, were at liberty to claim.

LEFFMANN Y GUTHIEL,	(H.)
SCHMIDT BOURYOU,	(B.)
PHILIPP, SIMON & CO.,	(H.)
JULIUS ANDERSON,	(H.)
HEYMEL, BONNE & CO.,	(H.)
HAAS & DILLENBURGER,	(H.)
ADOLFA PHILIPP,	(H.)
O. MEENARDUS,	(H.)
BREHM & CO.,	(H.)
A. HANSEN & CO.,	(H.)
WM. BURCHARD & CO.,	(H.)
JUAN TEISSEN,	(H.)
H. C. HOFFMAN,	(H.)
JULIUS F. WHINK,	(B.)
AUGUST HOLTING,	(H.)
JOSI WHLIEN SING,	(H.)
A. WISSEL & CO.,	(B.)
PP GEO. LOHSE Y UHRLAUB,	(B.)
H. GEORGE SEISSEN,	(H.)

MARCUS OTTERBOURG, Esq.,
United States Consul, Mexico.

CONSULATE OF THE UNITED STATES,
Mexico, April 29, 1867.

GENTLEMEN: Your very important communication of the 27th instant has been received, and its contents are of so serious a nature as to have demanded the most earnest consideration on my part.

I had previously to its receipt forwarded to the government at Washington a statement of your case, with a request for instructions as to my action in regard to citizens of the Hanseatic League.

As, however, no reply, which must definitely shape my conduct, can be expected for some time yet to come, and the urgency of your defenceless situation calls for an immediate

decision, I believe that the perils to which foreigners are at this moment exposed will fully justify me with my government in exerting officiously the influence of this consulate in favor of the citizens of Hanseatic cities with which the United States enjoy the most friendly commercial relations.

It is, however, my duty to remark that on arriving at this decision I have determined to pursue, under no circumstances whatsoever, any line of conduct which might by any possibility bring me in opposition to the established authorities in Mexico.

Your obedient servant,

MARCUS OTTERBOURG,
United States Consul.

Messrs. LEFFMANN Y GUTHIEL, HEYMEL, BONNE & Co., PHILIPP, SIMON & Co., and other citizens of Hanseatic cities resident in Mexico.

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

No. 31.] CONSULATE OF THE UNITED STATES OF AMERICA,
City of Mexico, May 5, 1862.

SIR: Official news has been received that on the 27th of April Prince Maximilian had attempted a sally with all his forces from Queretaro and had defeated General Regules, who, being at the moment re-enforced by the liberals, commanded by Generals Corona and Escobedo, drove the imperialists with fearful slaughter back into the city, where they remain reduced to a third less of the position they held before the attempt.

It is now reported that on the 28th Prince Maximilian gained a victory over the constitutional forces, of which as yet no official confirmation has been received. At daybreak salvos of artillery announced the anniversary of the defeat of the French at Puebla on the 5th of May, 1862.

Nothing of note has occurred subsequent to the date of despatch No. 29, although an attack is hourly expected from without, and within the same arbitrary measures are employed to sustain the defence.

There is a report current that General Vidaurri will again assume the responsibilities of the ministry of finance.

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

MARCUS OTTERBOURG,
U. S. Consul in charge of United States Legation.

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington, D. C.

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, LA., *May 15, 1862.*

My messenger, White, left San Luis Potosi 23d of April, and arrived here this morning. He reports Maximilian with force of fifteen thousand holding Queretaro, surrounded by a liberal force of thirty-five thousand. Imperialists still held Vera Cruz and city of Mexico. Juarez expects to reach the city of Mexico in three or four months. Mr. White brings me despatch from minister of foreign affairs, defending the execution of prisoners at Zacatecas, and intimating that similar severity may be practiced on Maximilian and his leading chieftains, if captured. I send you full despatch by mail.

LEWIS D. CAMPBELL,

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

Mr. Campbell to Mr. Seward.

No. 28.]

NEW ORLEANS, *May 15, 1867.*

SIR: Mr. White, my special messenger to the government of the United Mexican States at San Luis Potosi, returned to this city to-day. He was made the bearer of a despatch addressed to me by his excellency Señor S. Lerdo de Tejada, minister of foreign affairs, a translation of which I have the honor to transmit herewith.

Mr. White arrived at San Luis Potosi on the 21st ultimo. He remained there two days, and on the 23d started back. He reports the following information in regard to Mexican affairs. Maximilian still held Queretaro with a force estimated at 15,000, and was besieged by a liberal force of 30,000, which was being re-enforced. All the roads from the city except one were occupied by the liberals. It was understood at San Luis that the imperialists were still in possession of Vera Cruz and the city of Mexico. He also learned from President Juarez that he confidently expected to be able to enter the city of Mexico in three or four months.

I have had a short interview only with Mr. White, and must close this despatch now to be in time for the mail. Should I derive from him further items of information, I will communicate them to you to-morrow.

I have the honor to remain your most obedient servant,

LEWIS D. CAMPBELL.

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

Señor Lerdo de Tejada to Mr. Campbell.

[Translation.]

SAN LUIS POTOSI, MEXICO, *April 22, 1867.*

SIR: I had the honor to receive yesterday the communication which you directed to me from New Orleans the 6th day of this month.

You informed me in it that, for reasons which could be understood, you had not come to present to the President of the republic your credentials as envoy extraordinary and minister plenipotentiary of the United States near the republic of Mexico, and that you had remained in New Orleans since December last. The government of the republic is sensible of the reasons which prevented you from coming to present your credentials in order to commence your official relations, yet it would be very satisfactory to receive you in your character of representative of the United States.

You inform me, also, that the satisfaction with which the government of the United States has seen the retirement of the French forces from Mexico, and the advance of the armies of the constitutional government towards the capital, has been disturbed by the information received concerning the severity employed towards the prisoners of war made at San Jacinto. You also expressed the desire of the government of the United States that, in the case of the capture of the Archduke Maximilian and his partisans, they be treated humanely as prisoners of war.

The enemies of the republic, desiring to produce an impression unfavorable to the same, have undertaken to misstate the facts, and to scatter abroad inexact information concerning the matter of the prisoners of San Jacinto. The greater part of them, in numbers considerable, were pardoned, and the punishment which the chief of the republican forces ordered to be executed upon some was not because they were considered simply prisoners of war, but rather as culprits, according to the right of nations and according to the laws of the republic. They had delivered themselves up to every kind of excesses and crimes in the city of Zacatecas, because they were acting as filibusters, without country and without flag, and as mercenaries paid to shed the blood of Mexicans who defend their independence and their institutions. Some numbers, not small, of those foreigners taken at San Jacinto were conducted to Zacatecas, where they were treated with much kindness, in the same manner as have been and are treated others taken at Jalisco, who were captured under such aggravating circumstances of special culpability.

The constant practice of the government of the republic (and the chiefs of its forces have

in general observed it) has always been to respect the life and treat with the greatest consideration the prisoners taken of the French forces; while by the greater part of them, and even by the order of their principal chiefs, prisoners were frequently assassinated which they took from the republican forces; many times, without insisting upon exchange, prisoners taken of the French forces having been generously set at liberty.

Various of the principal chiefs of the French forces ordered entire towns to be burned. Others were decimated by what were called courts-martial; and again, on a simple suspicion, without any judicial process, caused indefensible persons to be killed, and even the old who were not able to take up arms against them. Notwithstanding this, the government of the republic, and the chiefs of its forces in general, far from taking reprisals to which they were provoked, have always observed the most humane conduct, giving constant examples of the greatest generosity. In this way the republican cause of Mexico has excited the sympathies of all civilized people.

The French forces having retired, the Archduke Maximilian has willed to follow on shedding uselessly the blood of the Mexicans. Except three or four cities over which his forces dominate, he has seen the entire republic risen up against him. Notwithstanding this, he has determined to continue the work of desolation and of ruin, of a civil war without object, calling to his aid some of the men most known for their spoliations and horrible assassinations, and those most responsible for the misfortunes of the republic. In case that persons should come to be captured upon whom weighs such responsibility, it does not appear that they can be considered as simply prisoners of war, as responsibilities are defined by the right of nations and by the laws of the republic. The government, which has given numerous proofs of its humane principles, and of its sentiments of generosity, holds also to the obligation of considering, according to the circumstances of the cases, what the principles of justice demand, and the duties which the Mexican people hold it to fulfil towards them.

The government of the republic hopes that with the justification of its acts it will preserve the sympathies of the people and of the government of the United States, which have been and are held in the highest estimation by the people and the government of Mexico.

I have the honor to be your excellency's very respectful and very obedient servant,

S. LERDO DE TEJADA.

His Excellency LEWIS D. CAMPBELL,
*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America to the United Mexican States.*

Mr. Seward to Mr. Otterbourg.

DEPARTMENT OF STATE,
Washington, May 15, 1867.

SIR: Your despatch of the 17th of April, No. 25, has been received. You inform me that many citizens of the Hanseatic towns have made earnest appeals for protection, which you have declined to concede. You have also given me a copy of a circular instruction which was issued by Mr. Corwin, United States minister at Mexico, upon the subject of protection to citizens of those states, on the 11th of June, 1862.

We have now to take into consideration the present revolutionary situation of Mexico, and also the change which has occurred in the political condition of the Hanseatic towns. Those towns are now understood to be politically connected with and under the protection of the kingdom of Prussia, or at least constituents in the new North German confederacy, of which Prussia is the leading state. It is understood that Prussia, with the consent of those towns, now represents them in their intercourse with foreign nations. Prussia, if I remember rightly, has recognized the so-called empire of Mexico, while the United States have persistently adhered to their recognition of the republic of Mexico. Under these circumstances no sufficient grounds exist for an assumption by the United States to extend protection or care over the citizens of the Hanseatic towns in Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MARCUS OTTERBOURG, Esq.,
United States Consul, Mexico.

Mr. Campbell to Mr. Seward.

No. 29.]

NEW ORLEANS, *May 16, 1867.*

SIR: I am in receipt of an unofficial letter from Mr. Chase, our consul general at Tampico, dated the 6th instant. He represents the condition of affairs there as very unsatisfactory. "The occupation of the place by Gomez," he says, "has proved to be more prejudicial to the government of Juarez than if it had been retained by the French. All the revenue has been collected here under the orders of Gomez, and expended according to his own views, without any satisfactory returns to the government."

When I was at Tampico last December I had cause to suspect that this General Gomez was rather more mercenary than patriotic in his conduct. It will be remembered that he is the same person who formally applied a short time since to our government for a loan of "five millions of dollars, two gunboats, men and munitions of war," &c., and proposed giving the customs at Tampico as security. As it now appears that President Juarez has issued a decree declaring Gomez and his partisans outlaws, and has sent troops to drive them from the country, I venture to say that the wisdom of your decision not to advise the loan is fully vindicated.

I enclose herewith a copy of the official newspaper of President Juarez, published at San Luis Potosi on the 24th ultimo. It may contain official decrees, &c., interesting if not useful to the department.

I have the honor to remain, very respectfully, your obedient servant,

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[From the Sombra de Zaragoza of San Luis Potosi, April 24, 1867, No. 32.—Translation.]

DEPARTMENT OF FINANCE AND PUBLIC CREDIT—SECTION FIRST.

The citizen President of the republic has been pleased to address to me the following decree:

Benito Juarez, constitutional President of the United Mexican States, to its inhabitants:

Be it known, that, using the ample faculties with which I am invested, I have been pleased to decree the following:

ONLY ARTICLE.

The port of Tampico is hereby declared closed to foreign and coasting trade so long as it continues in disobedience to the government. For that reason I order this decree to be printed, published, circulated, and obeyed with due respect

Palace of the national government, in San Luis Potosi, this 23d April, 1867.

BENITO JUAREZ.

Citizen JOSÉ MARIA IGLESIAS,

*Minister of Justice, Industry, and Public Instruction,
in charge of the Department of Finance and Public Credit.*

And I make it known to you for your information and consequent action. Independence, liberty, and reform! San Luis Potosi, April 23, 1867.

IGLESIAS.

Citizen GOVERNOR of the State of ———.

Mr. Seward to Mr. Campbell.

No. 27.]

DEPARTMENT OF STATE,

Washington, May 17, 1867.

SIR: Your despatch No. 27, of 24th April last, has been received, containing an account of your prompt despatch of a messenger to President Juarez of

Mexico, and the reasons why he proceeded by the overland mail route to San Luis Potosi.

The alacrity with which you executed the instructions from this department is deemed highly commendable.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., *New Orleans.*

Mr. Seward to Mr. Campbell.

No. 28.]

DEPARTMENT OF STATE,
May 20, 1867.

SIR: Your telegram announcing the arrival of Mr. White was duly received. I now have to acknowledge the receipt of your despatch No. 28, of 15th instant. The department commends the diligence with which its instructions have been carried out.

The letter of Mr. Lerdo de Tejada, minister for foreign affairs of Mexico, dated San Luis Potosi, April 22d, 1867, addressed to you, has been received, and will receive the attention which its importance merits.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c.

Mr. Campbell to Mr. Seward.

No. 30.]

NEW ORLEANS, May 21, 1867.

SIR: I have the honor to transmit a copy of a letter I have received from Mr. Saulnier, our consul at Vera Cruz, which gives information of the state of affairs there. There are many conflicting reports here as to the situation and prospects of the contending armies at Queretaro and the city of Mexico; but I have no reliable information later than that brought by the special messenger, Mr. White.

Information I have derived from various sources impresses me with the belief that some disaffections have recently sprung up in the liberal armies which may prove disastrous. It is alleged, on authority regarded as good, that General Alvarez, commanding the liberalists in the south of Mexico, being much displeased with the execution of the prisoners at Puebla by Diaz, does not cordially co-operate with him in his movements.

I am also advised, from sources I consider worthy of credence, that Gomez, Canales, and Cortinas, each of whom is followed by a considerable number of partisans in the State of Tamaulipas, are about to pronounce against Juarez, and concentrate their forces to get control of the custom-houses at Tampico and Matamoros, and thus draw from and weaken the liberal army that is besieging Queretaro.

From these indications it would seem probable that the struggle in Mexico is to be prolonged, and that there is no good reason to believe that peace and order will soon be restored to that unfortunate people. While the imperialists seem to be united, the chiefs who are professedly on the side of the liberals do not cordially co-operate with each other.

I do not arrogate to myself sufficient knowledge of the real situation of affairs to enable me to advise what course would be best the United States should adopt

in regard to the important subject of tranquillizing Mexico. With due deference to your more extended information and better judgment, I venture to make this suggestion :

Could not our government urge President Juarez to make a proposition to this effect, viz : That if Maximilian and his forces will give up the contest, and abandon the idea of establishing an empire in Mexico, a general amnesty shall be granted, on the condition that he and his foreign troops, and such of his native chiefs as are regarded dangerous, shall quit the country? It is reasonable to suppose that if such a proposition were formally and earnestly submitted by our government, it would be adopted by President Juarez, the further effusion of blood stayed, and the cause of the republic and of humanity subserved.

It is probable that Maximilian feels bound by a sense of honor to share the fate of his fellows, native as well as foreign, and that he will continue the struggle to the bitter end rather than capitulate on terms that would sacrifice their lives, and bring dishonor on himself.

The basis of adjustment suggested would secure practically all that the liberals ought to fight for—the restoration of the authority of the republic—and it would be an unjust imputation on the humane character of President Juarez to suppose that he would reject it, and prolong a bloody war with its accompanying atrocities for the sole purpose of revenge.

I have the honor to remain, very respectfully, your obedient servant,

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Saulnier to Mr. Campbell.

CONSULATE OF THE UNITED STATES OF AMERICA,
Vera Cruz, March 3, 1867.

SIR : I have the honor to inform you that the situation of affairs here is in the precise condition as when the siege commenced. The imperial occupants of this city are perfectly satisfied with the position, holding the custom-house and receiving the entire revenue of the city.

The liberal force outside have not the material necessary to breach the walls, or the fighting men of sufficient stamina to take it by assault.

Some \$250,000 in the form of orders on this custom-house, given by the imperial authorities at the city of Mexico to the inhabitants of that city, on account of moneys exacted from them by General Marquez, have been received in this city. On presentation to the collector of this custom-house, he cooley tells the holders of them that they are good, but his orders are not to receive them in payment of duties or pay them at present.

The French consul recives a similar answer in relation to the sum of \$50,000, payable monthly by this custom-house, as per convention made in the city of Mexico in February last.

With much respect, your obedient servant,

E. H. SAULNIER.
United States Consul.

Hon. LEWIS D. CAMPBELL, *Minister to Mexico.*

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

No. 32.]

CONSULATE OF THE UNITED STATES,
Mexico, May 25, 1867.

SIR : The condition of affairs, in all but the increase of suffering among the masses of the capital, remains unchanged during the 20 days which have elapsed since my despatch dated May 5th. Contributions and forced loans continue to be exacted inexorably, on the plea of the necessities of the soldiery at the ramparts, who withal receive but scanty pay or rations. The imposition of such contributions and forced loans, with painful and unceasing exertions, I have, to

the present moment, succeeded in warding off from those under the protection of the consulate. Unusual rejoicing along the lines of the besieging forces on the afternoon of the 15th instant proclaimed some extraordinary event, and on the morning of the 16th rumors had already penetrated into the city of the fall of Queretaro on the day previous, and the surrender at discretion of Maximilian, his generals, entire army, and material of war. This report, confirmed over and again in every manner that could be required to insure belief, has been obstinately denied by the authorities in control of the capital, and tenaciously combated by the ministerial press. It is now understood that General Diaz only awaits the junction of the whole liberal force before this city in order to commence vigorous operations with 40,000 men, should his summons to surrender on the 27th be not responded to in the affirmative within three days.

Prince Maximilian, by the general voice, is courteously treated at Queretaro by his captors, and is to be subjected to trial by a council of war as soon as the constitutional government shall have been re-established in the capital. While the liberals have been warm in expression of their displeasure at the tone of the correspondence between the minister of Austria at Washington and the Secretary of State of the United States upon the treatment to be awarded to Maximilian, the journals of the ministry make it an occasion to reproach their opponents with subjection to the will of the American government. An article in *La Union* of the 10th of May so completely exposes the passions sought to be aroused against the United States as to claim the attention of the department.

The friendly relations suspended between the functionaries of the palace and the diplomatic corps have been further weakened by the withdrawal of the Spanish consul's exequatur on the allegation of disrespectful language employed in a protest published by that official against the sale of property belonging to a Spanish subject. In consequence of this determined measure of the authorities, the minister from Spain, having demanded and received his passports, left the city to-day with his entire legation.

The appeals for protection addressed by foreigners of every nationality to this consulate, and the occurrences just narrated, by Spanish subjects in particular, have led me to reflect seriously upon the course I shall necessarily have to pursue should Mr. Campbell not appear in season to meet the early exigencies of his position as minister near the constitutional government of Mexico. In the conviction that the policy of the United States has never been to refuse countenance to those who rightly solicit their protection, I should feel authorized to exert officiously the influence of the consulate by serving whenever applied to as a medium of communication between foreigners and the government; and while thus acting I should endeavor to obtain security for the former, who would thus come to regard the authorities as their best protectors, and the government would accept the responsibility which naturally belonged to them, of regarding the security guaranteed alike to every nationality as a natural obligation.

Should the progress of events now promising a close to the actual contest place Mexico in possession of the constitutional government, I shall immediately advise Mr. Campbell, at New Orleans, and by the same courier inform the department at Washington.

Mr. Barksdale, of whose arrest and imprisonment the department was advised in despatch No. 29, has been acquitted of the charges brought against him and put at liberty. Mr. Dalcour, named in the same despatch, though absolved from the accusation of conspiracy, is yet a prisoner.

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

MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

Hon. F. W. SEWARD,

Assistant Secretary of State, Washington, D. C.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *May 27, 1867.*

SIR: At 9 o'clock last evening, I received the following telegraphic despatch from Mr. Marshall, the consul at Matamoros:

[Via Galveston, May 26. Dated Matamoros, May 21, 1867.]

To E. L. PLUMB, *St. Charles Hotel, New Orleans:*

SIR: I have the honor to transmit to you the following official letter:

"General BERRIOZABAL:

"MY ESTEEMED FRIEND: Viva la patria!! Queretaro has fallen by force of arms this a. m. at 8 o'clock. Maximilian, Mejia, Castillo, and Miramon are prisoners.

"BENITO JUAREZ."

Yours, truly,

M. B. MARSHALL.

The importance of the news it contained led me to transmit the despatch to you at once by telegraph, as received.

I am, sir, with the highest respect, your most obedient servant,

E. L. PLUMB.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Campbell to Mr. Seward.

No. 31.]

NEW ORLEANS, *May 28, 1867.*

SIR: Your despatches No. 26, dated April 30th, No. 27, dated May 17th, and No. 28, dated May 20th, were all duly received.

I have no information in regard to the fall of Queretaro, and the capture of Maximilian and his army, other than that which has already been generally published in the newspapers.

There are various conflicting reports here as to the disposition the government of President Juarez has ordered to be made of Maximilian and his leading chiefs. These are too vague and uncertain to be relied on, and therefore I consider it useless to repeat them.

I have the honor to remain, most respectfully, your obedient servant,

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *May 29, 1867.*

No information yet, except what appears in the newspapers. The report that Maximilian is to be executed excites general indignation here against Juarez. It needs confirmation.

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *May 31, 1867.*

News from Vera Cruz, via Havana, just received, confirms fall of Queretaro and capture of Maximilian and his whole army on 15th. Mexico and Vera Cruz still held by imperialists. Same news from Matamoros by steamer just arrived. Matamoros and Brownsville papers publish Tejada's reply to my despatch in full, and report that Maximilian and his generals were shot on the 16th. The latter report I consider unreliable.

LEWIS D. CAMPBELL.

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

Mr. Seward to Mr. Campbell.

[Telegram.]

No. 33.]

DEPARTMENT OF STATE,
Washington, June 1, 1867.

Proceed with as much despatch as possible to the residence of President Juarez of Mexico, and enter upon your mission. Earnestly urge clemency to Maximilian, and other prisoners of war, if necessary.

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c., *New Orleans.*

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *June 3, 1867.*

Presuming that President Juarez is now, or very soon will be, in the city of Mexico, I propose to go there, via Vera Cruz, unless you instruct otherwise. Cannot the revenue cutter Wilderness be directed to convey me to Vera Cruz? The De Soto is also at this port.

LEWIS D. CAMPBELL.

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

M. F. W. Seward to Mr. Campbell.

[Telegram.]

No. 34.]

DEPARTMENT OF STATE,
Washington, June 5, 1867.

On inquiry it is found that both the vessels you mention are employed in other duty, from which they cannot be spared; and the Navy Department has none in your vicinity that is available. You will therefore proceed by whatever conveyance or route you may find most speedy or practicable.

F. W. SEWARD,
Acting Secretary.

LEWIS D. CAMPBELL, Esq., *New Orleans.*

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *June 6, 1867.*

Shall I go to the city of Mexico via Vera Cruz, or to San Luis Potosi via Monterey? On this point I desire the department's instructions. Unless the government furnish me conveyance, my progress on either route must be slow and uncertain.

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

LEWIS D. CAMPRELL.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *June 7, 1867.*

SIR: When at Brownsville and Matamoros, in December last, I received verbal information from reliable persons, tending to show that a considerable portion of the business of those places consists in the illicit introduction into the United States of merchandise from Europe, landed at Matamoros, in Mexico, free of duty.

I have also recently noticed in the public journals that the Secretary of the Treasury has found it necessary to instruct the collector at Brownsville to employ an additional number of mounted inspectors, for the prevention of smuggling on the Rio Grande frontier.

With your permission, I beg respectfully to submit to the attention of the department what has for a long time, since my attention has been turned to our commercial relations with Mexico, appeared to me the source of great injury to our legitimate commerce on that frontier, and to suggest how the evil above referred to may, probably, be remedied. The facts are as follows:

Under a certain disposition of the general government of Mexico, made in 1858, the port of Matamoros and a strip or district of territory extending up from the sea-coast along the Rio Grande as far as the limits of the State of Tamaulipas, or so as to include the towns of Reynosa, Camargo, Mier, and Guerrero, was constituted a free district, or *zona-libre*, as it is called, with the following privileges, viz: All merchandise coming from abroad is allowed to be received and entered at Matamoros without the payment of any duty or charge whatever, except a small municipal tax. This exemption extends not only to all effects consumed in Matamoros and a limited region of a few leagues thereabouts, but also to merchandise placed in store, which may be so held as long as desired. If goods are sent from Matamoros to Reynosa, Camargo, Mier, and Guerrero, for consumption there, they have had to pay, for the last three years, in Matamoros, before leaving, one-quarter of the regular tariff rates, except groceries, which pay nothing. Goods sent from Matamoros to Monterey pay full tariff rates in Matamoros and the usual one-fifth additional, or *contra registro* duty, in Monterey. Goods proceeding from Reynosa, Camargo, Mier, and Guerrero to the interior are supposed to pay at those places full tariff rates. All merchandise coming from abroad to Matamoros is entered at the custom-house there with the usual formalities, but the merchant is then allowed to take it to his warehouse and hold it at his pleasure; and it is only on sending it to the points above mentioned in the interior that he is called upon to pay any duty, except the small municipal tax before mentioned.

It results from this singular disposition, that the port of Matamoros is prac-

tically erected into a free depot, immediately on our border, where merchandise brought from Europe can be deposited, and where it can be held free of duty until such time as convenient arrangements can be effected or opportunity occurs for its illicit introduction across the narrow Rio Grande into the United States. It is apparent this is not desirable for the interests of the revenue of the United States. At the time when the disposition creating this free zone was made by the Mexican government our tariff was lower than the Mexican tariff, and Brownsville was supplying the Mexican trade. This injured Matamoros, and the influence of that place secured from the general government the adoption of the preceding measure, not only as a means of protecting the business of Mexican towns against foreign competition, but also as a means, indirectly, of rather benefiting the public revenues of Mexico; for the limited consumption of the free zone, which was relieved of duty, would yield much less revenue than it was expected would be saved by putting a stop to the contraband trade then carried on from the United States side of the frontier into Mexico. Now, however, the situation as regards tariff rates has become reversed, and, under our higher tariff, it is no longer an object to land European merchandise in the United States when destined for illicit introduction into Mexico, but it is now an object to land such merchandise in Mexico, when it can be so landed there and held free of duty until opportunity can be found for its illicit introduction into the United States.

The effect upon the Mexican revenues has probably also not been what was anticipated by the general government and urged at the time by the shrewd merchants of Matamoros, for it is questionable if the creation of this free district has not vastly added to the facilities for the fraudulent transmission to the interior of Mexico of vast quantities of merchandise, which, if the tariff had been duly enforced at Matamoros, would there have been compelled to pay the full regular rates of duties.

By the establishment of this free zone, the system on the Rio Grande frontier has become, practically, similar to that so long in operation on the west coast of Mexico. There, for instance, a vessel comes from Europe, laden with merchandise for a market. She appears off Mazatlan. The consignee on shore communicates with her, and, before her entry into port, advises whether the negotiations with the custom-house officials, which in advance of her arrival have been in progress for the introduction of her cargo at a reduction from the regular tariff rates, have been successful or not. If they have, the vessel enters port; if not, she may lie off and on for months, or may proceed to some other point on the coast where the officials may prove more tractable. It is this contraband trade, thus conducted, that has stood in the way of our legitimate commerce with Mexico, and it is a point of exceeding interest to our future commercial relations with that country to ascertain whether there is not some way by which these exceptional advantages may be terminated, and so all shippers to that country, whether of large or small invoices, be placed upon a footing of just and fair equality.

At Matamoros, applying to the United States the same system that has prevailed on the west coast of Mexico, the fraudulent trader has now still greater advantages. There he can land his merchandise, and hold it free of duty in his own warehouse at his pleasure, until he can perfect arrangements for its introduction into the United States; or, failing in that, he has still open before him the Mexican market of the interior, of which he can avail himself whenever he chooses, or whenever, as is very probable, some favorable arrangement can be made with the smaller interior custom-houses for its passage at a reduced rate.

Fortunately, the well-known integrity of the revenue officers of the United States renders the improper introduction of merchandise across the Rio Grande extremely difficult, and restricts such traffic to a limited amount. Still such

illicit trade is known to exist, in spite of all precautions; and while the opportunity exists, which is afforded by the existence of Matamoros as a free port, great temptations will continue to be presented, and it is certainly wise to inquire if a remedy cannot be found. I believe it can be found in procuring from the Mexican government a revocation of the disposition which created this free zone. The motives which existed in favor of its creation do not now hold with reference to its longer continuance. The high rates of our tariff and the vigilance and fidelity of our revenue officers render it impossible for merchandise from Europe to be landed now in the United States for the purpose of its illicit introduction thence into Mexico, as was the case in 1858, while there can be no object to the general commerce of Mexico in permitting the free introduction into this zone from the United States of merchandise the product of the United States when the same is not allowed to be so introduced free of duty into other parts of the republic. On the other hand, the interests of all other parts of the Mexican republic are injuriously affected by special privileges conferred upon one portion that are denied to the rest. The commerce of Vera Cruz, for example, has very loudly complained of the opportunity the existence of this free zone has given for the introduction of merchandise from the frontier into a large portion of the interior, by convenient arrangements with the officials of the smaller interior custom-houses that are not practicable in the more rigidly managed custom-house of that port and Tampico.

It is evident that merchandise once landed on Mexican soil and placed in the warehouse of the merchant, as is now the case at Matamoros, whether under the provisions of this free zone or any other arrangement by which the duty is avoided or postponed, is less likely to be as certainly subjected afterwards, in its transit to the interior, to the full payment of duties at some interior point as is that landed, say, at Vera Cruz certain to have there to bear the full burden of the tariff.

There is, therefore, no argument that can now be legitimately urged in favor of the continuance of the special immunity accorded in the creation of this free zone, except the merely local interests of the port of Matamoros and the other towns on the Rio Grande that have been mentioned, and their interests would not now be affected so injuriously as would before have been the case. At the same time, it is certainly for the general interest of the Mexican republic that its customs tariff should bear upon all portions of the national territory alike. I therefore believe that a representation to the Mexican government, at some proper time, by the government of the United States, upon this subject, would be attended with satisfactory results. Such representation would certainly be none the less proper when the jealous regard of the United States for the due protection of its revenue is dictated by the necessity imposed upon it of providing for an enormous debt incurred in our defence of the cause of free institutions, in which republican Mexico is interested equally with ourselves.

It is apparent that when the full Mexican tariff rates shall be again exacted upon all merchandise landed at Matamoros, the inducement to bring European merchandise there for the purpose of its illicit introduction into the United States will entirely cease.

It is further obvious that it would be greatly for the interest of our general commerce with Mexico that the tariff rates of that country should apply to all ports alike, as it would also serve greatly to stimulate and facilitate our trade could the Mexican government be induced to simplify their tariff, and, instead of having, as now, various duties—some collected at interior points—establish one sole and uniform rate, to be imposed and paid solely and once for all at the port of entry.

The almost entire breaking up, by the late intervention, of the former channels of European trade, affords a valuable opportunity for the United States to now secure almost a monopoly of the foreign commerce of Mexico; and if peace,

as it may now be hoped, shall be firmly established, that commerce will not only be very largely increased, but, in the effect large returns in silver would have upon our own finances, may become very important. In this view, I have thought it might not be improper for me to take the liberty of submitting these observations to the attention of the department.

I am, sir, with the highest respect, your most obedient servant,
E. L. PLUMB.

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

Mr. Plumb to Mr. Seward.

NEW ORLEANS, June 7, 1867.

SIR: The weekly mail is again at hand from Matamoras. The news from the interior, however, is but little later than that previously received. The details are best given in the enclosed slips, in which General Escobedo's order of the day on the capture of Queretaro, and the reported favorable treatment of the prisoners, thus far, are the items of chief importance.

Through private channels it is stated that the night preceding the departure of the latest mail from San Luis, the members of the government were assembled in council to deliberate regarding the disposition of the prisoners taken at Queretaro. The decision does not appear to have been made public in time for this mail, but may, perhaps, be expected by the next arrival.

I am, sir, with the highest respect, your most obedient servant,
E. L. PLUMB.

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

[From the special correspondence of the Galveston News, dated Matamoras, May 31.]

IMPORTANT FROM MEXICO—THE PRISONERS ALL TREATED AS PRISONERS OF WAR.

The empire is at an end; Maximilian and his whole army prisoners in the hands of the liberals. Notwithstanding all the rumors of massacres and shooting of prisoners, they have until now all been treated as prisoners of war. Maximilian himself is perfectly well treated, and seems to be perfectly satisfied. He was unwell for several days from an acute dysentery, but is now better, and is expected at San Luis shortly. Very likely he will come down here and cross into the United States.

The following additional news has been received from Queretaro:

Miramón was taken in the streets of the city on the morning of the battle, by a junior officer of Escobedo's command. He tried to escape into a house, but was pursued and caught. Miramón resisted strongly, and the officer was compelled to use his arms. He shot him, wounding him slightly in the cheek.

Maximilian gave up his sword to Escobedo in person.

The following are the prisoners in the hands of the liberals: Maximilian, the emperor; Miramón, general-in-chief of the imperial army; Mejía, Castillo, Casanova, Gayón, Moreno, Oliveira, Maximo Campos, about 500 chiefs or officers, and more than 8,000 men.

We extract the following from a single sheet entitled the Queretaro Boletín, published at Escobedo's headquarters, of the 16th instant:

“The general of division, chief of the army of operation, to the citizens of the city of Queretaro, know ye:

“ARTICLE 1. Any persons having concealed a chief of the enemies of the republic will be obliged to denounce the same to these headquarters, or the military commander of the State.

“ART. 2. The same order is applicable to any one having arms, papers, ammunition, and other objects belonging to the enemy.

“ART. 3. The chiefs who will and fail to present themselves to the authorities mentioned in the foregoing articles, will be shot without any other necessary evidence than identification of their person.

"ART. 4. Persons concealing any chiefs or objects mentioned in the above articles, failing to report the same in the twenty-four hours following, will be tried in conformity to the laws. "MARIANO ESCOBEDO.

"HEADQUARTERS BEFORE QUERETARO, *May 15, 1867.*"

"The general of division commanding the army of operation, to the inhabitants of the city of Queretaro, know ye:

"ARTICLE 1. All soldiers or citizens committing any theft or violence in the city of Queretaro will be shot on the spot.

"HEADQUARTERS BEFORE QUERETARO, *May 15, 1867.*" "MARIANO ESCOBEDO.

Escobedo sent 15,000 men of his army to assist Diaz in besieging the capital.

By a courier from Tampico we are informed that some of the officers of Gomez had pronounced against him. A battle had commenced when the news of the fall of Queretaro was received. It put an end to the fighting.

SINCLAIR.

Schooner Arietes, from Tampico on the 27th, arrived at Brazos on the 30th. The captain reports that at the time he left a fight was furiously raging between Gomez, who pronounced against Juarez, and Pavon, sent by Juarez to subdue him. Gomez, there is no doubt, will be subdued.

Canales is at Tula and quiet.

S.

ESCOBEDO'S PROCLAMATION.

Mariano Escobedo, general of division of the republic of Mexico and in chief of the army of the north, and commanding the troops operating upon Queretaro.

Soldiers: To your valor, constancy, and sufferings the republic is indebted for one of its triumphs, the grandest obtained in the long struggle which the nation has had with the invaders and their accomplice. The rebel city of Queretaro, the strongest fort of the empire, after a heroic resistance of two months, worthy of a better cause, has succumbed. Fernando Maximilian, the so-called emperor, Miramon, Mejia, Castillo, and a large number of generals, chiefs, and officers, with all the garrison, are our prisoners. I would fail to do my duty as a soldier, and be a traitor to my conscience as a free man and a loyal Mexican, if I remained silent upon the heroic deeds and more heroic sacrifices. With the faith of the soldier who defends the independence of his country, without food and often without a single cartridge, you have challenged death, fighting unceasingly against a large number of troops, composed of traitors and foreigners, who were provided with all the elements of war, perfectly fortified and commanded by the best generals of the old army, who unfortunately failed to do their duty by allying themselves with the invaders, and sustaining to the last hour the foreigner that another foreigner, the Emperor of the French, wished to place upon a throne erected with the bayonets of his soldiers. But these, alas! exist no more. The rest have fled to France to hide their shame, loaded with the curses of the whole country, and carrying the sad news that more than half their comrades have paid with their blood the caprice of their master.

Companions in arms, it is of no importance that ambitious men have, at the price of their conscience, misrepresented your deeds. The truthful history will place each one in his respective place, and neither the enemies of the republic, nor those who have remained quiet at homes in the cities occupied by the invaders, contemplating their disgrace with indifference, will exalt themselves over those who, like you, have fought constantly and without rest for the sacred principles of independence and liberty.

Soldiers, in the name of the republic and the supreme government, I congratulate you with all the effusion of my soul, and consequent with the programme which has been traced to me, we will continue until we have secured peace and order, and with it the future destiny of our country.

Long live the republic! Long live the national independence!

MARIANO ESCOBEDO.

HEADQUARTERS AT PURISIMA, *May 15, 1867.*

The surrender took place on the 15th. A letter from San Luis, dated the 18th, says, "No one has yet been shot, and it is generally thought that none will be, in consequence of a request that has been made by the United States." The whole number of prisoners taken with Maximilian was about 7,000 men.

Mr. F. W. Seward to Mr. Campbell.

[Telegram.]

No. 35.]

DEPARTMENT OF STATE,

Washington, June 8, 1867.

If there is no direct communication with Vera Cruz, go to Havana and there take English or French steamer for Vera Cruz. If you find it occupied by republican forces, land there. If not, go to any United States naval vessel there and ask the captain to land you at Casa Mata, the headquarters of General Benavides, one mile from the city. The Secretary of the Navy directs that the commander of the Tacony, or of any United States vessel at Vera Cruz or its vicinity, render you all necessary assistance.

Mr. Romero advises this as your best course, and says you will probably have no difficulty in going from there to the city of Mexico.

F. W. SEWARD,

Acting Secretary.

LEWIS D. CAMPBELL, Esq., &c., &c., &c., *New Orleans.*

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *June 10, 1867.*

I learn that quarantine regulations forbid communication with Havana and Vera Cruz. I am also informed that transportation by English and French steamers from Havana to Vera Cruz is uncertain. Besides, I dislike going to Mexico under the English or French flag, unless you peremptorily instruct me to do so.

LEWIS D. CAMPBELL.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Campbell.

[Telegram.]

No. 36.]

DEPARTMENT OF STATE,

Washington, June 11, 1867.

Your despatch received. The President desires you to proceed to Mexico without delay according to previous instructions.

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c., *New Orleans.*

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *June 12, 1867.*

SIR: Correspondence from Matamoras and the interior of Mexico reached here to-day by a casual arrival, in advance of the regular mail. I have a short note from Mr. Mashall, dated the 8th instant, in which he says:

I this day send you important despatch to be telegraphed from Galveston. Maximilian will be executed beyond peradventure.

A few moments after the receipt of the above, I received the telegram referred to, which had been delayed, as it should have reached me on Monday the 10th instant. It is as follows:

President Juarez convened court-martial 29th ultimo, for the trial of Maximilian, Mejia and Miramon. The decision of court will be final, after which, general amnesty.

From the advices at hand it appears, though my information on this point is not direct, that a government council was held as referred to in my letter to you of the 7th instant, and that its decision was that Maximilian and the two generals above mentioned should be tried by court-martial, in accordance, it is stated with the law of the 25th of January, 1862.

An order was therefore issued by General Escobedo, on the 24th ultimo, for the assembling of a court-martial at Queretaro, on the 29th ultimo, for the trial of Maximilian, Miramon and Mejia.

I have seen letters received here to-day, one from the governor of the state of San Luis Potosi, dated at San Luis, the 27th ultimo, and another from the governor of the state of Coahuila y Nuevo Leon, dated at Monterey, the 2d instant, in both of which the opinion is almost positively expressed that Maximilian will be condemned and executed.

The former states, (I quote from memory:)

Day after to-morrow, at 9 o'clock in the morning, the court-martial for the trial of Maximilian, Miramon, and Mejia meets in Queretaro, and before this letter reaches you they will be in eternity.

The latter refers to the law under which the trial was ordered, as leaving no discretionary power with regard to the sentence.

None of the letters received by the Mexican consul make mention of any proclamation by Maximilian.

Mr. Marshall makes no mention of it, but simply encloses a slip from a Brownsville paper, containing the same English version that has appeared here.

It was reported that the city of Mexico had been already occupied by the republican forces, and it is stated that orders for the march of troops from Queretaro to the capital had been countermanded.

General Escobedo, it is also stated, had been ordered to remain at Queretaro.

The rains have already commenced, rendering the diligence road from Matamoros to San Luis Potosi less practicable than heretofore.

In view of the importance of the information at hand, I deemed it my duty to communicate the substance of the same by telegraph, which I did the moment received.

I am, sir, with the highest respect, your most obedient servant,

E. L. PLUMB.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Campbell.

[Telegram.]

JUNE 15, 1867.

It is important that the minister to Mexico should proceed at once. Your resignation will, therefore, be accepted, with thanks for your service and regret for your retirement. Communicate by telegraph.

WILLIAM H. SEWARD.

LEWIS D. CAMPBELL, Esq., &c., &c., &c., *New Orleans.*

Mr. Campbell to Mr. Seward.

[Telegram.]

NEW ORLEANS, *June 15, 1867.*

Since the receipt of your despatch of 11th I have been confined to my room by severe bilious attack. My physician says I cannot now go without hazard-
ing my life, especially via Havana and Vera Cruz, where yellow fever prevails.
If government considers it important to send minister immediately, I will tender
my resignation, if desired.

LEWIS D. CAMPBELL.

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

Mr. Campbell to Mr. Seward.

[Telegram.—Extract.]

NEW ORLEANS, *June 15, 1867.*

Your telegram of this day received. I send formal resignation by mail and
start for Ohio Tuesday. * * *

LEWIS D. CAMPBELL.

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

Mr. Campbell to Mr. Seward.

[Sent also by telegraph.]

No. 33.]

NEW ORLEANS, *June 16, 1867.*

In pursuance of the telegrams of yesterday, I now formally resign my posi-
tion as envoy, &c., &c., of the United States to the republic of Mexico.

I should do injustice to my own feelings not to avail myself of the occasion
to say that my appointment and confirmation excited my grateful sensibilities,
and that the compliment was more highly appreciated because, when the nomi-
nation was made, you knew I did not desire it.

It is gratifying to me also to know that during the entire career of this mov-
ing and somewhat anomalous legation, *your instructions were always strictly
obeyed and that all my official acts have been approved, and some of them highly
commended by the Department of State.*

And permit me to add, that it is not fully understood why, upon such a record,
the government recently declined to furnish me the slightest facility for going
under its own glorious flag directly to the shores of the struggling sister repub-
lic, and has required me to furnish my own conveyance to Havana, now sorely
afflicted by a scourging epidemic, and thence proceed on my mission to Vera
Cruz, a point of doubtful access, under the protection of the ensign of England
or France, both enemies of republicanism, and responsible to some extent for
the misfortunes of Mexico, and neither friend of the United States during our
late terrible struggle for national existence. The primary object of this require-
ment would seem to be the safety of a fallen emperor whose unhallowed ambi-
tion led him to bid defiance to a principle long cherished in the hearts of the
American people.

If the government to which my whole soul is attached is content with its

record, I must be with mine. If you, its highest officers, are willing to receive a resignation forced on me by want of transportation, I am far more happy in returning the commission, of which I have been proud, than when I received it.

I have the honor to remain, very respectfully, your most obedient servant,
LEWIS D. CAMPBELL.

The PRESIDENT AND SECRETARY OF STATE,
Washington D. C.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *June 19, 1867.*

SIR: By the mail at hand to-day from Matamoros, I have a letter under date of 13th instant from our consul at that place, Mr. Marshall, in which he writes as follows:

The news from the interior is very meagre; so far there has been nothing done with the prisoners; the court-martial is postponed until the liberals gain possession of the entire country. This is done in order to prevent retaliation, as would be the consequence, should any of the imperial officers suffer. President Juarez, I am inclined to think, would like to grant the expressed wish of the United States; but the army demand the execution of the leaders, and in case of refusal, boldly threaten to revolt. To prevent this will in all probability cost the life of Maximilian, Mejia and Miramon.

The siege of the city of Mexico is prolonged by the inside parties, through sheer desperation. They feel that death is certain, and they would prefer it in battle. I understand through reliable sources that in Vera Cruz hostilities have ceased, owing to the news of the fall of Queretaro. Upon confirmation of the news, the inside parties agree to surrender.

A rumor is afloat that Santa Anna is at Vera Cruz to assist the church party with two millions of dollars. Sensible men do not give the rumor credence.

Tampico is *in statu quo*.

The letters received by the Mexican consul and others here by this arrival do not afford anything to add to the very sound view presented as above by Mr. Marshall.

I am, sir, with the highest respect, your most obedient servant,

E. L. PLUMB.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

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

No. 33.]

CONSULATE OF THE UNITED STATES OF AMERICA,

City of Mexico, June 21, 1867.

SIR: The capital of Mexico was surrendered yesterday, the 20th, at 7½ p. m., to General Porfirio Diaz, in command of the liberal army, after a rigorous blockade of more than 70 days.

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

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

Persuaded finally of the fall of Queretaro, the French minister, in his anxiety as to the fate of Maximilian, requested officially that I would accompany the

Prussian minister and the counsel who had been called to that city by the prisoner, and exert my good offices to the benefit of the archduke of Austria.

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

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

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

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

and all prudent American citizens, I offered to General Tabera, at the suggestion of many respectable Mexican gentlemen, to visit Tacubaya, provided the city was surrendered on my return, with unquestionable evidence of Maximilian's captivity. These conditions not proving acceptable to the so-called Lieutenant General were declined by General Tabera, and it thus became evident that Marquez's object was alone to secure his own safety, though the city was impoverished and its inhabitants perishing.

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

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

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

were ashamed of their doubts, and credited the most extravagant story offered to their acceptance. The Austrians, startled at their own disloyal thoughts, relapsed into a blind obedience. On the other hand, the passports asked for Americans were on various pretexts delayed, through the representation of different persons to the officials, that when the American consul left, the single barrier between Marquez and the victims of his outrage would be destroyed.

Still in need of money, which could be obtained no more by the application of forced loans, daily contributions and other financial frauds, General Marquez gave orders to arrest and hold in prison a number of inhabitants, regardless of nationality, whom he had determined to keep without meat, drink, or rest, until they produced a certain amount assigned to each for payment. The Prussian consul regained his liberty after 24 hours' imprisonment at the price of \$6,000; few escaped, according to their means and the influence of friends. It is reported that Marquez raised over one hundred thousand dollars by this operation.

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

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

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

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

flag; he guaranteed their lives, and would send them under an escort to Vera Cruz. All papers relative to this subject I will transmit to the department with my next mail.

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

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

MARCUS OTTERBOURG,

U. S. Consul in charge of U. S. Legation.

Hon. F. W. SEWARD,

Assistant Secretary of State, Washington, D. C.

DETAILS CONNECTED WITH THE SIEGE OF MEXICO.

MEXICO, June 21, 1867.

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

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

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

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

Neither the public notoriety of all these facts, nor the increasing sufferings of the people, could deter General Marquez from his fixed purpose to hold the power and misuse it to the last. Flour and corn were almost exhausted and began to reach prices never known before. Bread ceased to be found at the bakers' since the 11th; corn continued to be sold irregularly until the 5th, but the crowd which accumulated at those points was such that the majority could not get even a handful of grain. Deaths by starvation began to be announced in the suburbs, and matters reached soon such a point that every kind of food had to be resorted to by people of every class. Bean cakes, barley bread, horse meat became gradually the almost regular diet of even the richest families, the most lucky of those who, by foresight, had kept in store a small provision of biscuit. What was meantime the condition of the crowd can be more easily conceived than depicted. Dog and cat meat have been of no uncommon use during these three weeks. But even so famine was daily on the increase, until at last the authorities felt the necessity of leaving free scope to the emigration of the perishing multitude. Thousands of men and women left the city every day, and it is calculated that almost a third of the whole population had gone out, though this diminution of consumers relieved in no way the condition of those who remained.

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

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

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

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

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

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

Colonel Kavenmuller, of the Austrian cavalry, had so far shown himself most reluctant to admit the captivity of the emperor. At last he began to be shaken in his faith, and informed me that if a proof of the fact were given, he and his men could immediately resign service, as they had only engaged to protect Maximilian. As this was the most likely way to bring matters to an issue, I communicated Colonel Kavenmuller's request to General Diaz, who immediately returned a most positive answer, sending a letter from the Austrian *chargé* himself, who certified that the emperor was a prisoner. General Diaz added that the foreigners

in the imperial service had nothing to fear, provided they put down their arms before the city was taken.

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

Mr. Otterbourg to General Diaz.

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

YOUR EXCELLENCY: Having been officially notified that the minister of Prussia and the counsel of the Archduke Maximilian, whom the constitutional government designs to try by court-martial on the point of sitting at Queretaro, are about to leave this capital, I believe it to be my duty as a republican, of whom a letter has been solicited for the purpose, to recommend Father Fischer, that your excellency grant him a safe conduct to accompany the gentlemen aforesaid to Queretaro as a witness indispensable to the defence; a request I feel more emboldened to make, since, always alive to the interest and honor of the great republican party, I should regret deeply that its enemies could accuse it of having acted with passion or partiality, which would undoubtedly be the case were the presence of a constant and ocular witness of his conduct be unfortunately denied to the accused.

With assurances of the most distinguished consideration,

MARCUS OTTERBOURG,
United States Consul.

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

General Diaz to Mr. Otterbourg.

[Translation.]

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

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

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

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

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

MARCUS OTTERBOURG,
Consul of the United States, Mexico.

PORFIRIO DIAZ.

Mr. Otterbourg to General Marquez.

[Translation.]

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

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

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

With assurances of consideration,

MARCUS OTTERBOURG,
United States Consul.

His Excellency General LEONARDO MARQUEZ.

[Translation.]

LEGATION OF FRANCE TO MEXICO,
Mexico, June 2, 1867.

Mr. CONSUL: I have had the honor to converse with you on several occasions on the fate of the emperor Maximilian, who interests me and engages my attention so earnestly for several months. You know how much I would have desired to have been able to go to Queretaro in order to obtain from the liberal party the adoption of evidence of moderation in an extreme case. On the one hand, my overtures to accompany Baron de Magnus were repelled; the advocates pretended that, far from being useful, the presence of the minister from France would be prejudicial, bring on an undue excitement of feeling which would hurt the defence, and would augment the severity of the council of war. On the other hand, some liberals, far from encouraging me to go to Queretaro, made me, through you, give advice to set out for Vera Cruz, in order not to expose the legation of the emperor to a hostile manifestation which it would be difficult to check at the first moment of effervescence which would follow the entry of their troops into the capital.

I have sent to my colleagues of Austria, of Belgium, and of Italy, letters for several leaders I formerly knew. These letters have remained unanswered. In fine, not being able to go in person to Queretaro, I have found means to send an agent there who enjoys all my confidence, and whom I have furnished with full powers to take in my name the most active steps in behalf of the unfortunate emperor.

This agent informs me from Tacubaya that all the rumors put in circulation for a fortnight past, and so obstinately contradicted by the imperial authorities, are unhappily in all respects true. The life of the unfortunate Maximilian incurred the greatest dangers, and notwithstanding all remarks, all the hindrances, this one or the other, I must report your situation. Mr. Consul, you authorized me to wait an answer from General Porfirio Diaz, and I was very thankful to you for gaining me permission to go and converse with him on the measures to be used to get me near to the emperor.

I hesitate, besides, that the intention in what concerned my government and person could be so ill-purposed as has been affirmed. Our acts are of public notoriety, and every one knows what I did personally to prevent the actual state of events, and stop effusion of blood which I considered useless.

You will oblige me much by putting it in my power to carry out my plan as soon as possible. As to my leaving Mexico, it has been long determined by my government, also that of my personal surroundings, but I will not carry it out until I have tried everything to fulfil important duties which are incumbent on me.

Accept in advance, Mr. Consul, my thanks, with the assurance of my friendly and devoted feelings.

ALFO. DANO,
*Envoy Extraordinary and Minister Plenipotentiary
of the Emperor of the French.*

[Translation.]

TACUBAYA, June 16, 1867—10 o'clock evening.

We have been here some hours by order of Escobedo.

Maximilian blindly reckoned on a plan of escape, impossible in reality, for this imprudent, and that of Salm* has been baffled by fine promises. Horricks, Jules and I are always kept out of the way of these managements; we have always dissuaded Maximilian, but uselessly.

When he wanted to go beforehand and asked us for funds, we told him he should have them; it was then in our power to keep that promise, and without appearing in the matter and without being exposed.

On the 14th, at 9 o'clock, the trial of Maximilian was to begin. It was then that Escobedo gave us two hours to get off, threatening us with death if we should return within four or five days.

Maximilian had been trapped, and our relations with him rendered us suspected.

The death of Maximilian was ordered at midnight yesterday.

If there is a slight hope of saving him it is at San Luis, where the American government can alone act efficaciously. Magnus was included in the order sending us off, but to San Luis only. What he has done there we are in ignorance about.

JUNE 18—Evening.

Maximilian wrote us on the 14th that the empress Carlotta is dead. He thanks us also for the interest we have manifested in him.

*Wife of Prince Salm-Salm, formerly an officer in the federal army.

At this moment news reaches us that Juarez has suspended, and had given the best hopes to Mr. Campbell's secretary, who is at San Luis. If this is confirmed we will inform you of it as soon as we can.

JULES, *Italian Chargé.*
 HORRICKS, *Belgian Chargé.*
 FOREST, *French Consul, Mazatlan.*

The foregoing was remitted to the French legation in cipher, from which it was correctly interpreted.

Mr. Otterbourg to Señor Dano.

CONSULATE OF THE UNITED STATES,
Mexico, June 3, 1867.

SIR: I have the honor to acknowledge the receipt of your note of yesterday, and shall endeavor immediately to communicate with General Porfirio Diaz for the purpose of obtaining the authorization that shall open to your excellency a free passage through the lines of the besieging army.

I avail myself of this opportunity to express to your excellency the assurance of my most distinguished consideration.

MARCUS OTTERBOURG,
United States Consul.

His Excellency A. DANO,
*Envoy Extraordinary and Minister Plenipotentiary
 of his Majesty the Emperor of the French.*

Mr. Otterbourg to General Tabera.

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

EXCELLENT SIR: I beg that you have the kindness to remit me a safe conduct for Mr. Robert Beckman, whom I think of sending to Tacubaya on a matter which has no connection with the political situation of this capital—a favor for which I shall be obliged to your excellency.

Your most attentive servant,

MARCUS OTTERBOURG,
United States Consul.

His Excellency General D. RAMON TABERA, *Present.*

Señor Tabera to Mr. Otterbourg.

[Translation.—Private.]

MEXICO, *June 6, 1867.*

ESTEEMED SIR: These headquarters do not issue documents authorizing departure from the city, and therefore I do not send that which you are pleased to ask for Mr. Robert Beckman, but the said individual can apply at the prefecture, where the passports he desires are issued, as there is no impropriety in conceding one to him.

Without other motive I place myself at your disposal as your very attentive servant,
 R. TABERA.

MARCUS OTTERBOURG, *Esq.*

Mr. Otterbourg to General O'Horan.

CONSULATE OF THE UNITED STATES,
Mexico, June 6, 1867.

ESTEEMED SIR: I again trouble you with the request to give a passport to go and return to Mr. Robert Beckman, whom I am interested in sending to Tacubaya on account of a private matter which has no connection with the political situation of this capital.

Mr. Beckman is accompanied by his servant, John Rodriguez.
 Hoping that you will excuse this interruption of your very important occupations, I am, general, your obedient servant,

MARCUS OTTERBOURG,
United States Consul.

His Excellency General THOMAS O'HORAN,
Political Prefect.

Mr. Otterbourg to General Marquez.

CONSULATE OF THE UNITED STATES,
Mexico, June 7, 1867.

GENERAL: Mr. A. Dano, minister from France resident in this capital, being desirous to leave for Queretaro, I have at his request addressed a communication, a copy of which is at the disposal of the authorities, asking of General Porfirio Diaz to grant Mr. Dano a free passage as far as Tacubaya, through the lines of the forces besieging this plaza.

As it is useless to mention, since they are public and notorious, the ends which Mr. Dano proposes on undertaking a journey in moments so difficult, I restrict myself to informing General Marquez that on seconding the views of Mr. Dano as appears from copies of the correspondence adjoined, I have encountered the order recently given, which prohibits the issue of passports to those who wish to leave the city, and to request that this difficulty be removed by instruction which shall permit the passport to be signed at the ministry of war for Mr. Beckman, who is in every other respect prepared to set out with the object indicated.

With assurances of the highest consideration,

MARCUS OTTERBOURG,
United States Consul.

His Excellency General LEONARDO MARQUEZ.

Mr. Otterbourg to Señor Diaz.

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

YOUR EXCELLENCY: Mr. A. Dano, minister from France, having manifested to the consul of the United States his desire to leave the capital, at the request of that gentleman and complying with a duty in view of the relations between the United States and the constitutional government of Mexico, I beg that your excellency will be pleased, should you think it proper, to remit by the gentleman charged with the delivery of this note, a safe-conduct which shall allow Mr. Dano to pass, accompanied by his secretary, through the lines of the besieging force as far as Tacubaya, where he can better adopt his ulterior means.

And on communicating it to your excellency, I avail myself of the occasion to protest the assurances of my highest consideration.

MARCUS OTTERBOURG,
United States Consul.

His Excellency D. PORFIRIO DIAZ,
General-in-Chief of the Eastern Line of Operations, Tacubaya.

Señor Diaz to Mr. Otterbourg.

[Translation.]

MEXICAN REPUBLIC,
HEADQUARTERS OF THE EAST SECTION OF GOVERNMENT,
Tacubaya, June 10, 1867.

MR. CONSUL: I have received your note of the 5th instant, in which you are pleased to ask of me a safe-conduct for Mr. Dano, in order that in company of his secretary he may pass through the lines of the forces besieging the capital; and in reply I comply with the duty of telling you that, not being able to yield to your request without an express order, I shall remit a copy of your note to the government of the nation for the proper determination upon its contents.

I protest to you the assurances of my personal consideration.

PORFIRIO DIAZ.

The CONSUL of the *United States in the City of Mexico.*

Mr. Otterbourg to General O'Horan.

CONSULATE OF THE UNITED STATES,
Mexico, June 10, 1867.

The undersigned not being able to discharge efficiently, under his instructions, the duties which in the present circumstances the charge of the consulate and the archives of the United States legation in this capital impose upon him, finds himself, after a prolonged struggle

against the situation and in his own despite, compelled to address to General Thomas O'Horan, political prefect, a request that he will have passports issued for the undersigned to leave the city with his family, accompanied by such American citizens and other persons entitled to the protection of the American flag who may wish, for reasons not unknown to his excellency the political prefect, to take advantage of the opportunity to withdraw from Mexico.

With assurances of high consideration,

MARCUS OTTERBOURG,
United States Consul.

His Excellency General THOMAS O'HORAN,
Political Prefect, Mexico.

General O'Horan to Mr. Otterbourg.

[Translation.]

MEXICO, June 10, 1867.

The undersigned has the honor to reply to the note from the consul of the United States, of this date, with the request that he have the kindness to remit a list of the persons who are to accompany him in his departure, in order that the name of each might be inscribed on the respective passports.

Those of the consul and his family are enclosed with this note.

I renew to you the assurance of my attentive consideration.

T. O'HORAN, *Political Prefect.*

Mr. Otterbourg to General O'Horan.

CONSULATE OF THE UNITED STATES,
Mexico, June 15, 1867.

The undersigned, consul of the United States, has to communicate to his excellency General Thomas O'Horan, political prefect, to whose attributes it unfortunately belongs to apprehend the persons marked by the military power for the purpose of extorting money, that D. José Anto. Mendizabal, D. Miguel Lizardi, and D. Carlos Widmann have been imprisoned since yesterday in the presidio of Santiago.

As these gentlemen are under the protection of the flag of the United States, the undersigned, after having exhausted every resource and conciliation in the lengthy period of arbitrary acts aimed at the persons and interests of American citizens resident in this capital, believes that the moment has arrived to declare to his excellency the political prefect, that if Messrs. Lizardi, Mendizabal, and Widmann do not find themselves uninjured in their houses before three o'clock this afternoon, all the serious consequences which must ensue will rest upon the individuals who have participated in their arrest and imprisonment.

The undersigned has the honor to renew to his excellency the assurance of his esteem and consideration.

MARCUS OTTERBOURG,
United States Consul.

General THOMAS O'HORAN,
Political Prefect.

General O'Horan to Mr. Otterbourg.

[Translation.]

POLITICAL PREFECTURE OF THE DEPARTMENT
OF THE VALLEY OF MEXICO,
Mexico, June 15, 1867.

I received your honor's note of to-day, and in reply I must explain that the consulate has been incorrectly informed as to this prefecturate being charged by his excellency General Marquez to effect the apprehension of certain individuals, and among them that of the American citizens D. José Anto. Mendizabal, D. Miguel Lizardi, and D. Carlos Widmann, since it only furnished his excellency General Marquez aforesaid with its police agents to point out the dwellings of the persons who were to be apprehended by the adjutants themselves of his excellency General Marquez.

As to the imprisonment of the citizens I can assure your honor that they shall be set at liberty to-day in virtue of the reasons which I have employed in their favor.

It is painful to me to make known to your honor that I have seen in your note to which I am replying, threats to which I have given no occasion, which I believe I do not merit, and which I deem unnecessary in claiming the liberty of American citizens—since the consulate has ever found, as it will always find in me the highest regard and firmest support alike with all American citizens. Nevertheless, I have the honor to assure your honor that this circumstance shall not alter my kind feelings towards the American flag and to the citizens of that republic.

I have the honor to protest to your honor the assurance of my respect.

T. O'HORAN, *The Prefect.*

The CONSUL of the *United States of America.*

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

No. 35.]

CONSULATE OF THE UNITED STATES,
City of Mexico, June 27, 1867.

SIR: At the moment of the surrender of the city to the liberal army, several prominent persons sought refuge in this consulate. Those compromised by their connection with the so-called empire, with the exception of one individual, whose admittance was sanctioned by competent authority, I, with violence to my own feelings, declined to receive.

Many ladies asked protection under my roof, in fear of the outrages which might be perpetrated during the night of the occupation by a supposed disorderly rabble.

These alarms, however, subsided when the few troops which entered the city were seen to conduct themselves with perfect order, and to be held in proper control. The night of the 20th passed undisturbed, unless by the report of fire-arms, which were discharged by the soldiery in their flight from the trenches and barracks. By the morning of the 21st D. Juan José Baz, political prefect, had taken every precaution conducive to the peace and security of the capital, interrupted by the soldiers of Ouiroga, who were caught while attempting to rob and instantly shot.

The enclosed devices, dictating measures of police and retributive justice, manifest a spirit of moderation little anticipated by the friends or enemies of the constitutional government.

An order to the several European representatives and consuls to lower their flags, then hoisted upon their respective consulates and legations, was the sole instance of active interference with the previous customs or habits of the capital.

The necessities of the army, for which the funds were necessary, urgently demanded attention. I offered to General Diaz to supply the money for his immediate wants, through a loan to which only certain capitalists would be allowed to contribute, each, a certain amount, to be returned without payment of interest, at the expiration of a reasonable term. A strong representation was made to him of the danger to the constitutional government, if by a repetition of forced loans and contributions it should attract to itself any of the odium belonging to the military power, which had exasperated and impoverished the citizens by extortionate demands upon their property. General Diaz recognized the propriety of these considerations, and expressed his readiness to accept a voluntary loan upon these terms, from the parties who do not fall under the displeasure of the government.

The capitalists, to whom I applied to make my offer effective, readily contributed towards a voluntary loan on hearing the reasons advanced in its favor, of which the most forcible appeared to be that they would in this manner receive a guarantee against impositions of forced loans or extraordinary contributions in the future.

Enclosures Nos. 1 and 2 furnish copies of my note placing \$200,000 at General Diaz's disposal, and his acknowledgment thereof, leaving to my discretion to

designate with the contributors the guarantee and mode of reimbursement of their respective shares in the entire amount.

It would be both premature and difficult to attempt to characterize the actual situation of Mexico, which would appear rather from the men provisionally directing its affairs, than from any deeper indication, to be entering upon a new era.

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

MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

Hon. F. W. SEWARD,

Assistant Secretary of State Washington, D. C.

Mr. Otterbourg to General Diaz.

CONSULATE OF THE UNITED STATES,

Mexico, June 24, 1867.

The consul of the United States has the pleasure to inform the citizen General Don Porfirio Diaz that he has succeeded in procuring \$200,000 towards an amount necessary to cover the immediate necessities of the liberal army, for the supply of which he was requested to employ his intervention.

The very just representations which the consul was enabled to make as a motive for this loan, removed at once every difficulty in the way of the parties invited to assist by their friendly contributions in the fulfilment of the end proposed.

Acquainted with the desire of the United States government to see established in Mexico a permanent government, the consul of the United States begs to assure the citizen general that he shall be ever ready, within the scope of his duty, to further the wishes of the United States government, and aid in the settlement of peace and order in Mexico.

With assurances of the highest consideration,

MARCUS OTTERBOURG,

United States Consul.

The Citizen General D. PORFIRIO DIAZ,

Commanding Eastern Army of Mexico.

General Diaz to Mr. Otterbourg.

[Translation.]

TACUBAYA, June 25, 1867.

MR. CONSUL: I have received your note of yesterday, in which you are pleased to communicate to me, that by common consent of the proprietors and mercantile establishments named in the list accompanying your note, you have collected the amount of two hundred thousand dollars as a voluntary loan without interest for the purpose of furnishing it to the national army, in order to meet their most pressing necessities.

Profoundly grateful to you and to the persons who have generously contributed to its success, I return you all the warmest thanks, while there remains to me alone to request of you that, together with the same persons, you will do me the favor to point out the internal revenue or custom-house dues which you may desire to be devoted to the early reimbursement of this amount, in order that it may be set apart with that object with the strictest and most religious punctuality.

Accept, Mr. Consul, the assurance of my attentive consideration.

PORFIRIO DIAZ.

MARCUS OTTERBOURG,

Consul of the United States, Mexico.

[Translation.]

Citizen Juan J. Baz, political chief of the capital of the republic, to its inhabitants makes known:

That considering the present condition of the capital, and how necessary it is to avoid all causes of disorder, he decrees as follows:

ARTICLE I. The introduction and sale of pulque, rum, and beer in this city is prohibited for three days.

ARTICLE 2. The above articles may be introduced on the fourth day, but can be sold only from 6 to 3 o'clock.

ARTICLE 4. Any one who injures buildings, gardens, or public monuments, besides paying for the damage done, shall be fined from \$25 to \$100, or be imprisoned for one month or one year.

ARTICLE 5. Games of chance are prohibited, under the penalties fixed by the police regulations of 1856 and 1857.

ARTICLE 6. It is forbidden to carry arms without license, under the penalties fixed by laws of the above period.

Therefore, I order this to be printed, circulated, published, and observed.
Independence and liberty! Mexico, June, 1867.

JUAN J. BAZ.

Juan José Baz, political chief of the capital of the republic, to its inhabitants makes known:

That the citizen general-in-chief of the eastern army, in a circular of the 27th April, of the present year, decreed, among other things, as follows:

1. Homicide, arson, rape, and robbery shall be punished with death, without regard to the rank of the person who commits the crime. Robbery is the taking of property, without orders from the general-in-chief, under any pretext whatever. Homicide is the killing of a person by another, who has no right to punish outside of the law.

2. Robbers or thieves, taken in the act, shall be instantly executed by the political chiefs of the districts where the crime is committed, under act identifying the person and the crime he is guilty of.

Ordered to be printed, promulgated, circulated, and enforced.
Independence and liberty! Mexico, June, 1867.

JUAN JOSÉ BAZ.

Citizen Juan José Baz, political chief of the capital of the republic, to its inhabitants makes known:

That from the publication of this order all inspectors and sub-inspectors that were in office in May, 1863, shall serve as policemen now, and present themselves at the deputation for orders. Those that have served the empire are excluded from this regulation.

MEXICO, June 21, 1867.

JUAN J. BAZ.

Citizen Juan José Baz, political chief of the capital of the republic:

In obedience to the law decreeing the dissolution of religious communities, the members of such shall quit their convents within 48 hours, and present themselves to the officers appointed by this department.

That this may be generally known and obeyed, I order it to be printed, published, and circulated.

Independence and liberty! Mexico, June 21, 1867.

JUAN JOSÉ BAZ.

Citizen Juan José Baz, political chief of the capital of the republic, to its inhabitants makes known:

The citizen general-in-chief ordered me yesterday to form a municipal board to preserve order in the capital of the republic, and the following citizens have been named for that purpose:

Antonio Martínez de Castro, Manuel María Zamacona, Rafael Dondé, José María Lafragua, Lucía Padilla, Agustín del Río, Manuel Villamil, Manuel Inda, Francisco Montes de Oca, Ignacio Baz; Cipriano Robert, secretary; Pantaleón Tovar, treasurer.

Therefore, I order this to be printed, published, circulated, and duly enforced.
Independence and liberty! Mexico, June 21, 1867.

JUAN JOSÉ BAZ.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *July 2, 1867.*

SIR: I have to-day a letter from Mr. Saulnier, the consul at Vera Cruz, dated the 25th ultimo, forwarded by the Austrian steamship of war Elizabeth, but which only reached me this morning, in which he states as follows:

Maximilian was shot at the city of Queretaro on the 19th instant. The city of Mexico surrendered at discretion on the 20th to General Porfirio Diaz. Vera Cruz still remains in rebellion.

As officially confirming the advices through other channels, I thought it my duty to transmit the substance of the same to you at once by telegraph.

I am, sir, very respectfully, your most obedient servant,

E. L. PLUMB.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Plumb to Mr. Seward.

NEW ORLEANS, *July 3, 1867.*

SIR: By the mail at hand to-day from Matamoros, I have received a copy of the official paper of San Luis Potosi of the 19th ultimo, which contains the telegrams and orders relating to the trial and execution of the Archduke Maximilian, and the efforts made to save his life, and which are of exceeding importance and interest. I would translate the same, but it is not possible to do so in time for this mail, and I would respectfully suggest that they be read to you by the translator of the department, as they throw much light upon the different steps that have been taken and the motives that have actuated the Mexican government. For that purpose I beg to enclose the paper herewith.

I have also a letter from Mr. Marshall at Matamoros, dated the 27th ultimo, in which he says:

I have just sent you despatch by telegram announcing the untimely death of the Archduke Maximilian.

This event has cast a gloom over all the foreign residents of the city.

His self-sacrificing determination to share the fate of his followers challenged the admiration even of his enemies.

There were no demonstrations of joy exhibited at the news, which, like a shudder, passed from lip to lip.

I am, sir, very respectfully, your most obedient servant,

E. L. PLUMB.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

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

No. 36.]

CONSULATE OF THE UNITED STATES,

City of Mexico, July 8, 1867.

SIR: Since the occupation of this capital, embraced in the military division under his command, General Porfirio Diaz has administered affairs with moderation and prudence. His acts, in expectation of the President and his cabinet, who are announced to arrive to-morrow, have been confined chiefly to the preservation of order and the acquirement of means for the support of his army, which stood greatly in need of everything necessary to the soldier.

The payment of a voluntary loan, furnished through my intervention, to meet the most pressing wants of the army, as communicated to the department in despatch No. 35, has been, I am enabled to say, provided for in a manner satisfactory to the contributors.

A general and deep anxiety has displaced the excitement consequent on the trial and execution of Maximilian, and the impression caused by the news of this tragic event in the United States is eagerly looked for. The disquietude proceeds from a persuasion that Mexico, while not satisfactorily assured of the course which the United States might pursue, cannot be secure from an intervention of the combined European powers, whose attempts to revenge Maximilian's death she does not fear, provided her powerful neighbor and sister republic lends them no support by her countenance or action.

To my doubts as to the propriety, in a political point of view, of Maximilian's execution, the authorities, by whom the opinion had been elicited, responded that, on mature deliberation, the government had refused, from reasons of policy, to pardon the archduke and remand him to Austria, for the conservative, imperial party were giving, in their speeches and writings, every evidence of a determination never during that prince's life to cease from advocating his claims to the crown of Mexico, and from disturbing the quiet of the country by agitating his return.

The minor press, before the reappearance of periodicals of tone and standing, indulged in intemperate remarks upon the theme of Minister Campbell's letter relating to the same all-absorbing subject. Their articles, addressed to sustain the enthusiasm and action of the party which claims to have freed their native land from a foreign invasion, have been disavowed and rebuked by all reflecting and respectable liberals.

The Austrians who, in compliance with the terms of a convention (enclosure No. 1) with General Diaz, locked themselves in the palace on the night of the 20th June, were, to the number of 700, sent under escort to Puebla. It has been communicated to me by letter since their departure that the conditions entered into have not been fulfilled by the Mexican officers charged to place them in Vera Cruz. In other respects the foreign prisoners have been shown every kindness and consideration by those to whom their safety and conveyance were committed; and I do not doubt that every stipulation will be strictly complied with, to the satisfaction of all parties to the convention.

The French minister has been making preparations to leave the country, accompanied by other European representatives, and, designing to take with him, at the expense of his government, all French subjects who might be desirous of abandoning Mexico, applied to General Diaz to provide the due security on the roads. The government at San Luis replied, as I learn, to General Diaz's inquiry upon this application, that the matter would be determined on its arrival at the capital. In a conversation with me upon the subject, General Diaz expressed his regrets that the application had been made to him, since he never, in the absence of orders to that effect, would interpose any obstacles to Mr. Dano's departure, but that, as the reference had been made to the government, he was desirous that Mr. Dano would save him the odium of executing the orders to detain him, should he carry out his intention of leaving the city.

On account of a difficulty with a French subject, the same minister had been likewise detained under writ from a minor judge, and summoned to appear in court. On my opinion, expressed to the political chief, Mr. Baz, that Mr. Dano, according to the letter and spirit of the law of nations, enjoyed, until he reasonably departed from Mexican soil, the immunities of an envoy and minister, that authority caused the suspension of all legal proceedings commenced with the design of gratifying personal animosities and of extorting money.

In enclosures Nos. 2, 3, will be seen the result of my representation to the political chief of injuries to the American cemetery, during the siege, by the

fire directed against the city from the liberal camp. The repairs are to be made at the expense of the authorities, prompted by a spirit of friendship towards the United States.

General Vidaurri was this morning taken from his place of concealment, and, in accordance with the law condemning those who neglected to present themselves, was shot this afternoon at 4 o'clock. The general-in-chief, deeply moved at the necessity of executing this sentence upon General Vidaurri, has granted an additional term of twenty-six hours to those who shall present themselves and abide a trial by law. The execution of Vidaurri has caused a sensible impression in the community, to which may be attributed the resolution, conveyed to me from the highest sources, not to carry into effect the law which subjects to trial military and political prisoners, with the exception of a few marked individuals. Neither will the confiscation act—enclosure No. 4—be rigorously enforced, if any of its provisions be applied to exceptional cases.

The 4th of July was celebrated at this consulate in the midst of a large assemblage of American citizens. General Felix Diaz, brother of the general-in-chief, lent the band of music for the occasion; and the enclosure No. 5, though unimportant, shows the spirit manifested by the authorities.

Inquiries respecting Mr. Dougall have been set on foot, and their success shall be duly reported to the department.

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

MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

Hon. F. W. SEWARD,

Assistant Secretary of State, Washington, D. C.

Baron Von Lago to Count Kherenhuller.

[Translation.]

In reply to your honored letter of the 17th instant, I inform you, and through you all the officers of Austrian nationality, officially, of the following final conditions set down by General Porfirio Diaz:

1. The ground basis of the present negotiation is that the Austrians abstain at once from every further participation in any hostilities against the republican army.

2. If they will leave the city by the 21st instant in the morning and present themselves on this side, General Porfirio Diaz guarantees to them all transportation at the expense of the republican government, and under safe conduct (for their personal protection) to Vera Cruz. He also guarantees to them their personal property. The officers will be permitted to retain their sidearms and private horses; all other weapons and horses must, however, be left with the general-in-chief.

3. If they allow the above period to pass without taking advantage of these concessions, but, having complied with the ground basis of section 1, assemble in the palace and raise the white flag near some permanently located camp, General Porfirio Diaz guarantees to them, in case of the taking of Mexico, only their lives, and the republican government will provide for the rest.

4. Individuals who, in one of the previous cases, desire to continue in the country, will receive from General Porfirio Diaz the desired guarantee of their persons and private property.

5. The circumstance that some individuals who are on duty at a distance cannot be informed in time will be taken into consideration until the morning of the 21st instant only. Later than that, the conditions set down in section 3 for those who may withdraw to the palace will apply to them.

6. The conditions set down for Austrians apply also to all others serving under their command not Mexicans. In regard to the Mexicans serving under them, General Porfirio Diaz cannot anticipate the decision of the republican government by accepting conditions which would constrain its final determination.

7. General Porfirio Diaz desires in your own interest that in case of your departure from Mexico you would inform him of that intention in time, in order to be able to aid your coming over in every way.

In doing myself the honor to bring the foregoing to your knowledge, I await your final

decision and answer by the bearer of this official communication, and deem it my duty—insisting still on all the points of my official letter of the 16th instant—to add that his majesty the emperor Maximilian explained to me repeatedly at Queretaro that General Marquez was the greatest traitor.

Tacubaya, the 18th June, 1867, in the evening.
[L. S.]

BARON VON LAGO,
Royal Imperial Chargé d' Affaires,
Royal Imperial Austrian Mission.

His Excellency Colonel Count KHERENHUELLER,
In Mexico.

P. S.—A Spanish translation of the above points is in the hands of General Porfirio Diaz.

Señor Baz to Mr. Otterbourg.

[Translation.]

OFFICE OF THE POLITICAL CHIEF OF THE CAPITAL,
Mexico, June 27, 1867.

By express order from headquarters I have the honor to declare to you that, although in the belief that there is no obligation to indemnify the injuries caused in this city by the fire upon it during the late siege, be who he may the person who has suffered thereby, nevertheless, and merely as a proof of the sympathy which the Mexican government entertains for the people of the United States and whatever pertains to them, the citizen general-in-chief of the army of the east has thought proper to accord that you have the goodness to direct the injuries caused thereby in the American cemetery to be repaired, and remit to this office the bill of expenses for immediate payment.

Independence and liberty!

JUAN J. BAZ.

The CONSUL of the United States of America.

Mr. Otterbourg to Señor Baz.

CONSULATE OF THE UNITED STATES,
Mexico, June 28, 1867.

I have the honor to acknowledge the receipt of the communication in which you inform me that the general-in-chief of the army of the east has thought proper to accord that I direct the injuries done to the American cemetery, by the fire upon the city during the late siege, to be repaired, and remit the account of expenses to the office of the political chief.

In reply, I beg to say that I shall with pleasure report to my government this prompt action in the matter on the part of the general-in-chief of the army of the east, and that the spirit which dictated this measure of reparation is duly recognized; in response to which the repairs at the cemetery shall be at once commenced, and the bill remitted for just payment to the office designated in your note.

MARCUS OTTERROURG,
United States Consul.

JUAN JOSÉ BAZ,
Political Chief, Capital of Mexico.

Señor Baz to Mr. Otterbourg.

[Translation.]

OFFICE OF THE POLITICAL CHIEF OF THE CAPITAL,
Mexico, July 3, 1867.

By your note of to-day I have learned that you will to-morrow hoist your flag over the consulate, in celebration of the anniversary of the independence of the United States of America.

This office, in view of the good relations which Mexico entertains with that republic, has thought well to direct that, in celebration of that event, the national flag be hoisted on the public buildings of this capital; which I have the honor to say to you for your intelligence and in due reply to your note.

Independence and liberty!

JUAN J. BAZ.

The CONSUL of the United States of America.

Mr. Otterbourg to Señor Baz.

CONSULATE OF THE UNITED STATES,
Mexico, July 3, 1867.

The consul of the United States has the honor to notify Señor Baz, political chief, that he will, as is customary, hoist his flag over this consulate to-morrow, the ninety-first anniversary of the Declaration of Independence of the United States of America.

JUAN J. BAZ,
Political Chief, Mexico.

MARCUS OTTERBOURG,
United States Consul.

Mr. Seward to Mr. Otterbourg.

No. 4.]

DEPARTMENT OF STATE,
Washington, July 12, 1867.

SIR: I have just now received your careful and voluminous despatches of the 21st of June, No. 33, and of the 27th of June, No. 35, with accompanying documents. These papers contain important and interesting accounts of the surrender of the city of Mexico, and its occupation by the army of the republic.

I have been able to bestow upon them only a cursory perusal. After they shall have received the attention of the President, I shall refer to them, perhaps, at large. In the mean time, you will take an early occasion to present your credentials to the President of the republic.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MARCUS OTTERBOURG, Esq., &c., &c., &c.

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

No. 42.]

CONSULATE OF THE UNITED STATES,
City of Mexico, July 20, 1867, (9 o'clock a. m.)

SIR: I avail myself of a courier's departure for Vera Cruz, of which I was informed only an hour ago, to advise the department of the public entrance into the capital of the republic, on the 15th instant, of the citizen President, Benito Juarez, who obtained a grand ovation as saviour of the independence and nationality of Mexico.

The time from that date to the present has been employed by the cabinet in the organization, not yet completed, of the several departments of administration, the nomination of employes, and in the ulterior disposition to be made, in an attempt to conciliate justice with clemency, of the very many prisoners taken at Queretaro, Mexico, and Vera Cruz. In answer to a telegram seeking, on the 16th instant, of the United States consul at Vera Cruz, confirmation of a rumor current here, I was informed that the steamer Wilderness had entered the port on the 14th, with the family of President Juarez and two bearers of despatches for this consulate aboard. To the present date the latter have not made their appearance.

The pretensions of the very many American citizens congregated at this capital, in expectation that the government newly re-established will attend to and advance their numberless projects and speculations, promise, I fear, a series of endless complaints and reclamations.

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

MARCUS OTTERBOURG,

U. S. Consul in charge of United States Legation.

Hon. F. W. SEWARD,

Assistant Secretary of State, Washington, D. C.

Mr. Otterbourg to Mr. Seward.

[Extract.]

No. 2.]

LEGATION OF THE UNITED STATES,
City of Mexico, July 29, 1867.

SIR: Major Robinson and Mr. Emile La Sere, bearers of despatches, delivered to me on the 23d instant a telegram dated on the 21st of June, advising me of my appointment as United States minister near the republic of Mexico. Informed of the contents of the despatches long announced, I directed to Mr. Lerdo, minister of foreign relations, a note of which enclosure No. 1 is the copy, followed by the correspondence, enclosures Nos. 2, 3, and 4.

In consequence of a meeting held with the French minister, and the *chargés* of Belgium and Italy, on the subject of their notes to me, enclosures Nos. 5, 6, and 7, I touched in a conversation with Mr. Lerdo upon the propriety of granting passports and security on the roads to these representatives. He remarked privately, in return, that should I address him an official note on the matter, he would, in his reply, treat my intervention in terms of respect, but would require those gentlemen to direct themselves to the minister of foreign relations in acknowledgment of a government which the Emperor Napoleon had in 1861 declared did not exist in Mexico, and to which the representatives of European powers had now to appeal in order to leave the country. Mr. Lerdo was careful to impress me with the fact, that though not moved by a spirit of provocation, he would insist on a manifestation of the respect due to his government.

The reply, enclosure No. 8, was addressed to each of the representatives who had solicited my good offices, on my retirement from this interview. Nos. 9, 10, 11, and 12, are copies of a correspondence between the French and Belgian representatives and myself, in regard to the protection of the United States solicited by them in favor of subjects of their respective nations, residents of Mexico.

This matter having been discussed in the public prints, to avoid misrepresentation, I found it necessary to inform orally the minister for foreign affairs of the terms under which, until the department could have instructed me on the subject, I had consented to serve as a medium of communication in behalf of foreigners, who had no agent of their country near the government of Mexico. I had intentionally deferred hitherto any notification on the point to the minister, in the expectation of receiving from Washington instructions which might enable me to take a position highly advantageous in the future, on treating of subjects involving like principles, nor did I wish to influence, by any question, towards an unfavorable decision of the government upon the application of foreign representatives for their passports.

The complications threatening from this cause have been happily obviated by the minister's concession of their passports to the representatives of France, Italy, and Belgium, and these gentlemen take their departure at the beginning of August. * * * * *

A protest against the seizure of General Santa Anna from on board of a vessel bearing the United States flag, with a request that the same should be presented to the government, has been received at this legation. This request has not been acceded to, since the instructions in the matter, reported by the same party to be sent from the department, have not as yet arrived, for doubt as to the facts in General Santa Anna's case, and of the views of our government thereon, and, in order to gain time in the event of his sentence, I expressed a hope to the minister that the judicial proceedings might be transmitted to the capital for revision. The President, it appears, has no authority to subject the cause to revision, though, as he may suspend the execution of the sentence, our government can interfere officially should the dignity of our flag or integrity of our commercial interests require any action on the part of the United States.

General O'Horan, late political prefect, was apprehended and brought, despite the decree ordering the immediate execution of those who had not presented themselves, to the city. It is now said that he is to be subjected to a trial, and must be shot if the law be carried into effect. My position in regard to this gentleman is very delicate, inasmuch as the American community is greatly indebted to the late prefect for many acts of kindness and attention during the period of General Márquez's rule. I shall, therefore, use every exertion, consistent with my position as a representative of the United States, to save General O'Horan's life, and to manifest the full measure of gratitude to which he is entitled as the friend of Americans through the crisis of the siege of Mexico.

The organization of the several departments of administration makes but slow progress; it would be premature, therefore, to attempt to indicate what will be the policy of the government before the nomination of those who must by their positions influence the conduct of the cabinet.

The want of means to meet the expenses of the country will prove the most formidable difficulty to be encountered and overcome by the government. Enclosures Nos. 14 and 15 furnish translations of President Juárez's proclamation of the 15th instant on the occasion of his entrance into the capital, and of the address of Mr. Lerdo, minister of foreign relations, pronounced at the banquet given on the night of the same occasion to the President, ministers, &c., by General Porfirio Díaz and others, to which I was, as consul of the United States, the only foreign agent invited.

The Prussian minister, Baron Magnus, remains yet at San Luis Potosi, whither he retired after the execution of Maximilian. He is reported to be seriously ill in consequence of the impression left upon his mind by the scene of which he had been a personal witness.

Baron Lago, Austrian chargé d'affaires, through fear of uniting in action with the French minister, whose friendship at this moment promises but little advantage, has withdrawn from the capital without a passport.

The British chargé, Mr. Middleton, awaits instructions from his government before he can take any decided step which shall influence his relations with the republic.

The Marquis de la Rivera has been elevated to the dignity of counsellor of state to her Catholic Majesty the Queen of Spain, and been relieved as minister to Mexico.

I have the honor to be, very respectfully, your obedient servant,
MARCUS OTTERBOURG.

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

Mr. Otterbourg to Mr. Lerdo.

LEGATION OF THE UNITED STATES,
Mexico, July 24, 1867.

The undersigned has the honor to inform his excellency the minister of foreign relations, Sebastain Lerdo, that he has received from his government a commission naming him envoy extraordinary and minister plenipotentiary of the United States of America near the government of the republic of Mexico.

The undersigned avails himself of the occasion to express to his excellency the minister of foreign relations the assurances of his most distinguished consideration.

MARCUS OTTERBOURG,
Envoy Extraordinary and Minister Plenipotentiary of the U. S. of America.

His Excellency D. SEBASTIAN LERDO DE TEJADA,
Minister of Foreign Relations of the Government of Mexico.

Señor S. Lerdo de Tejada to Mr. Otterbourg.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
Mexico, July 24, 1867.

I had the honor to receive your note of to-day, informing me that you had received a commission from your government naming you envoy extraordinary and minister plenipotentiary of the United States of America near the government of the republic of Mexico.

It will be gratifying to the President of the republic to receive you in your character of representative of the United States of America; and I hope that you will communicate to me that you are prepared to present to him your credentials, in order that he may designate the day that he may be able to receive you. I avail myself of this occasion, Mr. Minister, to assure you of my very distinguished consideration.

S. LERDO DE TEJADA.

His Excellency Mr. MARCUS OTTERBOURG,
*Envoy Extraordinary and Minister Plenipotentiary of the U. S. of America
near the government of the United Mexican States.*

Mr. Otterbourg to Señor Lerdo de Tejada.

LEGATION OF THE UNITED STATES,
Mexico, July 25, 1867.

The undersigned, in reply to the note dated the 24th instant of his excellency Sebastian Lerdo de Tejada, minister for foreign affairs of the government of the United Mexican States, has the honor to say, that in compliance with instructions from his government, he has at once proceeded to perform the duties of envoy and minister of the United States before his credentials shall have been received from Washington.

The undersigned regrets, therefore, that he cannot for the moment exhibit any document other than a commission signed by the President of the United States, which shall enable him to defer to the desire of the President of the republic to receive him officially upon credentials accrediting his mission of envoy extraordinary and minister plenipotentiary of the United States near the government of the United Mexican States.

The undersigned avails himself of the occasion to renew to his excellency the minister for foreign affairs the assurances of his most distinguished consideration.

MARCUS OTTERBOURG,
Envoy Extraordinary and Minister Plenipotentiary of the U. S. of America.

His Excellency SEBASTIAN LERDO DE TEJADA,
*Minister for Foreign Affairs of the Government
of the United Mexican States.*

Señor Lerdo de Tejada to Mr. Otterbourg.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Mexico, July 25, 1867.

SIR: I have had the honor to receive your communication of to-day in reply to that I addressed to you yesterday.

In your note you have been pleased to make known to me your regret in not being able to present at present your credentials to the President of the republic, as envoy extraordinary and minister plenipotentiary of the United States of America near the republic of Mexico, because you have not yet received them from Washington.

As I had already the honor to say to you yesterday, it will be gratifying to the President of the republic to receive you in your character of representative of the United States of America when you may be pleased to communicate to me that you are ready to present to him your credentials.

I avail myself of the occasion, sir, to assure you of my very distinguished consideration.

S. LERDO DE TEJADA.

Mr. MARCUS OTTERBOURG,
Envoy Extraordinary and Minister Plenipotentiary of the U. S. of America.

Mr. Otterbourg to M. Dano.

LEGATION OF THE UNITED STATES,
Mexico, July 24, 1867.

I have to acknowledge the receipt of your excellency's note in which you request me, in view of your early departure for Vera Cruz, to extend to French subjects in Mexico the protection of the government of the United States.

The cordial relations existing between the United States and France, and the assurance derived from different conversations with the Mexican authorities that the rights of foreigners in person and property would be respected, enable me to accept the office of mediator between those authorities and French subjects, whenever, under circumstances equal to those in which it should be exerted in favor of citizens of the United States, my mediation might be invoked by the subjects of France.

In regard to the clerks, whose assistance you propose, on account of the large French population in Mexico, I beg that you will leave me at liberty to call for their services should at any time it become necessary.

The archives of the French legation, deposited the 11th instant in the consulate of the United States, for which I enclose a receipt, are transferred to the legation, and the official certificate of original deposit and transfer shall be, as you desire, transmitted to your excellency.

Copies, not only of these documents but also of your excellency's communication, shall, in deference to your request for protection to French subjects, be forwarded to the Department of State at Washington.

I avail myself of the occasion to express to your excellency the assurances of my distinguished consideration.

MARCUS OTTERBOURG,

Envoy Extraordinary and Minister Plenipotentiary of the U. S. of America.
His Excellency A. DANO,
Envoy Extraordinary and Minister Plenipotentiary
of his Imperial Majesty the Emperor of the French, Mexico.

M. Dano to Mr. Otterbourg.

[Translation.]

LEGATION OF FRANCE TO MEXICO, No. 2,
Mexico, July 17, 1867.

MR. CONSUL: My intention is to quit Mexico in a few days and to travel towards the Gulf, to embark at Vera Cruz, with all the agents placed under my orders.

I also propose to bring after me, or send before me, according to circumstances, a convoy of 200 French, more or less, consisting of men, women, and children, who have no resources in this country, and wish to return to France.

I do not know what formalities are to be observed in carrying out my proposal, and as I have no relations with the Mexican authorities, I take the liberty to ask your friendly intervention to enable me to effect my purpose as soon as possible.

Accept my thanks in advance, Mr. Consul, and believe in my affectionate sentiments.

ALPHONSE DANO,

Envoy Extraordinary and Minister Plenipotentiary of the Emperor of the French.
Mr. MARCUS OTTERBOURG,
Consul of the United States.

M. Curtopassi to Mr. Otterbourg.

LEGATION OF ITALY, *Mexico, July 17, 1867.*

MR. CONSUL: My intention is to quit Mexico in a few days and to travel towards the Gulf, to embark at Vera Cruz.

I do not know what formalities are to be observed, and, as I have no relations with the Mexican authorities, I take the liberty to ask your friendly intervention to enable me to effect my purpose as soon as possible.

Accept my thanks in advance, with the assurance of my distinguished consideration.

TH. CURTOPASSI,
Chargé d'Affaires of Italy.

Mr. MARCUS OTTERBOURG,
United States Consul in Mexico.

M. Hooricks to Mr. Otterbourg.

LEGATION OF BELGIUM, *Mexico*, July 14, 1867.

MR. CONSUL: My intention is to quit Mexico in a few days and to travel towards the Gulf, to embark at Vera Cruz.

I do not know what formalities are to be observed in carrying out my proposal, and, as I have no relations with the Mexican authorities, I take the liberty to ask your friendly intervention to enable me to effect my purpose as soon as possible.

Accept, Mr. Consul, the assurances of my most distinguished consideration.

FREDERIC HOORICKS,

Chargé d'Affaires of his Majesty the King of the Belgians.

MR. MARCUS OTTERBOURG,

United States Consul in Mexico.

Mr. Otterbourg to M. Dano.

LEGATION OF THE UNITED STATES IN MEXICO,
Mexico, July 23, 1867.

MR. MINISTER: In reply to the request you made of me, on the 17th instant, according to custom, for information respecting formalities to be observed in quitting Mexico, I have the honor to inform you that I learn from Mr. Lerdo de Tejada himself that your object cannot be obtained without addressing him directly.

Accept, Mr. Minister, the assurance of my distinguished consideration.

MARCUS OTTERBOURG,

*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America in Mexico.*

His Excellency M. ALPHONSE DANO,

Envoy Extraordinary and Minister Plenipotentiary of France in Mexico.

M. Dano to Mr. Otterbourg.

LEGATION OF FRANCE TO MEXICO, No. 1,
Mexico, July 12, 1867.

MR. CONSUL: The Emperor Napoleon having determined to recall his agents from Mexico, and my intention being to leave as soon as possible for Vera Cruz, I have the honor to request you to take the subjects of his Majesty temporarily under the protection of the government of the United States, which you so ably represent.

According to the verbal agreement with you, I send six boxes, containing the archives of my legation, together with the proof of the burning of all political documents for the years 1860, 1861, 1862, 1863, 1864, 1865, 1866, and 1867, up to this date.

You will please draw up a certificate of deposit of the last-mentioned document, so that its existence may be proved without doubt in any emergency. I will call at your office any time you may fix to sign that certificate.

The relations that exist between France and the United States are sufficiently cordial to induce us to hope the measure will be approved by our governments.

As the French are numerous in this city, to save you labor I can send two clerks from my office to aid you. Under your direction, those clerks can draw up the same certificates they made out under me.

Accept, Mr. Consul, the assurance of my very distinguished consideration as well as my sincere thanks.

ALPHONSE DANO,

Envoy Extraordinary and Minister Plenipotentiary of France.

M. Hooricks to Mr. Otterbourg.

BELGIAN LEGATION, *Mexico*, July 26, 1867.

MR. MINISTER: As my intention is to embark for Europe soon, in the absence of a representative of Belgium in Mexico, I temporarily place the Belgians residing in this country under your protection and under the flag of the United States.

The friendly relations at present existing between the United States and Belgium justify my hope that our respective governments will approve a measure that gives me the satisfac-

tion to know that when I leave the interests I had charge of will be under the guard of the government you so worthily represent.

I embrace this occasion, Mr. Minister, to renew the assurance of my distinguished consideration.

FREDERIC HOORICKS,
Belgian Chargé d'Affaires.

Mr. MARCUS OTTERBOURG,
*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America in Mexico.*

Mr. Otterbourg to Mr. Hooricks.

LEGATION OF THE UNITED STATES,
Mexico, July 27, 1867.

I have the honor to acknowledge the receipt of your note of the 26th instant, expressing your desire to place, in the absence of a representative from Belgium, subjects of that country under the protection of the United States flag.

The friendly relations which unite the two countries, and the assurance expressed by the Mexican authorities that the persons and property of all foreigners would be duly respected, justify my acceding to your request, by acting as a medium of communication, should it become at any time necessary, between the authorities at Mexico and the subjects of Belgium.

The chargé d'affaires of Belgium will accept the assurances of my most distinguished consideration.

MARCUS OTTERBOURG,
Envoy Extraordinary and Minister Plenipotentiary of the U. S. of America.

Hon. FREDERIC HOORICKS,
Chargé d'Affaires of Belgium, Mexico.

Mr. Hunter to Mr. Otterbourg.

No. 8.]

DEPARTMENT OF STATE,
Washington, July 30, 1867.

SIR: I enclose you a copy of a letter received from C. Cole, esq., United States senator from California, asking the influence of this government in behalf of Ignacio Sepulveda, a citizen of the United States, taken prisoner at Queretaro.

You are instructed to make use of every effort in your power, and bring every influence that can be made use of, to prevail on the Mexican government to exercise its clemency in behalf of this individual.

I am, sir, your obedient servant,

W. HUNTER,
Acting Secretary.

MARCUS OTTERBOURG, Esq., &c., &c., &c.

Mr. Cole to Mr. Seward.

WASHINGTON, July 27, 1867.

SIR: I have just received a telegraphic despatch from Los Angeles, California, in the following terms:

"Get the department to intercede for Ygnacio Sepulveda, of this place, taken prisoner at Queretaro, Mexico.

"V. E. HOWARD.
"P. BANNING."

I have personal knowledge of the fact that there is residing at or near Los Angeles, in my State, a very respectable Mexican or Spanish family by the name of Sepulveda, but I am not certain that I know this Ygnacio, who, it seems, is now a prisoner in Mexico.

Mr. Howard, ex-member of Congress, and Mr. Banning, State senator, are gentlemen of

the highest respectability; and I hope their natural solicitude, as well as that of the Sepulvedas, may be gratified by a speedy application on behalf of Ygnacio to the Mexican government.

Very respectfully, &c.,

C. COLE,

United States Senator for California.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Otterbourg.

No. 10.]

DEPARTMENT OF STATE,

Washington, August 8, 1867.

SIR: Your despatch No. 42, of the 20th ultimo, was received at this department on the 3d instant.

The report you make respecting the disposition of the government of President Juarez to temper justice with clemency towards the prisoners made at Queretaro, Vera Cruz, and Mexico, is gratifying.

In the latter part of your despatch you allude to the pretensions of very many American citizens now congregated at the capital. In reply thereto, I here quote, for your government upon the subject of claims, an extract from an instruction of this department, addressed to Mr. L. D. Campbell, late minister to Mexico, on the 23d of March last:

You will make no representation to that government on the subject, and in no event without having reported to the department on the subject in the several cases, in order that especial instructions may be forwarded to you.

In the present unsettled condition of the government in Mexico it is not deemed compatible with the interests of this government, nor conducive to the establishment of a friendly understanding with the republic of Mexico, to press with importunity the pecuniary claims of citizens of the United States. The subject will, at a proper time, receive due consideration on the part of this government.

It is the desire of the United States not to hinder but to favor the consolidation of republican institutions in Mexico. Importunity in presenting claims must tend to embarrass her efforts in that direction.

You will likewise be careful not to take part in any of the many projects and speculations now said to be maturing in Mexico, nor will you present nor urge these speculations upon the government, in any case, unless directly and specially instructed by this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MARCUS OTTERBOURG, Esq., &c., &c., &c.

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

No. 5.]

LEGATION OF THE UNITED STATES,

City of Mexico, August 9, 1867.

SIR: The French minister, accompanied by the members of his legation and the Italian chargé d'affaires, left this capital yesterday with the intention of returning to Europe via the United States.

A party composed of about two hundred destitute French families and single men preceded their departure a few days previously.

The little progress made in the organization of the several departments of the administration has given grounds to general discontent, and the press is already

clamoring against, as they are pleased to call it, the procrastination of President Juarez.

The financial condition of the country is more than ordinarily embarrassed, and it is to be feared that the government will encounter difficulties in sustaining its credit should it be limited to the resources and contributions recurred to by Mexican ministers under the provisions of law.

Enclosure No. 1 is a copy of a note from the chargé d'affaires of Italy, asking the protection of the United States for Italian subjects resident in Mexico.

Enclosure No. 2 is a copy of the reply thereto, stating to what extent my good offices would be exerted in their behalf.

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

MARCUS OTTERBOURG.

Hon. F. W. SEWARD,

Assistant Secretary of State Washington, D. C.

Mr. Curtopassi to Mr. Otterbourg.

[Translation.]

LEGATION OF ITALY,

City of Mexico, July 31, 1867.

MR. MINISTER: Recent events in Mexico having caused a rupture of relations between this country and Italy, forcing me to leave for Europe in a few days, I now ask you to offer your protection to the subjects of his Majesty the King, my august sovereign, living here, and commend them to your benevolence.

I hope you will comply with my request, to which I am encouraged by the friendly relations existing between the United States and Italy.

According to verbal agreement, I have the honor to send you a sealed package containing the archives of the legation, begging you will keep them in your office till the government of the King can dispose of them.

Thanking you in advance for all that you may do for my countrymen, I take the occasion to renew to you the assurance of my distinguished consideration.

H. CURTOPASSI,
Italian Chargé.

His Excellency MARCUS OTTERBOURG,

Envoy Extraordinary, &c., &c., &c., of the United States of America.

Mr. Otterbourg to Mr. Curtopassi.

LEGATION OF THE UNITED STATES,

Mexico, August 6, 1867.

I have the honor to acknowledge the receipt of your note dated July 31, in which you express a desire, in consequence of your intended departure from the country, that I take under my protection subjects of his Majesty the King of Italy, resident in Mexico.

Your request shall be communicated to the government at Washington; but, while awaiting the corresponding instructions, I will with pleasure extend to Italian subjects the aid and countenance which would, under equal circumstances, be given to American citizens.

The trunk upon which is placed your official seal containing archives of the Italian legation, and which you have been pleased to intrust to the safeguard of this office, as appears upon its records, will, on duly authorized demand, be delivered to the agents of his Majesty the King of Italy.

With assurances of high consideration,

MARCUS OTTERBOURG,

Envoy Extraordinary and Minister Plenipotentiary of the U. S. of America.

Hon. H. CURTOPASSI,

Chargé d'Affaires of Italy, Mexico.

Mr. Seward to Mr. Otterbourg.

No. 11.]

DEPARTMENT OF STATE,

Washington, August 10, 1867.

SIR: It has been intimated to this government by the representatives of France and Prussia residing here, that, owing to peculiar circumstances, the governments of those countries are left for the present without diplomatic or consular representation to the republican government of Mexico, and that occasions may arise in which subjects of those governments may have need of some facilities of communication with the republic.

Under these circumstances the United States, in conformity with a political custom which has long obtained and is sanctioned by and has regard to the general interests of civilization, have consented to allow its diplomatic and consular representatives in Mexico to take charge of the interests of subjects of those states in Mexico, and of any other states whose governments are found in the same condition of non-representation in that republic. This can only be done, however, with the consent and acquiescence of the government of Mexico; and no proceedings will be taken by United States representatives in behalf of subjects of such foreign states different from the course prescribed by this government, for its representatives, for the protection of the interests of citizens of the United States.

You will seek an opportunity to communicate the contents of this instruction to the government of the republic and ask an expression of its views thereupon.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MARCUS OTTERBOURG, Esq., &c., &c., &c.

Mr. Seward to Mr. Otterbourg.

No. 16.]

DEPARTMENT OF STATE,

Washington, August 15, 1867.

SIR: Your despatch of the 29th of July, No. 2, has been received.

Your proceedings in announcing to the minister for foreign relations your recent appointment as envoy extraordinary and minister plenipotentiary to the republic of Mexico are approved.

It is an occasion of regret that, owing to embarrassments resulting in part from the course of the war in Mexico, and in part from accidental circumstances here, an immediate compliance with the forms proper and customary in such cases was found at that time impracticable.

You will express this regret to the minister for foreign relations, together with the hope of this government that henceforth entire regularity may be observed in the conduct of our relations with Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MARCUS OTTERBOURG, Esq., &c., &c., &c.

Mr. Seward to Mr. Otterbourg.

No. 17.]

DEPARTMENT OF STATE,

Washington, August 15, 1867.

SIR: Recurring to your despatch No. 2, I have the honor to say that your reply, which you have marked enclosure No. 8, to the request of the representa-

tives of European governments who had solicited your good offices with the minister for foreign affairs, concerning their withdrawal from Mexico, as well as your other proceedings on that occasion, is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MARCUS OTTERBOURG, Esq., &c., &c., &c.

Mr. Seward to Mr. Otterbourg.

No. 18.]

DEPARTMENT OF STATE,
Washington, August 15, 1867.

SIR: I have the honor to recur again to your despatch No. 2. Your proceedings in regard to the applications in behalf of the late representatives of France, Belgium, and Italy, to take charge of the affairs of the subjects of those countries in Mexico during the suspension of their political relations with that republic, are approved. Special directions upon the subject will be given in a distinct communication and without delay.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MARCUS OTTERBOURG, Esq., &c., &c., &c.

Mr. Otterbourg to Mr. Seward.

No. 6.]

LEGATION OF THE UNITED STATES,
City of Mexico, August 20, 1867.

SIR: Pursuant to instructions from the State Department under date July 12th, 1867, received here on the 15th August, I immediately addressed a note (enclosure No. 1) to Mr. Lerdo de Tejada, minister for foreign affairs, to which enclosure No. 2 is a reply.

Enclosure No. 3 is a copy of the customary address to the President of the Mexican republic on the presentation of my credentials. The spirit therein displayed as a just interpretation of our policy towards Mexico will, I hope, meet the approval of the President and of the department.

No. 4 is a copy of the reply thereto of President Juarez.

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

MARCUS OTTERBOURG.

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

Mr. Otterbourg to Señor Lerdo de Tejada.

LEGATION OF THE UNITED STATES,
Mexico, August 15, 1867.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, has the honor to communicate to his excellency Sebastian Lerdo de Tejada, minister for foreign affairs of the United Mexican States, the copy of a letter of credence addressed by the President of the United States to the President of the Republic of Mexico, and to say that the undersigned is prepared to present his credentials when the citizen President may be pleased to appoint an hour for his reception.

The undersigned avails himself of the occasion to assure his excellency Sebastian Lerdo de Tejada, minister for foreign affairs of the United Mexican States, of his most distinguished consideration.

MARCUS OTTERBOURG.
*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America.*

His Excellency SEBASTIAN LERDO DE TEJADA,
Minister for Foreign Affairs of the government of the United Mexican States.

Señor Lerdo de Tejada to Mr. Otterbourg.

[Translation.]

DEPARTMENT OF RELATIONS,
Mexico, August 16, 1867.

SIR: I have had the honor of receiving your note of yesterday, communicating to me that you are disposed to present your credentials to the President, a copy of which you had the kindness to furnish me, directed by the President of the United States of America to the President of the republic.

It will be gratifying to the President to receive you next Monday, the 19th of this month, at 12 m.

I avail myself of the opportunity of repeating to you the assurance of my most distinguished consideration.

S. LERDO DE TEJADA.

His Excellency Mr. MARCUS OTTERBOURG,
*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America in Mexico.*

MR. PRESIDENT: I have the honor to present to your Excellency my credentials as envoy extraordinary and minister plenipotentiary of the United States of America, to reside near the constitutional government of the United Mexican States.

The nomination of a representative to be accredited so early after the return of your government to the capital of the republic is an earnest of the sympathy of the United States with the triumph achieved through the heroic constancy of Mexico in her recent struggle for independence and liberal institutions.

The government of the American people, true to the discharge of its international duties and the obligations which it owes both to its own citizens and to other nations, has, with a fidelity, honor, and integrity which command the respect of the civilized world, upheld the cause of republicanism, and in it the integrity of Mexico.

Its measures and policy in its intercourse with other nations, during your struggle, have been frank, open, and undisguised. "Demanding nothing but what is right, and submitting to nothing that is wrong," it has vindicated itself in the purity, integrity, and loyalty to the principles cherished by the American people.

Allowed thus to characterize the brilliant national career of my country, which, by her action, has won the confidence and respect of the world, I am proud, Mr. President, to have been selected by the President of the United States to express to you the profound sympathy entertained for Mexico by the government and people so characterized, and their desire of cherishing and advancing on all occasions the mutual interest and happiness of the two republics; and I but feebly interpret the thoughts of the government and people of the United States, with the assurance that they look forward to the time when the promise given by Mexico in her recent struggle for free institutions shall be fulfilled in an equally prosperous career.

Imbued by a long residence in Mexico with a like sympathy for the welfare and prosperity of her people, I can, with equal frankness, Mr. President, assure you that I shall, within the scope of my duty and instructions, endeavor to co-operate towards these mutually desirable ends.

[Translation.]

MR. MINISTER: The satisfaction which I would feel under all circumstances on receiving an envoy extraordinary and minister plenipotentiary of the United States of America near the government of the Mexican republic is much increased when you manifest that your nomination is a proof of the sympathy of the United States for the triumph which Mexico has obtained in the defence of her independence, and her free institutions.

The United States have given the weight of their moral support to the cause of republi-

canism everywhere and to its free preservation in Mexico by sustaining the just principles of international right. The people and the government of Mexico in their struggle for the cause of the republic against a foreign intervention have estimated to their full value the sympathies of the people and government of the United States which in the grandeur of their prosperity have demonstrated the justice of their policy in sustaining the principle of non-intervention as one of the first obligations of governments in the respect due to the liberty of the people and to the rights of nations. I am grateful to you, Mr. Minister, for the expression of your benevolent sentiments for the welfare of the Mexican people, and with them you give me the assurance of your efficacious co-operation in the desire which animates the government of Mexico of cultivating and improving its relations with the United States, to maintain always good friendship, and to procure the mutual interests of the two peoples.

Mr. Otterbourg to Mr. Seward.

No. 7.]

LEGATION OF THE UNITED STATES,

City of Mexico, August 21, 1867.

SIR: I have the honor to transmit herewith a representation in behalf of General O'Horan, enclosure No. 1, addressed officially to the President of the republic of Mexico, and presented personally by me, accompanied by General Porfirio Diaz.

The motives for my intercession are fully explained in that representation, to which, as will be seen by a copy of the reply, enclosure No. 2, the President did not find himself at liberty to accede. I trust that the department, on reference to former despatches mentioning General O'Horan's good offices exercised to the advantage of Americans, will approve of my course in this instance.

I have the honor to be, very respectfully, your obedient servant,
MARCUS OTTERBOURG.

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

P. S.—General O'Horan was executed this morning at 6 o'clock.

M. O.

To his Excellency the President of the republic of Mexico:

While the undersigned is persuaded that a representative of the United States should not interfere in the internal affairs of the country to which he is accredited, and that he should by no means exercise an influence through which the decision of the laws might be averted, he fears that by silence he would prove false to a sentiment which, though its expression shall prove ineffectual, must still be respected by his Excellency the President and government of Mexico.

When, some six years ago, the undersigned was sent as consul to the city of Mexico, his government confided to him the flag of the United States, secure in the belief that it would be preserved from insult by the constitutional government of Mexico and its agents. During the contest of that government with a foreign intervention, the flag was kept in the city of Mexico; but when, during the reign of terror that preceded the liberation of this capital, the undersigned found himself helpless to shield the banner of the United States from insult, he applied to the general-in-chief of the army of the republic, then besieging the city, and received the gratifying assurance that in the event of an outrage upon the flag of the United States, General Porfirio Diaz would hasten to the defence of the United States consulate and property of the American legation. Such protection would have proved a remedy, but could not have secured the flag from insult. Responsible to the government and people of the United States for the preservation of the flag from insult, the undersigned sought to know from General O'Horan, then political prefect of the city of Mexico, whether he would prevent an indignity to the United States should the military power attempt to carry into effect their threats of interference with the liberties and rights of the American population and their representative there.

There exists in the archives of this legation a reply in every respect similar to the assurance which had been verbally given from the general-in-chief of the army of the east. If the undersigned attached greater interest to the assurance of the political prefect, it was to be

attributed to the reflection that the general-in-chief could have arrived in time only to chastise the offence, while the political prefect, who exercised an authority not recognized by the government of the United States, was ready and pledged to prevent the menaced insult.

In view of these facts, from which it is undeniable that General O'Horan has, by an open manifestation of his readiness to protect their flag from outrage and insult, rendered a high service to the government and people of the United States, the undersigned is called upon by every sentiment of honor and gratitude as a gentleman and an official to intercede for the life of General O'Horan, and to implore the exercise of executive clemency, the right of which the constitution of Mexico, for wise purposes of state, bestows upon the President of the republic.

Neither will his Excellency the President, nor the people of Mexico, misinterpret the intercession of the undersigned did he declare that he would indeed neglect to represent the spirit of gratitude entertained by the American people were he to remain silent on this solemn occasion, when there is a quest on of the life of the man who was ready to shed his blood in defence of the honor of their country's flag, and of the lives and property of their fellow-citizens.

The undersigned expresses the earnest hope that the foregoing representation in its words and meaning may meet the approval of his Excellency the President, so that he may grant the petition of the undersigned, who avails himself of this opportunity to express to his Excellency the assurances of his profound respect and esteem.

MARCUS OTTERBOURG.

Señor Lerdo de Tejada to Mr. Otterbourg.

[Translation.]

DEPARTMENT OF RELATIONS,

Mexico, August 20, 1868.

SIR: The President of the republic has charged me to address you this communication relative to the petition which you presented this afternoon, with the object of obtaining the pardon of D. Thomas O'Horan, condemned to death by a council of war.

Before you presented to the President your petition the pardon sought by other persons had been already denied, in view of serious considerations for not being able to concede it.

In fact, several grave circumstances concur wherefore the government does not believe it possible to grant a pardon; and if it had believed it possible, it would have regarded as one of the motives most worthy of attention for the concession the interposition of your good offices, for it will be always gratifying to the government to take advantage of occasions of demonstrating its just consideration for the representative of the United States.

Be pleased to accept the assurance of the highest consideration, with which I am, your very respectful and obedient servant,

S. LERDO DE TEJADA.

His Excellency MARCUS OTTERBOURG, *Mexico.*

Mr. Otterbourg to Mr. Seward.

[Extract.]

No. 8.]

LEGATION OF THE UNITED STATES,

City of Mexico, August 21, 1867.

For the past four weeks the attention of this government has been absorbed in the disbanding of the troops, which, enrolled in the constitutional cause, prove to be after the triumph too heavy a weight upon the treasury of the nation; and in the elaboration of a "convocatoria" or general law regulating the federal elections of the country.

The army, limited by the new arrangement to 16,000 men of all arms, is composed of four divisions, under the commands, respectively, of General Regules at the capital, Diaz in the east, Escobeda at San Luis Potosi, and Corona at Guadalajara. The design of a fifth corps, under the command of General Juan Alvarez, with headquarters at Acapulco, was frustrated by the pronunciamiento of General Jimenez with his brigade pertaining to that force against Diego Alvarez, son of the general-in-chief of the division. Orders in pursu-

ance of the same measure were issued on the 30th of July to the governors to discharge from the federal service all forces not attached to organized divisions in the several States.

This sudden reduction of the army has aroused general discontent, where every man returns without means to his house left desolate and unproductive during the full period of his absence in the service of his country, and already are the results felt upon the highways, where marauders without danger to themselves obtain relief for the immediate wants of a life demoralized by the habits of a camp.

* * * * *

The exhibition of a certificate of matriculation, exacted hitherto, under all governments, of foreigners as a preliminary to their appearance in the courts of law, or their performance of any judicial act, has been abolished by a decree of 6th December, 1866, which guarantees to them as inhabitants of the country all civil rights enjoyed by Mexican citizens.

An excited discussion originating in the law passed at San Luis Potosi, on July 10th, 1863, which declares null and void all acts of the "imperial" authorities, the decisions of the courts inclusive, is now engaging the attention of the press. Its more moderate members recommend, as a solution of this delicate question, the decree published by General Porfirio Diaz, at Oaxaca, on the 10th December, 1866, legalizing all such acts in so far as they shall not affect the rights and forms of the constitutional government, and sustaining those decisions of the courts, from which no appeal could be taken by right of law. All papers certified to by consuls appointed under the so-called empire having been declared illegal, ships are allowed to enter and discharge at the ports of the republic on a show of the manifest signed by the revenue officers of the port whence they sailed.

Political offenders are put at liberty; confiscations of the property of those who took an active or prominent part in the intervention and empire have been commuted for a fine proportioned to the pecuniary ability of the criminal.

The official residence of Baron Magnus having been searched by the police, and seals put on several articles found there, he expressed his readiness to ignore the outrage to his legation if the seals were removed, and desired in writing that I would employ my mediation in the matter before his return to the city. On representation made unofficially by me to the authorities the seals were removed. Baron Magnus is expected daily to arrive from San Luis Potosi, where a prolonged illness has detained him to the present time.

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

MARCUS OTTERBOURG.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Plumb.

No. 4.]

DEPARTMENT OF STATE,

Washington, August 26, 1867.

SIR: In a report dated June 23d last, Commander F. A. Roe, of the United States steamer Tacony, then lying off Sacrificios, Mexico, informed the Secretary of the Navy that, at the request of the commander of the Austrian corvette Elizabeth, he had addressed a communication to President Juarez, asking that the remains of the deceased Prince Maximilian might be delivered on board the Elizabeth for the purpose of being conveyed to Austria.

On your arrival in Mexico you are instructed to inquire, in kindly and

respectful terms, whether any answer has been returned to the communication of Commander Roe, and if not, whether one may soon be expected. For your further information I transmit a copy of the *letter of Commander Roe to President Juarez.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. L. PLUMB, Esq., &c., &c., &c.

Mr. Seward to Mr. Plumb.

No. 5.]

DEPARTMENT OF STATE,

Washington, August 29, 1867.

SIR: I have to acknowledge the receipt of Mr. Otterbourg's despatch No. 5, dated 9th of this month. His promise to take under his protection, at the request of Mr. Curtopassi, chargé d'affaires of Italy, subjects of his Majesty the King of Italy, resident in Mexico, is approved.

In complying with this promise of Mr. Otterbourg, you will be governed strictly by the instructions conveyed in despatch No. 11, of August 10th, from this department, addressed to Mr. Otterbourg.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Seward to Mr. Otterbourg.

DEPARTMENT OF STATE,

Washington, August 29, 1867.

SIR: I give you a copy of a note which I have this day addressed to Mr. Romero; and I commend the case of Prince Salm Salm to your best efforts.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

MARCUS OTTERBOURG,

(Or his successor at the Legation of the United States in Mexico.)

Mr. Seward to Mr. Plumb.

No. 6.]

DEPARTMENT OF STATE,

Washington, September 4, 1867.

SIR: A copy of a letter of General Grant to this department of 13th ultimo, and of that of the Quartermaster General to which it refers, are herewith transmitted. You will make application to the Mexican government for the privilege of transporting United States army supplies by land from Guaymas or Libertad to Arizona Territory. The application is made necessary by the fourth article of the treaty with Mexico of the 30th December, 1853. The obligations of the United States in respect to restraining Indians from their territory in making depredations on Mexicans and their property, render it necessary to keep a con-

* For this enclosure see enclosure to despatch from Mr. Plumb, No. 33, of the 9th November, 1867.

† For enclosure see correspondence with the Mexican legation.

siderable military force in Arizona Territory. It is consequently presumed that the Mexican government will see the propriety of extending any proper facilities for the supply of that force.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Otterbourg to Mr. Hunter.

No. 13.]

LEGATION OF THE UNITED STATES,

Mexico, September 8, 1867.

SIR: On the receipt of despatch No. 8, dated July 30th, 1867, from the department, I called privately upon the minister of foreign affairs, who engaged to make the necessary inquiries as to the fate of Don Ignacio Sepulveda, taken prisoner at Queretaro. In the course of the same day I was informed by his excellency that Mr. Sepulveda had been sentenced to four years' imprisonment, which would, he thought, in all probability, as the passions aroused by the recent contest subsided, and the peace of the country was re-established, be abbreviated.

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

MARCUS OTTERBOURG.

Hon. W. HUNTER,

Acting Secretary of State, Washington, D. C.

Mr. Otterbourg to Mr. Seward.

No. 14.]

LEGATION OF THE UNITED STATES,

Mexico, September 8, 1867.

SIR: I have the honor to acknowledge the receipt of despatch of 8th August, 1867, and to reply respectfully that prior thereto I had in the disposal of reclamations against the government of Mexico been generally guided by the spirit noted in the instructions to Mr. L. D. Campbell of 23d March, 1867.

In anticipation of the danger to the friendly relations prevailing between the two republics, threatened by the complications which must inevitably grow out of the many projects and schemes presented or maturing in Mexico, I had already pursued the policy therein defined and have communicated the instructions on the subject to Mr. Cripps, in charge of the consulate, who, imbued thoroughly with the same spirit, is prepared to fulfil on my departure the wishes of the department in this important particular.

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

MARCUS OTTERBOURG.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

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

No. 15.]

LEGATION OF THE UNITED STATES,

Mexico, September 9, 1867.

SIR: I had inadvertently neglected to advise the department that in consequence of the receipt of a telegram, enclosure No. 1, signed by several ladies of

the most respectable families of Queretaro, I addressed the minister for foreign affairs an unofficial communication, enclosure No. 2, to which his excellency's reply is enclosure No. 3.

The tone of my note to his excellency was adopted in reference to the failure of official intercession directed to the citizen President in behalf of General O'Horan, of which the department has been informed in a former despatch.

I have the honor to be, very respectfully, your obedient servant,
MARCUS OTTERBOURG.

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington, D. C.

Mr. Otterbourg to Señor Lerdo de Tejada.

[Unofficial.]

LEGATION OF THE UNITED STATES,
Mexico, August 28, 1868.

The undersigned has the honor to enclose a copy of a telegram, received at half-past 7 o'clock this morning, and to request that if his excellency the minister for foreign affairs regards the signatures thereto attached worthy of consideration, he present the same with his recommendation to the President of the republic.

With assurance of esteem and consideration,

MARCUS OTTERBOURG.

His Excellency SEBASTIAN LERDO DE TEJADA,
Minister for Foreign Affairs of the Government of the United Mexican States.

Telegram from Queretaro, August 27, 1867, received in the city of Mexico at 8½ p. m. of the same day.

For the name of the great friendship between our countries, we implore you to ask the President to pardon M. Severo Castillo.

CELVA DE ARTEAGA.
JOSEFINO RUBIO.
NICOLASA DE QUARTE.
DOLORES DE FRANCA.
CAROLINA NAVARRETE.
GUADALUPE JUNUERA.
ILDEFONSO GUTIERREZ.
GREGORIA RODRIGUEZ.
TRINIDAD GOMEZ.
ILDEFONSO CANTARO.
ANTONIO COSIA.
JOSEFA SLATA.
CARMEN RUBIO.
JOAQUINA ESPINOS.

To the UNITED STATES MINISTER.

Señor Lerdo de Tejada to Mr. Otterbourg

[Non-official.]

DEPARTMENT OF RELATIONS,
City of Mexico, August 28, 1867.

SIR: I have the honor to answer your private communication of to-day in relation to a pardon to Mr. Severo Castillo, who was sentenced by court-martial at Queretaro, and inform you that the President of the republic has already commuted the penalty from capital punishment.

Yours with regard,

S. LERDO DE TEJADA.

To his Excellency MARCUS OTTERBOURG, &c., &c., &c.

Mr. Seward to Mr. Plumb.

No. 7.]

DEPARTMENT OF STATE,
Washington, September 19, 1867.

SIR: I transmit a copy of correspondence between this department and Mr. Delfosse, the minister of Belgium, on the subject of Belgians in Mexico. You will exercise your best discretion in extending to them your good offices, so far as they may be necessary for their protection, and in the case of Mr. Eloin, for the purpose of obtaining leave for him to quit that country.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Delfosse to Mr. Seward.

[Translation.]

BELGIAN LEGATION TO THE UNITED STATES,
Washington, September 14, 1867.

MR. SECRETARY OF STATE: Among a number of persons arrested after the capture of Mexico is a Belgian, Mr. Eloin, formerly a secretary of the emperor Maximilian.

Mr. Hooricks, *chargé ad interim* with the affairs of the Belgian legation, has recently left Mexico, and has informed the King's government that he had confided the interests of our countrymen to Mr. Otterbourg, representing the United States, who told him that he would willingly take care of them.

The government of the King would feel deeply indebted to you, Mr. Secretary of State, if you would have the kindness to lend it your good offices on this occasion, and to be so kind as to recommend to the representative of the United States in Mexico to use all his influence to prevent Mr. Eloin from being treated with harshness, and to obtain authority for him to leave Mexico. The agent of the federal government will, better than another, be in position to judge, according to circumstances, the proper moment to take these steps, the form to give to them, and, in a word, to appreciate what may best contribute to assure success.

The minister for foreign affairs, on giving me instructions, in virtue of which I have the honor to address you this communication, expresses his confidence that you will not refuse, Mr. Secretary of State, to acquiesce in this request. Mr. Rogier adds, that he will be personally very grateful to you for what you will have the kindness to do for Mr. Eloin, and for dissipating the apprehensions of his numerous friends.

Please accept, Mr. Secretary of State, the assurances of my highest consideration.

MAURICE DELFOSSE.

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

Mr. Seward to Mr. Delfosse.

DEPARTMENT OF STATE,
Washington, September 19, 1867.

SIR: I have had the honor to receive your note of the 14th instant. In compliance with your request, instructions have been given to the *chargé d'affaires* of the United States in Mexico to lend his good offices to the subjects of Belgium, in that republic, to the same extent and under the same restrictions as are now applied there in the cases of citizens of the United States.

In regard to the delicate case of Mr. Eloin, I have already sent forward a communication making known the interest which Mr. Rogier has expressed to this government. Your note in this respect seems to be judiciously conceived. It seems to me that in no other way could I so well lend the good offices of this government in that respect, as by sending forward to Mr. Plumb a copy of your note, and commending it at the same time to his discreet attention.

I am, sir, with high consideration, your obedient servant,

WILLIAM H. SEWARD.

MR. MAURICE DELFOSSE, &c., &c., &c.

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

No. 16.]

LEGATION OF THE UNITED STATES,
Mexico, September 20, 1867.

SIR: I have the honor herewith to enclose copies of a correspondence between Baron Magnus, Prussian minister, and myself, in view of his expected departure from Mexico.

Enclosure No. 1. Communication from the minister of Prussia, requesting that the subjects of the states composing a portion of the confederation of northern Germany, and resident in Mexico, be placed under the protection of the flag of the United States.

Enclosure No. 2. My reply thereto.

I have the honor to be, very respectfully, your obedient servant,
MARCUS OTTERBOURG.

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington, D. C.

Baron Magnus to Mr. Otterbourg.

CITY OF MEXICO, *September 18, 1867.*

MR. MINISTER: The King, my august sovereign, having been pleased to recall me from my place as minister resident in Mexico, I am ordered to place the subjects of the North German Confederation under the protection of the representative of the United States at this capital.

As I start for Vera Cruz immediately, I beg you will take my countrymen of North Germany, now in Mexico, under the protection of the government of the United States, so worthily represented by your excellency.

Accept the assurances of my most distinguished consideration.

A. DE MAGNUS.

His Excellency MARCUS OTTERBOURG, &c., &c., &c.

Mr. Otterbourg to Baron Magnus.

LEGATION OF THE UNITED STATES,
Mexico, September 20, 1867.

I have the honor to acknowledge the receipt of your excellency's note of the 18th instant, in which you have been pleased to advise me of your departure at an early date from the country, and of the order received from your government to place under the protection of the representative of the United States resident here the citizens of the states which form a portion of the confederation of northern Germany.

I have informed Mr. John S. Cripps, who is in charge of the United States consulate at this city, that he should act in behalf of those citizens under the instructions previously given him in regard to citizens of other nationalities who, under similar circumstances, have sought the protection of the United States through their representatives in Mexico.

My departure from Mexico is arranged for to-morrow, and on my arrival at Washington I shall lay the subject before the government of the United States, in order that its representatives in Mexico may assume the responsibility of the degree of protection to be extended to the subjects of other powers, under direct instructions from the Department of State.

I avail myself of the opportunity to express to your excellency the assurances of my distinguished consideration.

MARCUS OTTERBOURG.

His Excellency Baron MAGNUS, &c., &c., &c.

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

No. 17.]

LEGATION OF THE UNITED STATES,
Mexico, September 20, 1867.

SIR: Enclosed, No. 1, I have the honor to transmit a copy of a letter from Baron Magnus, minister of Prussia, notifying me of his intention to leave

Mexico, and asking my intervention with the Mexican authorities in case any formalities should have to be observed in executing his intended departure.

No. 2 contains my reply thereto.

I have the honor to be, very respectfully, your obedient servant,
MARCUS OTTERBOURG.

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington, D. C.

Baron Magnus to Mr. Otterbourg.

CITY OF MEXICO, *September 19, 1867.*

MR. MINISTER: As soon as my health permits I will leave this city for Vera Cruz, where I embark for Europe.

I do not know what formalities are necessary for my departure, and as I have no intercourse with the Mexican authorities, I beg you to aid me in my efforts to quit this country as soon as possible.

I take the occasion to repeat the assurances of my distinguished consideration.

A. DE MAGNUS.

His Excellency MARCUS OTTERBOURG, &c., &c., &c.

Mr. Otterbourg to Baron Magnus.

LEGATION OF THE UNITED STATES,
Mexico, September 20, 1867.

While acknowledging the receipt of your excellency's communication dated yesterday, in reference to the formalities to be observed on the occasion of your departure from Mexico, your excellency will permit me to direct your attention to the enclosed copy of my reply addressed on the same subject to the representatives of France, Belgium, and Italy, since the date of which the circumstances have not at all changed.

With assurances of the highest consideration,

MARCUS OTTERBOURG.

His Excellency BARON MAGNUS,
&c., &c., &c., *Mexico.*

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

No. 18.]

LEGATION OF THE UNITED STATES,
Mexico, September 20, 1867.

SIR: Enclosed I have the honor to transmit, for the information of the department, copies of communications received from the minister of foreign relations of the government of Mexico previous to my departure.

Enclosure No. 1 is a copy of a communication in reference to the applications made to me, by the foreign representatives of France and Belgium, that the protection of the United States flag be extended to the subjects of those countries resident in Mexico in the absence of their representatives.

Enclosure No. 2 is a copy of a communication from the minister of foreign relations on the occasion of my retirement from Mexico.

Enclosure No. 3, copy of a communication from the same source transmitting passports, &c.

I have the honor to be, very respectfully, your obedient servant,
MARCUS OTTERBOURG.

Hon. F. W. SEWARD,
Assistant Secretary of State, Washington.

Señor Lerdo de Tejada to Mr. Otterbourg.

[Translation.]

DEPARTMENT OF RELATIONS,
Mexico, September 7, 1867.

SIR: I have the honor to acknowledge the receipt of your note which you were pleased to address to me on the 20th July last, relating to the fact that Mr. Dano and M. Hooricks, before leaving for Europe, had asked of you the protection of the flag of the United States to the subjects of France and Belgium resident in Mexico.

You stated in your note that in consideration of the cordial relations existing between the United States, France, and Belgium, and the assurances derived from various conversations that you had held with the Mexican authorities that the persons and property of foreigners would be respected, you did not feel any impropriety in accepting the office of mediator between said authorities and the French and Belgian subjects who may invoke such mediation, under the same circumstances in which it could be exercised in favor of citizens of the United States.

As I have before had the honor to manifest to you verbally, the government of Mexico, desiring to avoid all danger of disturbance of its friendly relations with the United States, feels that it would be better that you should not interpose any mediation of an official character in the instances in which the subjects of France and Belgium might desire to promote their interests. But should you wish to interpose your good offices privately, the government will attend to them with all possible consideration.

In short, foreigners resident in Mexico who have no representatives of their governments have been and are under the protection of the Mexican authorities, and to them they can recur with the confidence they have enjoyed, and they will enjoy the guarantees that the laws of the republic concede.

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

S. LERDO DE TEJADA.

His Excellency MARCUS OTTERBOURG,
Envoy Extraordinary and Minister Plenipotentiary of the United States in Mexico.

Señor Lerdo de Tejada to Mr. Otterbourg.

[Translation.]

DEPARTMENT OF RELATIONS,
Mexico, September 7, 1867.

SIR: I have had the honor of receiving the note which you were pleased to direct to me, bearing date of the 28th of August last, relative to your having had notice of the closure of the session of the Senate of the United States on the 21st of July last, and of your receiving no notification of the action of that body in respect to your nomination as envoy extraordinary and minister plenipotentiary of the United States near the government of Mexico; and that you think that you can consider your mission terminated, and propose to leave this capital within a few days to present yourself at the State Department at the city of Washington.

In announcing your approaching separation from this capital, it is gratifying to me to make known to you the just appreciation of the government of the republic of Mexico of the sentiments that have been manifested by you as envoy extraordinary and minister plenipotentiary of the United States, in preserving and strengthening the friendly relations which happily exist between the two countries.

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

S. LERDO DE TEJADA.

His Excellency MARCUS OTTERBOURG,
Envoy Extraordinary and Minister Plenipotentiary of the United States in Mexico.

Señor Lerdo de Tejada to Mr. Otterbourg.

[Translation.]

DEPARTMENT OF RELATIONS,
Mexico, September 9, 1867.

SIR: I have the honor to send you the passport which you were pleased to ask for, to facilitate your journey, to embark at Vera Cruz. I also send you duplicates of the commu-

nications directed by this ministry to the authorities at the points on the road, and the order from the minister of hacienda to the custom-houses of this city and of Vera Cruz, in view of your journey to embark from that port.

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

S. LERDO DE TEJADA.

His Excellency MARCUS OTTERBOURG,
Envoy Extraordinary and Minister Plenipotentiary of the United States in Mexico.

Mr. Seward to Mr. Plumb.

No. 10.]

DEPARTMENT OF STATE,
Washington, September 25, 1867.

SIR: Despatches Nos. 6, 7, 8, and 9, of August 20th, 21st and 22d, from Mr. Otterbourg, have been received.

The correspondence with Mr. Lerdo de Tejada in reference to his presentation as minister plenipotentiary from the United States, and the speech made on that occasion, are approved.

The application made by Mr. Otterbourg to the President of Mexico in behalf of the life of General Don Tomas O'Horan, and the reasons given in No. 7 for such interference, are very commendable, and it is a subject of deep regret that the President of Mexico did not find himself, "in view of serious considerations," at liberty to accede to the request.

His remarks, communicated in No. 8, on the present aspect of political affairs in Mexico, have been read with great interest.

His proceedings in regard to the case of Baron Magnus received the approbation of this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Plumb to Mr. Seward.

No. 11.]

LEGATION OF THE UNITED STATES,
City of Mexico, October 9, 1867.

SIR: I have the honor to report my arrival at this capital on the 6th instant.

On the 7th instant I addressed a communication to the minister for foreign affairs, Mr. Sebastian Lerdo de Tejada, advising him of my arrival, and requesting the honor of an interview for the purpose of presenting my letter of credence.

A copy of this communication is herewith annexed, marked No. 1.

Mr. Lerdo de Tejada replied to my communication on the same day and appointed an interview for the following day, the 8th, at five o'clock in the afternoon.

A copy of his reply, with translation, is annexed hereto, marked No. 2.

At the time indicated the interview took place, and I delivered my letter of credence, and was received in the most cordial manner.

In the somewhat lengthy and general conversation that then ensued, the expressions of Mr. Lerdo de Tejada were so strong and so repeated, of the deep sensibility and satisfaction with which the government of Mexico regards the course of the government and people of the United States towards Mexico during the late long and severe struggle through which this country has passed, that I feel I should fail in my duty did I not make at least this allusion to

expressions on his part which seemed to be peculiarly marked and emphatic, and in which there seemed to be especially recognized the judiciousness and the value to Mexico of the policy that has been maintained by the government of the United States.

The general situation of affairs here, so far as I have yet been able to inform myself, appears to be favorable to the continuance of tranquillity, although some time, and the proof that it may afford, will be necessary to restore general confidence.

It may be proper for me to remark, that, from what I learn from general sources since my arrival here, a policy of greater leniency appears to have been adopted by the government.

The number of political prisoners has been greatly reduced, and in many instances where capital punishment was expected, the sentence has been commuted to banishment, and the parties have been allowed a term of 30 days in which to arrange their affairs before leaving the country.

The presidential and congressional election took place on the 7th instant.

The returns so far as yet heard from indicate the almost unanimous re-election of President Juarez.

Mr. Lerdo de Tejada is probably elected chief justice, which corresponds to the position of vice-president.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

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

Mr. Plumb to Señor Lerdo de Tejada.

LEGATION OF THE UNITED STATES,
City of Mexico, October 7, 1867.

SIR: I have the honor to advise you of my arrival at this capital, and to enclose to you herewith a copy of my letter of credence as chargé d'affaires *ad interim* of the United States near the government of the republic of Mexico; at the same time requesting the honor of an interview, for the purpose of delivering the original in person, at such time as you may be pleased to indicate.

Very respectfully, your obedient servant,

E. L. PLUMB.

His Excellency Señor Don SEBASTIAN LERDO DE TEJADA,
Minister for Foreign Affairs of the United Mexican States.

Señor Lerdo de Tejada to Mr. Plumb.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Mexico, October 7, 1867.

SIR: I have received your note of to-day, in which you are pleased to inform me that you have arrived at this city, enclosing a copy of your letter of credence as chargé d'affaires *ad interim* of the United States of America near the government of Mexico, and stating that you desire to have an interview to deliver to me the original letter.

In reply I have the honor to state to you that I will be at your orders at 5 o'clock of the afternoon of to-morrow, at the department of foreign affairs.

I am, sir, very respectfully, your obedient servant,

S. LERDO DE TEJADA.

Mr. E. L. PLUMB,
Chargé d'Affaires of the United States of America in Mexico.

Mr. Plumb to Mr. Seward.

No. 18.]

LEGATION OF THE UNITED STATES,
City of Mexico, October 18, 1867.

SIR: I was called upon yesterday for the first time by Mr. A. G. Farine, in charge of the chancellerie of the French legation here, who placed in my hands the document of which a copy is annexed hereto, and desired me, as the present representative of the United States in this country, to place my indorsement and authority upon it. Without specially examining the document at the time, as he proposed to leave it, I replied that I could not do so without looking over the records of my legation to see what instructions had been given upon the subject.

On afterwards examining the paper, I was surprised to find it bearing date the 10th of July last, and to be of a character that I had not supposed any representative of the United States was authorized to give; nor do I find any reference made to it in the records of the legation.

Under these circumstances I deemed it my duty to transmit a copy of the document to the department, and to refrain from any action in the premises until I shall have received your instructions with reference thereto.

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

E. L. PLUMB.

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

Mr. Otterbourg to Mr. Farine.

LEGATION OF THE UNITED STATES IN MEXICO, *July 10, 1867.*

Mr. A. G. Farine, First Clerk of the Chancery of the French Legation:

In view of the request of the minister of France to Mexico, by which, on leaving the capital, he placed French subjects under our protection, and the decision on which he formed a special bureau charged with the despatch of affairs which concern French subjects, we, the undersigned, considering that the acts and divers papers which French subjects will ask for from such bureau should be issued in our name and under our signatures, and that this formality may cause delay prejudicial to the prompt despatch of affairs and the good of the service, *have delegated*, and do delegate specially, M. A. G. Farine, chief clerk of the chancery of the legation of France, *chief of bureau*, to sign in our name all acts and papers which may be asked for by French subjects.

MARCUS OTTERBOURG,
Envoy Extraordinary and Minister Plenipotentiary of the United States.

The document, of which the foregoing is a *verbatim* copy, is written on United States official paper, in the French language, and is enclosed in an official envelope of the legation of the United States at this city, dated also the 10th of July, 1867, and addressed "Mr. A. G. Farine, 1^{er} commis de la chancellerie de la legation de France, Mexique," which envelope has been sealed with the seal of this legation.

E. L. P.

Mr. Plumb to Mr. Seward.

No. 19.]

LEGATION OF THE UNITED STATES,
City of Mexico, October 18, 1867.

SIR: Referring to your despatch No. 16, of the 15th August last, addressed to Mr. Otterbourg, I have the honor to state, that in an interview with Mr. Lerdo de Tejada on the 13th instant, I took occasion to read to him that por-

tion of said despatch which you directed should be communicated to the minister of foreign relations.

Mr. Lerdo de Tejada in reply expressed himself to the effect that any action on the part of the government of the United States could only receive consideration at the hands of the government of Mexico.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

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

Mr. Plumb to Mr. Seward.

No. 20.]

LEGATION OF THE UNITED STATES,
City of Mexico, October 19, 1867.

SIR: On referring to the communications addressed by this government to Mr. Otterbourg, I find one under date of the 7th ultimo, which does not appear by any records in the legation to have been sent to the department.

As it contains views regarding the protection the government of the United States has consented to extend to the subjects of governments not now represented in this country, to which, in the informal conversations I have thus far had with Mr. Lerdo de Tejada upon the subject, he appears disposed to adhere, I have thought it desirable to transmit to the department a copy and translation, which I have now the honor to enclose herewith.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

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

Señor Lerdo de Tejada to Mr. Otterbourg.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
Mexico, September 7, 1867.

SIR: I have the honor to reply to the note which you were pleased to address to me, on the 30th of July last, with reference to the request made of you by Mr. Dano and Mr. Hooricks, previous to their departure for Europe, that the protection of the flag of the United States might be extended to the French and Belgian subjects resident in Mexico.

You state in your note that in view of the cordial relations existing between the United States, France, and Belgium, and on assurances derived from different conversations which you have had with Mexican authorities, that the persons and the property of foreigners would be respected, you had thought proper to accept the office of mediator between said authorities and French and Belgian subjects who might appeal for such mediation under the same circumstances as those under which it might be exercised in favor of citizens of the United States.

As I have before had the honor to state to you verbally, the government of Mexico, desiring to avoid all danger of differences in its friendly relations with the United States, does not think it desirable that you should interpose any mediation of an official character in the affairs that may be presented by French and Belgian subjects. Without the necessity of a mediation of an official character, if you should desire to interpose in some cases your private good offices, the government will attend to the same with all possible consideration.

For the rest, foreigners resident in Mexico who have no representative of their governments have been and are under the protection of the Mexican authorities, to whom they can apply with confidence that they have enjoyed and will continue to enjoy the guarantees conceded by the laws of the republic.

I avail myself of this opportunity to repeat to you the assurances of my distinguished consideration.

S. LERDO DE TEJADA.

His Excellency MARCUS OTTERBOURG,
*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America to Mexico.*

Mr. Plumb to Mr. Seward.

No. 21.]

LEGATION OF THE UNITED STATES,
City of Mexico, October 22, 1867.

SIR: The polite note of which the enclosed is a copy reached me by the last mail.

As without instructions I do not feel at liberty, even under the circumstances of the proposed charge of the interests of French subjects in this country, to enter into any direct correspondence with any foreign government except that to which I am accredited, I think it my duty to transmit this copy of the note to the department, that it may be there acknowledged, or such instructions be given to me as may be deemed necessary under the circumstances.

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

E. L. PLUMB.

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

M. La Valette to Mr. Plumb.

[Translation.]

PARIS, September 5, 1867.

SIR: The government of the United States, according to the request which I addressed to it in the name of the government of the emperor, has pleased to accept the protection of the interests of French subjects in Mexico.

I already know with what courtesy you have consented to take charge of this mission, and the benevolent disposition that you have already evinced in this respect to M. Berthemey, before your departure from Washington. I hasten to send you my thanks therefor, and to tell you how much I congratulate myself on the relations which this circumstance puts us in position to hold with you.

I earnestly desire to lighten as much as possible the cares which this protection will be of a nature to add to your occupations. For this purpose, so soon as Mr. Dano shall have returned to France I will have an understanding with him, to designate, if he has not already done so himself before his departure, a person who can in friendly guise assist you in the labors of the chancery relative to our affairs. I will have the honor of writing to you by one of the earliest couriers.

Accept, sir, the assurances of the very distinguished consideration with which I have the honor to be your very humble and very obedient servant,

LA VALETTE,

*The Minister of the Interior in charge ad interim with
the Ministry of Foreign Relations.*

Mr. PLUMB,
Chargé d'Affaires of the United States of America to Mexico.

Mr. Plumb to Mr. Seward.

No. 22.]

LEGATION OF THE UNITED STATES,
City of Mexico, October 23, 1867.

SIR: As the department is doubtless already advised, a special mission has been sent to this country by the government of Bolivia, to congratulate President Juarez upon the triumph recently obtained by this republic, in the defence of its independence and republican institutions.

This mission reached here by way of Acapulco from Panama, a few days before my arrival, and the envoy, Señor Don Quentin Quevedo, a distinguished citizen of Bolivia, who is accompanied by a full suite, was received by President Juarez on the 7th instant.

The presence of the mission here has elicited very general demonstrations of a friendly character in its regard, and last evening, in view of Señor Quevedo's early departure, a grand banquet in his honor was given by the President of the republic in the national palace, to which I was invited, and at which were present all the principal personages of the several departments of the government, and a large number of the most distinguished citizens of Mexico, now present at the capital.

The occasion was marked by the expression of great good feeling as regards the relations between the different American States, and very gratifying allusions were made to the United States, and to the fraternal feeling that has been manifested by the government and people of the United States towards Mexico, throughout the whole of the severe struggle in which this republic has lately been engaged.

To these allusions, in a few words at a proper moment, I returned my acknowledgments, and at the same time expressed my satisfaction, as the representative of the United States, in being present on such an occasion.

Señor Queveda intends to leave here on the 8th proximo for Havana and St. Thomas, on his way to Brazil, to which country he has been accredited by his government as minister plenipotentiary. His secretary of legation and son precede him a few days in their departure, and go by way of New York, whence they propose to take the steamer for Brazil the 21st November.

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

E. L. PLUMB.

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

Mr. Seward to Mr. Plumb.

No. 12.]

DEPARTMENT OF STATE,
Washington, October 25, 1867.

SIR: Mr. Chew has laid before me the letter which you addressed to him on the 10th of October. I thank you for the information it contains in relation to the proceeding of Admiral Tegetthoff. I entirely approve and commend the informal representation which you have made to Mr. Lerdo de Tejada by way of urging clemency in the case of General Santa Anna.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Seward to Mr. Plumb.

No. 13.]

DEPARTMENT OF STATE,
Washington, October 25, 1867.

SIR: I have received despatch No. 18 from Marcus Otterbourg, esq., late United States minister in Mexico, which bears the date of the 20th of September. Mr. Otterbourg has transmitted with that despatch a copy of the correspondence which took place between himself and Mr. Lerdo de Tejada, minister of foreign relations of Mexico, on the subject of applications made to him by the late representatives of France and Belgium in Mexico that he would extend the protection of the United States flag to the subjects of these countries resident in Mexico, in the absence of their representatives.

I notice that Mr. Lerdo de Tejada expressed himself on this subject to Mr. Otterbourg in this wise, namely: That desirous to avoid all danger of disturbing the friendly relations toward the United States, he, Mr. Lerdo de Tejada, thought that Mr. Otterbourg should not interpose any mediation of an official character in the instance in which the subjects of France and Belgium were desirous to protect their interests; nevertheless, if Mr. Otterbourg desired to interpose good offices privately, the government would attend to them with all possible consideration. Mr. Lerdo de Tejada added, that foreigners residing in Mexico who have no representatives of their governments are there under the protection of the Mexican authorities, and can recur to them with confidence that they will enjoy the guarantees that the laws of the republic concede.

You will respect the wishes of the government of Mexico in this matter, and will lend your good offices to the subjects of France and Belgium in that country under the instructions heretofore given you, in such manner, whether public and official or private and unofficial, as shall be most acceptable to the government of the republic.

The substance of this instruction will be communicated by this department to the governments of France and Belgium respectively for their information.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Plumb to Mr. Seward.

No. 25.]

LEGATION OF THE UNITED STATES,

City of Mexico, October 28, 1867.

SIR: Referring to department despatch No. 8, of the 30th of July last, to Mr. Otterbourg, and to his in reply, No. 13, of the 8th ultimo, I have now the honor to state that, having made a personal application, with the consent of Mr. Lerdo de Tejada, to General Mejia, the minister of war, the request contained in the said despatch, made at the solicitation of Senator Cole, of California, has been granted, as I have this evening received a note from the minister of war, in which he states as follows:

At your recommendation the penalty of imprisonment of Comandante Ignacio Sepulveda has been commuted to banishment from the republic, and to-morrow the requisite orders will be issued.

That individual will, therefore, now be able to return to his family in California.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Plumb to Mr. Seward.

No. 26.]

LEGATION OF THE UNITED STATES,

City of Mexico, October 28, 1867.

SIR: Enclosed herewith I have the honor to transmit a copy of the reply of government of Mexico to the formal communication made by me on the 18th instant, a copy of which is also enclosed, of your instruction of the 10th of August last, No. 11, addressed to Mr. Otterbourg, relating to the charge, by the

government of the United States, of the interests of the subjects of France and Prussia in Mexico, and of the subjects of such other states as are now in the condition of non-representation in this country. The government of Mexico in this reply reaffirms the position taken by it in its communication of the 7th of September last, addressed to Mr. Otterbourg, a copy of which I transmit to the department by this mail, with despatch No. 20, of the 19th instant, and is unwilling to admit the action proposed by the United States.

The motive urged, and, I believe, with all sincerity, for this unwillingness in the several conversations I have had upon this subject with Mr. Lerdo de Tejada, is their extreme desire to avoid any possibility of complications or of difficulties with the United States, and the fear that were European subjects once fully under the protection of the United States, they having no American interests, might be the means of creating American embarrassment.

With regard to the position now of European subjects in this country, it is my duty to report that I am informed by M. Farine, who is in charge of French interests here, by Baron Magnus, late Prussian minister to Maximilian, by Mr. Middleton, the English chargé d'affaires, by M. Beneke, Prussian consul and an old resident here, and by French and German merchants generally, that since the government of the republic entered the capital, there had been nothing to complain of in its course towards foreigners.

That there is a determination on the part of this government that no just cause of complaint shall be given, I feel well assured.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

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

Mr. Plumb to Señor Lerdo de Tejada.

LEGATION OF THE UNITED STATES,
City of Mexico, October 18, 1867.

SIR: It has been intimated to the government of the United States by the representatives of France and Prussia, residing at Washington, that owing to peculiar circumstances the governments of those countries are left for the present without diplomatic or consular representation to the republican government of Mexico, and that occasions may arise in which subjects of those governments may have need of some facilities of communication with the republic.

Under these circumstances the United States, in conformity with a political custom which has long obtained, and is sanctioned by and has regard to the general interests of civilization, have consented to allow its diplomatic and consular representatives in Mexico to take charge of the interests of subjects of those States in Mexico, and of any other states whose governments are found in the same condition of non-representation in this republic.

I am instructed, however, that this can only be done with the consent and acquiescence of Mexico; and no proceedings are authorized to be taken by United States representatives in behalf of subjects of such foreign states different from the course prescribed by the government of the United States for its representatives, for the protection of the interests of citizens of the United States. I am further directed by the government of the United States to communicate the contents of this instruction to the government of the republic of Mexico, and to ask an expression of its views thereupon.

I have the honor to be, with the highest respect, your excellency's most obedient servant,
E. L. PLUMB.

His Excellency Señor Don SEBASTIAN LERDO DE TEJADA,
Minister for Foreign Affairs of the United Mexican States.

Señor Lerdo de Tejada to Mr. Plumb.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
Mexico, October 26, 1867.

SIR: You were pleased to communicate to me, in your note of the 18th instant, that on the application of the representatives of France and of Prussia resident at Washington, the

government of the United States assented that its diplomatic and consular representatives in Mexico should take in charge the interests of the subjects of those two nations, and of any others that at this time have no representation in this republic, with the understanding, nevertheless, that this could only be with the consent and acquiescence of Mexico, and that the representative of the United States would not move in respect of subjects of other nations, but in the manner which would be authorized by their government in respect to citizens of the United States.

On this subject I addressed a note on the 7th of September last to Mr. Marcus Otterbourg, then minister of the United States to Mexico.

The government of the republic holds in the highest estimation its good and friendly relations with the United States, earnestly desiring to avoid every danger of any difference occurring between them.

For this grave reason, as I made known to Mr. Otterbourg, the government has felt a difficulty about the representatives of the United States in Mexico taking in charge the interests of the subjects of other nations.

Although they have no direct representation, the government provides with especial care that they be protected by the Mexican authorities, and enjoy the guarantees which the laws of the republic concede to them. The efficient protection they receive has been the cause that they make no complaints under these circumstances.

Referring, therefore, to what I said to Mr. Otterbourg, and to which I have also had the honor to say to you verbally, I only wish to repeat that the government of Mexico acts in this matter with the highest sentiments of friendship and consideration.

I am, sir, with the highest and most respectful consideration, your obedient servant,
S. LERDO DE TEJADA.

His Excellency Mr. EDWARD LEE PLUMB,
Chargé d'Affaires of the United States of North America in Mexico.

Mr. Plumb to Mr. Seward.

No. 27.]

LEGATION OF THE UNITED STATES,
City of Mexico, October 31, 1867.

SIR: I have the honor to transmit herewith a copy of a note addressed to me by M. Farine, in charge of French interests here, received yesterday, in which he officially asks my confirmation of the document referred to in my despatch No. 18, of the 18th instant, a copy of which he also encloses with his note.

I have replied to M. Farine that having to await new instructions upon the general subject involved, I am unable to act in the premises at present. A copy of my reply is also transmitted herewith.

I have desired to manifest every courtesy to M. Farine, not only because he appears to be a very discreet person, every way worthy of confidence, but from motives of deference to the country whose interests are in his charge.

Trusting my action in this matter will meet with your approval, I am, very respectfully, your obedient servant,

E. L. PLUMB.

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

M. Farine to Mr. Plumb.

FRENCH LEGATION IN MEXICO,
City of Mexico, October 29, 1867.

MR. CHARGÉ D'AFFAIRES: I have the honor to send you a copy of the decision by which Mr. Otterbourg has authorized me, who am commissioned by the French minister to attend to the business of French residents in Mexico, to sign for him all acts, papers, and documents needed in the office of the French legation.

The language of Mr. Otterbourg's decision will give you his reasons for transferring his commission to me; so I will only further ask you to confirm the decision.

My best respects.

A. FARINE,
Chief Clerk in the French Legation

Mr. E. PLUMB, U. S. *Chargé to Mexico.*

UNITED STATES LEGATION IN MEXICO,
July 10, 1867.

Whereas the French minister in Mexico, before quitting the capital, placed all French subjects under our protection, and formed a special bureau for the despatch of their business; and knowing that the documents relating to them in said bureau must be delivered in our name, and under our signature :

Therefore, to prevent any undue delay in that business, we appoint Mr. A. G. Farine, chief clerk of the French legation, to sign for us all documents required by French subjects.

MARCUS OTTERBOURG,
Envoy Extraordinary, &c., of the U. S. of America.

Mr. Plumb to M. Farine.

LEGATION OF THE UNITED STATES,
City of Mexico, October 31, 1867.

SIR: I have had the honor to receive the note, under date of the 29th instant, with which you have been pleased to enclose to me a copy of a paper prepared by Mr. Otterbourg, late minister to Mexico, regarding which you desire action at my hands as the present representative of the United States in this country.

In reply I am obliged to state that having to await new instructions upon the general subject involved, I am unable to act in the matter at present, but will hasten to transmit your note with its enclosure to the Secretary of State at Washington, in order that I may receive his especial instructions in the premises.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB,
Chargé d'Affaires ad interim of the United States.

M. A. FARINE,
Chief du Bureau de la Chancellerie de la Legation de France, Mexico.

Mr. Seward to Mr. Plumb.

No. 16.]

DEPARTMENT OF STATE,
Washington, October 31, 1867.

SIR: Your despatch No. 11, of 9th instant, has been received, and I am much gratified to learn of your arrival at your post of duty, and the cordial manner in which you have been received by Mr. Lerdo de Tejada, the minister for foreign affairs, on the occasion of the presentation of your letter of credence.

His just appreciation of the policy of the United States as expressed in the conversation as reported by you on that occasion is very pleasing to this government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Plumb to Mr. Seward.

No. 28.]

LEGATION OF THE UNITED STATES,
City of Mexico, November 4, 1867.

SIR: A general order commuting the sentences heretofore promulgated against those who have taken part in the late so-called imperial régime, has just been issued by the minister of war, by direction of the President of the republic, and was published in the official paper of the 2d instant.

I enclose a copy and translation herewith.

By the terms of this general order, the penalties now remaining imposed for

connection with or participation in the late foreign invasion and attempted overthrow of republican institutions and establishment of a monarchy in this country are as follows :

1. Banishment, subject to trial whenever returning.
2. Banishment, not to return except with previous permission of the government.
3. Imprisonment for classified terms of two, three, and four years.
4. Restriction of residence to such places as may be designated within the republic, for classified terms of two and four years.
5. Subjection to the vigilance of the authorities, for classified terms of two, three, and four years.
6. Simple expulsion from the territory of the republic for all foreigners under the grade of general.

To the first penalty, of banishment, subject to trial if they return, there are liable only the ministers and acting secretaries of state who signed the decree of October 3d, 1865, (which condemned to death within twenty-four hours all who continued to defend republican institutions,) the regents and the presidents of the council of ministers; say, in all, some fifteen persons in number.

To the second penalty of banishment, not to return except with previous permission of the government, are subject the ministers of state and under secretaries who have acted at any time as ministers, and those who served as ministers plenipotentiary and special agents abroad.

Of this class there may be in all twenty-five.

The third penalty of imprisonment is imposed :

1. The highest term of four years solely upon generals who have rendered active service in that rank.
2. The term of three years solely upon those who have acted as imperial commissaries, and under secretaries of state not having served as ministers.
3. The term of two years solely upon those who have acted as president of court-martial. Of this class there may be fifty in all.

The fourth penalty, of restriction of residence to such places as may be designated within the republic, is imposed as follows :

1. The highest term of four years upon generals who have rendered only passive service, and upon colonels who have rendered active service.
2. The term of two years upon those who have served as councillors of state and political prefects.

Of this class I am informed there will not exceed one hundred and fifty in all.

There are therefore only about two hundred and fifty persons in all subject to the preceding penalties.

The fifth penalty, of subjection to the vigilance of the authorities, is imposed :

1. For the term of four years, at such place as may be designated, upon those who have rendered passive service holding the rank of colonel.
2. For the term of three years upon lieutenant colonels and majors.
3. For the term of two years upon captains, lieutenants and second lieutenants, and finally upon all persons, not previously named, who have in any manner served the so-called imperial government.

The sixth and final penalty of simple expulsion from the territory of the republic is imposed upon all foreigners without distinction of grade (except that of general, but one only being classed in that grade, Señor Salm Salm) who have been in the military service of the so-called empire.

All foreigners, therefore, who have been held as prisoners since the termination of the war, for their service under the so-called empire, are now, with the single exception of the general named above, at liberty to leave the country.

With regard to the penalty of confiscation, which in addition to personal liability has heretofore been imposed, I am assured by Mr. Lerdo de Tejada that

it has now in principle been abandoned by the government, there remaining only certain cases in which it may yet be partially enforced, but in the nature of a fine.

I have the honor to be, very respectfully, your obedient servant,
E. L. PLUMB.

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

GENERAL AMNESTY ORDER.

[Translation.]

DEPARTMENT OF WAR AND MARINE—SECTION FIRST.

The citizen President of the republic, in use of the extraordinary powers with which he is invested, has been pleased to commute the personal penalties to which those have been condemned who served the so-called imperial government in the civil and military branches, as follows:

1. Those who served with the rank of generals will suffer the penalty of four years' imprisonment at such place as may be designated. Those of equal rank who were only waiting orders, or that the service rendered by them was passive service, will suffer the same term of restriction of residence.

2. Those who served with arms with the rank of colonels, four years of restriction of residence at such places as may be designated; and those of the same rank who rendered only passive service, or were waiting orders, the same term subject to the vigilance of the authorities at such place as may be designated.

3. Lieutenant colonels and majors, whether of infantry or of cavalry, will remain for three years under the vigilance of the authorities, and captains, lieutenants, and second lieutenants, for two years.

4. Foreigners who as generals lent their services to the so-called empire will suffer the same penalty as that imposed upon native citizens of the same rank. All other foreigners, without distinction of rank, including privates, will leave the republic.

5. The ministers and under secretaries who signed the decree of October 3, 1865; the regents and presidents of the council of ministers will be exiled, and shall be subject to trial whenever they return. The ministers and under secretaries who officiated at any time as ministers, ministers plenipotentiary, and special agents abroad, shall also leave the national territory, and shall not return except with the previous permission of the government.

The under secretaries who have not officiated as ministers, and the imperial commissaries will suffer the penalty of three years' imprisonment.

6. Those who acted as presidents of courts-martial will suffer two years' imprisonment.

7. The councillors of state and political prefects will remain confined for two years to such places as may be designated.

8. All other individuals not comprehended in the preceding articles, and who in any manner have served the so-called imperial government, will remain for two years subject to the vigilance of the authorities.

This disposition does not include those whose trials are pending, nor those who having been sentenced, have obtained a commutation of the penalty; but will include all other individuals who served under the so-called empire; notwithstanding there may not have been any disposition made regarding them.

Those to whom the government has already assigned a more favorable penalty will remain subject only to that.

I communicate the same to you for due compliance.
Independence and Liberty! Mexico, October 31, 1867.

MEJIA.

The COMMANDING OFFICER at ———.

Mr. Plumb to Mr. Seward.

No. 29.]

LEGATION OF THE UNITED STATES,
City of Mexico, November 7, 1867.

SIR: In accordance with the instructions in your note, without number, under date of 29th August last, addressed to Mr. Otterbourg, and the spirit of the

communication therein enclosed addressed by you to Mr. Romero, I have availed myself of such proper occasions as have been presented, since my arrival here, in my conversations with Mr. Lerdo de Tejada, to recommend the case of Prince Salm Salm to the favorable consideration of the Mexican government.

On account of some notoriety which has attended his case, and of his presenting himself as a general after the capture of Queretaro, it has been difficult for this government to make an exception in his favor to that of the other generals that were tried and sentenced at that period; and the best that I could do for him up to within a few days is shown in the private note from Mr. Lerdo de Tejada, of which a copy and translation is annexed hereto.

The simple fact, however, that Prince Salm Salm had been a soldier in our war for the Union, has compelled me to feel an interest in this case, and on the publication of the recent order of commutation of sentences, and seeing that a special exception was made to the other foreigners placed at liberty, and that he was held, under the rank of general, to four years more of imprisonment, I thought it my duty to present officially to the government the facts in my possession, showing that he had never actually served as general, but only as colonel, and to ask the favor of his release on that ground, under the terms of the general order.

I am glad to say, that with the facility such evidence in an official form has afforded, my request has been met in the most friendly manner, and that orders have been issued by direction of the President, placing Prince Salm Salm at liberty to leave the country.

A copy of my communication to the government in this matter, and of their reply, with translation, is enclosed herewith.

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

E. L. PLUMB.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Señor Lerdo de Tejada to Mr. Plumb.

[Translation.]

MEXICO, *October 17, 1867.*

MY DEAR SIR: I have spoken with the President and the minister of war with reference to what you were pleased to make known to me privately, by direction of the Hon. Mr. Seward, with regard to his humane sentiments in favor of the life of Señor Salm Salm, taken prisoner at Queretaro.

His life is in no danger, and if for the present the government believes it imperative to retain him a prisoner, for the grave difficulty of making a distinction with reference to the others who are in the same case, it has directed that he should remain in Oaxaca, where he will have an excellent climate and accommodations.

The government will have the greatest pleasure in extending to Señor Salm Salm all possible consideration permitted by the circumstances, in attention to the recommendation you have made, and that he has served in the army of the United States.

I am with the highest regard, very respectfully, your obedient servant,

S. LERDO DE TEJADA.

Mr. EDWARD L. PLUMB, &c., &c., &c.

Mr. Plumb to Señor Lerdo Tejada.

LEGATION OF THE UNITED STATES,

City of Mexico, November 4, 1867.

SIR: It is with great gratification that I have seen by its publication in the official paper of the 2d instant, that a general order has been issued under direction of the President of the republic, by the minister of war, General Don Ignacio Mejia, commuting in the most humane

and generous manner the sentences of those still remaining in confinement for complicity with the late intrusive government attempted to be set up in the place of the legitimate authority of the republic, and that a large number have been permitted to leave the country, among whom I am glad to see, for I am sure it will be in every way for the advantage of Mexico, that nearly all of the foreigners remaining here who have been held for their part in the late mistaken intervention are included.

I should have occasion now only to express my feelings of gratification as an American, at the worthy course the government of Mexico has thought proper to pursue, were it not that in the case of one individual, in whom for his past services in the cause of the Union the government of the United States feels an interest, some official declaration on my part in his behalf may be not only due but necessary to relieve him from a responsibility which, under the recent order of commutation, will yet subject him to four years more of imprisonment, for only a few months service in the so-called imperial cause, by reason of the fact of there having been given to him but only after the surrender of Queretaro the commission of general, by the Archduke Maximilian, and his having been tried and classified since that time under that rank.

I refer to the case of Señor Salm Salm.

I am in a position to state, as I now do to you officially, that Señor Salm Salm never served in any other capacity under the so-called empire than that of colonel, and that he was holding that rank, acting in that capacity, and wore that uniform at the time of the capture of Queretaro.

After the capture, when both were in prison, the Archduke Maximilian, thinking it might be of some use to Señor Salm Salm in Europe, gave to him the commission of general, dating the commission back to a day or two before the capture of Queretaro.

These facts are given to me by the representative of an European government who had them from the lips of the Archduke Maximilian himself. I have also received the same information through other channels.

When, at a later moment, all holding the rank of colonel were ordered to be removed to a distant point, Señor Salm Salm, through an act of personal devotion to his late leader, and against the remonstrances of his friends, produced his commission of general—by that act then risking his own life—and claimed the right to remain by the side of Maximilian. It is by this simple act of personal devotion on his part, while both were prisoners, that commends itself to any generous mind, and the natural act of gratitude on the part of the late Archduke Maximilian in giving him, after the capture of Queretaro, the commission of general, and nugatory in itself so far as Mexico is concerned, that Señor Salm Salm is now exposed to be classed as a general, and to undergo the further term of imprisonment of four years, when he never rendered a moment's service other than as colonel, and in that capacity his services extended only over a period of but a few months.

In view of this statement of facts that I now make officially, that he has never served under the so-called empire as general, but only as colonel, and in view of the facts that he was an ardent and efficient volunteer in our late war for the defence of the Union, whereby he entitled himself to the sympathy and friendship of the government of the United States, by whom no soldier who has served in the cause of the Union can ever be deserted, I have now to ask the favor from the government of the republic that the status of Señor Salm Salm may be graded according to that of his actual service, and not according to that of the commission given to him after the capture of Queretaro by the Archduke Maximilian, when both were prisoners; and that thus, under the humane and generous order that I have referred to, he may be permitted to leave the country.

I have the honor to be, with the highest respect, your excellency's most obedient servant,
E. L. PLUMB.

His Excellency Señor Don SEBASTIAN LERDO DE TEJADA,
Minister for Foreign Affairs of the Republic of Mexico.

Señor Lerdo de Tejada to Mr. Plumb.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
Mexico, November 5, 1867.

SIR: In the note that you were pleased to address to me yesterday, you have communicated to me the information that you have that Señor Salm Salm, who was made prisoner at the capture of Queretaro, and was tried under the grade of general, did not really serve the so-called empire except under the rank of colonel, up to the capture of that city, and that it was afterwards that the Archduke Maximilian gave him a commission as general, dating the same some days before for the purpose that such commission might be of future use to him in Europe. You have made this known to me with the desire that there may be applied to Señor Salm Salm, under the rank of colonel, the more favorable dispositions of the govern-

ment of the republic. You have also made known to me that Señor Salm Salm lent his services in favor of the Union during the war in the United States, this being the motive for the interposition in his favor of your good offices.

It is very satisfactory to the President of the republic to attend to the same, and to that end he has directed that Señor Salm Salm shall be released from the confinement to which he has been subject, placing him at once at liberty to leave the territory of the republic.

I am, sir, with great esteem, very respectfully your obedient servant,

S. LERDO DE TEJADA.

Mr. EDWARD LEE PLUMB,

Chargé d'Affaires of the United States in Mexico.

Mr. Plumb to Mr. Seward.

No. 30.]

LEGATION OF THE UNITED STATES,

City of Mexico, November 7, 1867.

SIR: In the exercise of the discretion confided to me by your despatch No 7, of the 19th September last, I addressed to this government, on the 4th instant, a communication relative to the case of Mr. Eloin, a copy of which, together with a copy and translation of the reply of the Mexican government, I have the honor to enclose herewith.

There has been a very deep feeling here against Mr. Eloin on account of the importance attached to his services in aid of the attempted establishment of a monarchy in this country, and without some potent intercession in his behalf, it is not probable that, even under the recent commutation order, he would have been released for a long time.

Yet I am happy to be able to say that the Mexican government has accepted the friendly intervention in this matter of the United States in behalf of the government of the King of Belgium, in the most cordial manner, and the necessary orders freeing Mr. Eloin from the proceedings against him, and permitting him to leave the country, were at once issued.

He left this city this morning for Vera Cruz, to embark at that port with Baron Magnus, the Prussian minister, for Europe, on the French packet of the 13th instant.

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

E. L. PLUMB,

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Plumb to Señor Lerdo de Tejada.

LEGATION OF THE UNITED STATES,

City of Mexico, November 4, 1867.

SIR: The government of Belgium has manifested a deep interest in Mr. Eloin, formerly private secretary of the Prince Maximilian, and Mr. Rogier, the minister for foreign affairs, has applied through Mr. Del Fosse, their minister in Washington, to the Secretary of State of the United States, asking him to use his good offices with the government of the republic of Mexico, in order that Mr. Eloin, now a prisoner in Mexico, may be permitted to leave the country.

The Secretary of State having confided to my discretion what steps to take in behalf of Mr. Eloin, and believing in the generous disposition of the government of Mexico, and that it would, as fast as the political circumstances of the country might permit, pursue a lenient course towards those held in confinement for their complicity with the late so-called imperial government, I have not thought that the proper moment for an intercession on my part had arrived, until by the publication on the 2d instant of the general order commuting the sentences of the political prisoners still held in confinement, and the possibility of some doubt as to the proper classification of Mr. Eloin under that order, I have deemed it my duty, under

the instructions I have received from the Secretary of State, to now interpose the good offices of my government in behalf of the government of Belgium, and to ask the favor at the hands of the government of Mexico that Mr. Eloin may be considered simply in the light of the office he held of private secretary, and not in that of the influential services he rendered both in Mexico and in Europe in the interest of the intervention and the attempted monarchy, and that thus under the general order that I have referred to he may now be released from confinement and permitted to leave the country.

I do this the more readily because I believe that the government of the King of Belgium will see in any favor now shown to Mr. Eloin an act of attention and consideration to itself, and I do not doubt that Mr. Rogier, who has appealed especially to the kind offices of Mr. Seward in this matter, will fully award the obligation, where it truly belongs, to the favorable disposition of the government of Mexico towards himself and the government of Belgium.

I have the honor to be, with the highest respect, your excellency's most obedient servant,
E. L. PLUMB.

His Excellency Señor Don SEBASTIAN LERDO DE TEJADA,
Minister for Foreign Affairs of the Republic of Mexico.

Señor Lerdo de Tejada to Mr. Plumb.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
Mexico, November 5, 1867.

SIR: You have been pleased to communicate to me in your note of yesterday that the government of Belgium has asked the government of the United States to interpose its good offices with the government of the republic of Mexico in behalf of Mr. Eloin, formerly private secretary of the archduke Maximilian, and now a prisoner in this city.

The government of the republic has treated Mr. Eloin with sentiments of great humanity, as well as, in general, all persons compromised in the projects of foreign intervention in Mexico; and it now has satisfaction in attending to the good offices of the United States, freeing Mr. Eloin from all proceedings, and placing him at once at liberty to leave the republic.

For this purpose the President has directed that the necessary orders shall be given. I have the honor to renew to you, sir, the assurances of my distinguished consideration,
S. LERDO DE TEJADA.

Mr. EDWARD LEE PLUMB,
Chargé d'Affaires of the United States in Mexico.

Mr. Plumb to Mr. Seward.

No. 32.]

LEGATION OF THE UNITED STATES,
City of Mexico, November 9, 1867.

SIR: I have the honor to enclose herewith copy and translation of a decree, published in the official paper of the 6th instant, establishing what is termed a protective duty upon the importation of foreign flour.

By the tariff of 1856, which in general is still in force, the importation of wheat flour was permitted only in Acapulco, Yucatan, Tampico, Matamoros, and the frontier custom-houses of the north.

At those posts and frontier custom-houses its importation was permitted, for the consumption of the population of the frontier and of those parts, with the sole duty of one dollar on common and one dollar and a half per barrel on fine flour; the introduction at Tampico, however, being limited to an annual quantity of one thousand barrels, with a duty of one dollar and a half on common and two dollars per barrel on fine flour.

On the 2d of September, 1858, when the constitutional government was located at Vera Cruz, and communication between that port and the interior was interrupted, an order was issued extending the permission also to that port, with a duty of four dollars per barrel, and the charges known as "additional duties" then established. Under this permission the importation of flour into Vera

Cruz has continued, until, on the 1st of October of the present year, an order was suddenly issued terminating the privilege.

That order, and the present decree, appear to have been issued without previous notice, and to take effect at once on their issuance.

Complaint upon that ground has been addressed to this legation, regarding the order of 1st October last.

The interior or additional duties referred to in the present decree amount, as I am informed upon inquiry at the treasury department, at the present time, to sixty-eight and one-half per cent. upon the amount of the direct duties imposed.

The total duty, therefore, now required to be paid under the present decree, in all parts of the republic, upon the introduction of foreign flour, is \$13 48 per barrel when flour is worth in the United States from \$6 to \$8; \$10 11 when the price is from \$8 to \$10; and \$6 74 when the price is from \$10 upwards.

The expenses of transportation to the interior from the ports or the frontier, as also from the interior to those localities for domestic flour, are so great, that it would seem no other protection for the present against flour from the United States was necessary.

It would also seem evident that the interests of consumers on the frontier and in the ports of Mexico that have heretofore been open to our flour at a low rate of duty, would be promoted by the continuance of such rates, as our commerce in that article will certainly be very much restricted by the high rates now imposed.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

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

[Translation.]

DEPARTMENT OF TREASURY AND PUBLIC CREDIT.

The citizen President of the republic has been pleased to address to me the following decree:

Benito Juarez, constitutional President of the United Mexican States, to the inhabitants of the same: Be it known, that in use of the ample facilities with which I am invested, I have thought proper to decree as follows:

Upon the introduction of foreign flour, in order to favor that of domestic production, a protective duty is established in the following terms:

ARTICLE I. When the value in the United States is from six to eight dollars per barrel, that is to say from three to four cents per pound, a duty shall be paid of four cents per pound, or four dollars per quintal.

ART. 2. When the value is from eight to ten dollars, or from four to five cents per pound, the duty imposed shall be three cents per pound, or three dollars per quintal.

ART. 3. When the value is from ten dollars upwards per barrel, that is to say, five cents and upwards per pound, the duty shall be two cents per pound, or two dollars per quintal.

ART. 4. The duty specified in the preceding articles will be required from the importers in addition to the interior duties already established.

Wherefore I order that the same be printed, published, circulated, and that it be duly complied with.

Dated at the palace of the national government in Mexico, the 31st of October, 1867.

BENITO JUAREZ.

The Citizen JOSÉ MARIA IGLESIAS,
Minister of Treasury and Public Credit.

And I communicate the same to you for your intelligence and due compliance.
Independence and liberty! Mexico, October 31, 1867.

IGLESIAS.

Mr. Plumb to Mr. Seward.

No. 33.]

LEGATION OF THE UNITED STATES,
City of Mexico, November 9, 1867.

SIR: I have the honor to enclose herewith a copy and translation of the reply of the government of Mexico to the communication which, in compliance with your instructions No. 4, of the 26th of August last, I addressed to the minister for foreign affairs, inquiring if any reply had been sent to the letter addressed by Commander Roe, of the United States steamer Tacony, to the President of the republic, communicating the request of the commander of the Austrian corvette Elizabeth that the remains of the deceased Prince Maximilian might be delivered to him for conveyance to Austria. It appears that the letter of Commander Roe was not received by President Juarez. I am also informed by Mr. Lerdo de Tejada that the affair that was the object of that letter is now arranged.

A note having been received from the government of Austria asking that it might be permitted to remove the remains of the Prince Maximilian to that country, Mr. Lerdo de Tejada has replied that they would be immediately delivered to Vice-Admiral Tegetthoff, who has come to Mexico commissioned for that purpose.

A copy of my communication to the Mexican government is annexed hereto.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

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

Mr. Plumb to Señor Lerdo de Tejada.

LEGATION OF THE UNITED STATES,
City of Mexico, October 24, 1867.

SIR: In a report dated June 23d last, Commander F. A. Roe, of the United States steamer Tacony, then lying off Sacrificios, Mexico, informed the Secretary of the Navy of the United States that, at the request of the commander of the Austrian corvette Elizabeth, he had addressed a communication to President Juarez, asking that the remains of the deceased Prince Maximilian might be delivered on board the Elizabeth for the purpose of being conveyed to Austria.

Under instructions from the Department of State, dated the 26th of August last, I have been directed respectfully to inquire whether any answer has been returned to the communication of Commander Roe, and if not, whether one may be expected?

A copy of the letter of Commander Roe to President Juarez is annexed hereto.

I have the honor to be, with the highest respect, your excellency's most obedient servant,

E. L. PLUMB.

His Excellency Señor Don SEBASTIAN LERDO DE TEJADA,
Minister for Foreign Affairs of the Republic of Mexico.

Commander Roe to President Juarez.

UNITED STATES STEAMER TACONY,
Off Vera Cruz, Mexico, June 23, 1867.

SIR: I am earnestly solicited by Captain Groeller of the Austrian navy, commanding the imperial man-of-war Elizabeth, to beg upon his behalf and upon that of the government of Austria that you will be pleased to allow him the privilege of receiving the remains of the late Prince Maximilian on board of the Elizabeth for the purpose of conveying them to Austria.

The relics of the dead can be neither of service nor injury to Mexico, and as I conceive his prayer to be one of tender humanity and of affection for his unhappy and bereaved family, I have the honor to beg also that his request may be granted.

Any expenses incurred in bringing the remains to Vera Cruz will be most cheerfully liquidated by Captain Groeller.

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

F. A. ROE,

Commander United States Navy.

His Excellency PRESIDENT JUAREZ.

Señor Lerdo de Tejada to Mr. Plumb.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
Mexico, November 6, 1867.

SIR: With your note of the 24th of October last, I received the copy annexed of a letter addressed by Mr. F. A. Roe, commander of the United States steamer Tacony, at Sacrificios, to the President of the republic on the 23d of June last, informing him of the request of Captain Groeller, commander of the Austrian corvette Elizabeth, that he might be permitted to take to Austria the remains of the Archduke Maximilian.

I have laid your note before the President, who has informed me that he did not receive the letter of Commander Roe, which assuredly must have miscarried, through the circumstances of that period, when the President had not yet come to this city.

I can inform you, however, that the affair that was the object of that letter is now arranged. A note having been received from the government of Austria asking that it might be permitted to remove the remains of the Archduke Maximilian to that country, I have replied that they would be delivered immediately to Vice-Admiral Tegetthoff, who has come to Mexico commissioned for that purpose.

I have the honor to repeat to you, sir, that I am with the highest consideration, very respectfully, your obedient servant,

S. LERDO DE TEJADA.

MR. EDWARD L. PLUMB,
Chargé d'Affaires of the United States of America in Mexico.

Mr. Plumb to Mr. Seward.

No. 34.]

LEGATION OF THE UNITED STATES,
City of Mexico, November 9, 1867.

SIR: I am enabled to transmit to you herewith a copy of the note recently received by this government from Count Beust, asking in the name of the imperial house of Austria that the remains of the Archduke Maximilian may be delivered to Vice-Admiral de Tegetthoff for their removal to Europe; and a copy of the reply of the Mexican government stating that the President of the republic accedes to the request of the Emperor of Austria and the imperial family, and that the remains will be immediately delivered to Vice-Admiral de Tegetthoff for the purpose of their conveyance to Austria.

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

E. L. PLUMB.

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

Count Beust to Señor Lerdo de Tejada.

[Translation.]

VIENNA, *September 25, 1867.*

MR. MINISTER: The late Archduke Ferdinand Maximilian having been taken away from his friends by a premature death, his imperial and royal apostolic Majesty expresses the very natural desire that the mortal remains of his unfortunate brother may find a last resting place in the vault that holds the ashes of the princes of the house of Austria.

This desire is also warmly felt by the father, mother, and the other brothers of the illustrious deceased, and in general by all the members of the imperial family.

The Emperor, my august master, hopes the Mexican government will yield to a feeling of humanity and will not refuse to comfort the just sorrows of his Majesty, by facilitating the realization of these desires.

From these convictions Vice-Admiral Tegetthoff has been sent to Mexico, with orders to beg of the President the remains of a beloved brother of his imperial Majesty, that they may be carried to Europe.

As minister of the imperial household, I am instructed to request your kind intercession to obtain the necessary permit for the vice-admiral in this affair.

On asking you to express to the head of your nation the gratitude of the imperial family for the gratification of this natural desire, and accepting for yourself thanks for your services, I take the occasion to offer the assurance of my very high consideration.

BEUST,

Chancellor of the Empire, and Minister of the Imperial Household.

His Excellency LERDO DE TEJADA,
Minister of Foreign Affairs, Mexico.

Señor Lerdo de Tejada to Count Beust.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
City of Mexico, November 4, 1867.

MR. MINISTER: Vice-Admiral Tegetthoff has delivered me your note of the 25th September last. In it you say that his Majesty the Emperor of Austria feels the very natural desire that the mortal remains of his brother, the Archduke Ferdinand Maximilian, should find a last resting place in the vault that holds the ashes of the princes of the house of Austria; that the father, mother, and brothers of the deceased archduke, as well as other members of the imperial family, participate in the desire; that his Majesty the Emperor hopes the government of Mexico, from a feeling of humanity, will assist in realizing this desire, to effect which Vice-Admiral Tegetthoff has been sent to Mexico to request the President to permit the remains of the archduke to be taken to Europe.

Conscious of the just sentiments expressed in your excellency's note, the President of the republic does not hesitate to gratify this natural desire of his Majesty the Emperor of Austria and the imperial family.

Instructed by the President, I have informed Vice-Admiral Tegetthoff that the mortal remains of the Archduke Ferdinand Maximilian will be delivered to him immediately, to be carried to Europe, in compliance with the object of his mission.

I have the honor to offer your excellency the assurances of my distinguished consideration.
S. LERDO DE TEJADA.

His Excellency BARON BEUST,
Chancellor of the Empire and Minister of the Imperial House of Austria, in Vienna.

Mr. Seward to Mr. Plumb.

No. 20.]

DEPARTMENT OF STATE,
Washington, November 19, 1867.

SIR: Your despatch of the 19th of October, No. 20, has been received. You have done very well in reviewing the question in regard to the protection to be extended by the United States to foreigners belonging to nations unrepresented in Mexico, and I thank you especially for giving me a copy of Mr. Lerdo de Tejada's communication to Mr. Otterbourg, of the 7th of September, on that subject; and also for the recent correspondence between yourself and Mr. Lerdo de Tejada on that subject, which accompanies the despatch now acknowledged.

You labor, however, under a misapprehension. A copy of Mr. Lerdo de Tejada's note to Mr. Otterbourg, of the 7th of September, was duly forwarded by the late minister to this department. Its receipt was acknowledged in my instruction No. 17, addressed to you on the 25th of October, which instruction, it is presumed, was received by you after the date of your despatch No. 20. Due notice was taken by me, in my said instruction, of the views and wishes of the Mexican government concerning the manner in which the good offices of the United States should be extended to the subjects of France and Belgium, and you were directed to exert those good offices in such manner, whether public and official or private and unofficial, as should be most acceptable to the government of the republic. To guard against all misapprehension, a copy of that instruction was communicated by this department to the governments of France and Belgium for their information. I am not aware that there remains any occasion for misapprehension concerning the matter.

Adhering to the course prescribed in that instruction, you will be able to bring to the notice of the government of Mexico any grave complaint made to you without transcending the proprieties of unofficial and confidential communications. It is manifest to the government that all the European states, now unrepresented in Mexico, must come very quickly to such recognition of the republic as its dignity and interest require, and as is desired most earnestly by the United States. The interposition of good offices, in the mean time, which they ask from the United States, is to be exercised in such a manner as will facilitate instead of hindering that important object. At the same time nothing is further from our desire than in any way to cause embarrassment to the government of Mexico, nor are any apprehensions entertained by me that any misunderstanding will arise between us and the Mexican government from such unofficial good offices.

You will please make the contents of this despatch known to Mr. Lerdo de Tejada.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Seward to Mr. Plumb.

No. 23.]

DEPARTMENT OF STATE,

Washington, November 20, 1867.

SIR: Your despatch of the 31st of October, No. 27, which is accompanied by a copy of your correspondence with Mr. Farine, has been received. In view of the delicacy with which the good offices of this government in behalf of foreigners in Mexico must be employed, I think it proper that you should make known to Mr. Farine that your communications with him must be conducted unofficially and informally, and that such information as it may be desirable to give concerning your proceedings in behalf of French subjects for the information of the French government will be communicated directly to this department. The French government will be informed of the instruction here given you.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Plumb to Mr. Seward.

No. 35.]

LEGATION OF THE UNITED STATES,

City of Mexico, November 20, 1867.

SIR: I have the honor to transmit herewith a copy of the instructions given by the treasury department of Mexico to the collector at Guaymas, with reference to the permission conceded by this government in Mr. Lerdo de Tejada's note of the 26th ultimo, for the introduction at the port of Guaymas and the conveyance in transit by land of United States army supplies destined for Arizona.

A copy of the note of Mr. Lerdo de Tejada, enclosing to me said instructions, is also annexed hereto.

I am, sir, very respectfully, your obedient servant,

E. L. PLUMB.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Señor Lerdo de Tejada to Mr. Plumb.

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS,
Mexico, November 19, 1867.

SIR: I have the honor to send you a copy of the instructions given by the department of finance to the collector of the customs at the port of Guaymas about the permission referred to by me in my note of 26th October last, for the introduction through the port of Guaymas and carrying in transit by land provisions and effects which the government of the United States may destine for their armies in Arizona.

I avail of the occasion to repeat to you, sir, the assurances of my distinguished consideration.
S. LERDO DE TEJADA.

MR. EDWARD LEE PLUMB,
Chargé d'Affaires of the U. S. of America in Mexico.

[Translation.]

The citizen President of the republic, in the exercise of the full powers with which he has been invested, has pleased to accede to the application of the government of the United States of America, presented by its chargé d'affaires at this capital, that he would permit the free transit of provisions and effects of the said government which may be imported through the port of Guaymas, destined for the army of the United States in Arizona.

For the better comprehension of the antecedent concession, I send you a copy of the official note, which for such purpose was addressed through the department of foreign relations to the chargé d'affaires of the United States of America at this capital; and in order to avoid abuses which might be committed by persons strangers to that government, you will have to take the following precautions:

1. On arrival of the effects at the port, they will be deposited in the public warehouses belonging to the districts.
2. When on the way to their destination the packages shall be sealed, and the route being fixed upon, you may give the correspondent permit.
3. That the route indicated may be followed out, the officers on the transit will care that the proper documents are filed, and the last, that on the frontier, will issue the correspondent return.
4. The provisions or effects to which this order relates shall come covered by a document issued by the collector of the customs at that port in the United States from which they come, expressing that they belong to the government of the United States, and the object for which they are sent.

This requisite will be exacted from the 1st of April of next year, and if before that date there shall reach this port some vessels with effects in transit to Arizona, upon affidavit sworn to, and with the precautions mentioned in the third preliminary, transit to the final destination may be permitted, making return thereof to this department.

5. After the 1st of April of next year, effects which may arrive without the requisite spoken of in the fourth proviso, shall be kept in deposit in the public warehouse until report is made to the supreme government, that it may decide what is proper to be done.

All which I communicate to you according to superior orders for your information and more exact compliance.

Independence and liberty!

MEXICO, *October 30, 1867.*

(In consequence of sickness of the citizen minister,)

JUAN TORRES.

The COLLECTOR OF THE CUSTOMS (maritime) at *Guaymas.*

Mr. Seward to Mr. Plumb.

[Extract.]

No. 24.]

DEPARTMENT OF STATE,
Washington, November 23, 1867.

SIR: Your despatches Nos. 17 and 18, of October 17th and 18th, respectively, have been received.

* * * * *

Upon a review of the whole matter, your refusal to place your indorsement upon the paper presented to you by A. G. Farine, of the chancellerie of the French legation, meets the approbation of this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Seward to Mr. Plumb.

No. 25.]

DEPARTMENT OF STATE,

Washington, November 26, 1867.

SIR: A copy of a letter of the 13th instant, addressed to this department by E. J. More, from Allentown, Pennsylvania, is herewith transmitted. It requests interposition in behalf of Captain Krauseneck, who is represented to have faithfully served in the Union army during the late civil war, and at its conclusion to have repaired to Mexico, where, having entered into the service of Maximilian, he was taken prisoner at Queretaro, and is now imprisoned at Guanajuato.

You are authorized informally to exert your good offices for the relief of Captain Krauseneck.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. More to Mr. Seward.

ALLENTOWN, PA., *November 13, 1867.*

SIR: Captain Henry Krauseneck, who served as an officer in the Union army during the entire rebellion, and who after the war (being a bred soldier) entered the military service of Maximilian, was captured at Queretaro, and is now confined a prisoner in Castillo de Grenadites, at Guanajuato, Mexico.

Captain Krauseneck's name appears on the list of prisoners in the hands of the Mexicans, but is erroneously written Kravellette.

I have been requested by the friends of Captain Krauseneck to ask your good offices in his behalf, in the hope that his release and return to this his adopted country may be effected. Being entirely unacquainted with proceeding in such cases, I would most respectfully ask such information and suggestions as may be available, in case your department could not act upon this letter.

Very respectfully, your most obedient servant,

E. J. MORE.

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

Mr. Seward to Mr. Plumb.

No. 26.]

DEPARTMENT OF STATE,

Washington, November 27, 1867.

SIR: Your despatch of November 7th, No. 29, together with a copy of your correspondence with Mr. Lerdo de Tejada concerning the late political prisoners in Mexico, has been received.

Your proceedings seem to have been discreet, and they are approved. You will not fail to express to Mr. Lerdo de Tejada the favorable sentiments which the

liberality of the Mexican government in those cases has produced on the part of the President of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Seward to Mr. Plumb.

No. 27.]

DEPARTMENT OF STATE,

Washington, December 2, 1867.

SIR: Your despatch No. 28, of the 4th ultimo, has been received. The information contained therein is very interesting. The accompanying general orders commuting the sentences heretofore pronounced against those who had taken part in favor of the so-called imperial regime, furnishes gratifying proof of the progress made in pacification.

I have to acknowledge also the receipt of your Nos. 29, 30 and 31, of 7th and 8th of November last.

Baron Gerolt has been made acquainted with your successful application in favor of the liberation of Prince Salm Salm. Copies of your No. 30, and its accompanying documents in relation to Mr. Eloin, have been communicated to Mr. Sanford, our minister at Brussels. Your action in this case receives the approval of this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

Mr. Seward to Mr. Plumb.

No. 29.]

DEPARTMENT OF STATE,

Washington, December 2, 1867.

SIR: I have to acknowledge the receipt of your despatches, Nos. 33 and 34, of the 9th of November, with their respective enclosures, in relation to the delivery of the remains of the deceased Prince Maximilian for conveyance to Austria; and to inform you that a copy of your No. 34, and of the correspondence which accompanies it, has been transmitted to Mr. Hay, chargé d'affaires of the United States at Vienna, with an instruction to communicate the same to the Austrian government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

EDWARD L. PLUMB, Esq., &c., &c., &c.

CORRESPONDENCE WITH THE MEXICAN LEGATION.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,

Washington, December 8, 1866.

MR. SECRETARY: I have the honor to remit to you a copy of No. 36 of the official paper of the constitutional government of the Mexican republic, of the

3d November last, in which are published some documents which bear relation to the conduct which Don Jesus Gonzalez Ortega has observed abroad, and which I think will be read with interest by the government of the United States.

I avail of this occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

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

[Enclosure No. 1.—Translated from the official paper of the constitutional government of the Mexican republic, of November 3, 1866, No. 36.]

We publish in the official portion what relates to a permission which General Ortega pretended to give for the coming of Mexican money abroad. Putting aside the pretension of this gentleman to be President of Mexico, and the attempt to exercise acts of authority within the territory of a foreign country, the idea of permitting the money of a nation to be coined abroad is such a thing as needs not be analyzed; at once one perceives the degradation of consenting to the coinage abroad of the type of a national sovereignty, as well as the incalculable responsibility and innumerable abuses to which this might give place. Mr. Ortega said in his manifesto that although it belonged to him to exercise the presidency of the republic, he did not desire to come to exercise it, in order not to introduce discord among the defenders of the nation; the very style of the manifesto gave the lie to the sincerity of these expressions, and, as was to be supposed, he has taken upon himself promptly to go on giving them the lie by actions.

He has not come to the republic, seeing that all repelled him; but he pretends to the exercise of authority in foreign countries, and there conspires to procure others to support him. Already various evidences of this have been published, and now we place in continuation copy of an intercepted letter of his, which he was sending to General Negrete, according to the direction given therein.

We leave to the readers to pass upon the measures by which Mr. Ortega seeks to gain some partisans, by appealing to suppositions which are belied the next day, as that the government of the United States, for instance, had recognized him. Nothing need now astonish one as to those who resolve to employ such measures.

Mr. McKee to Señor Iglesias.

[Enclosure No. 2.]

NEW YORK, August 28, 1866.

ESTEEMED SIR: Enclosed herein I forward to your excellency a copy of the agreement into which I have entered with General J. G. Ortega for the establishment of a mint in San Francisco. As I have neither the wish nor the expectation that said Señor Ortega may succeed in setting up his authority and cabinet within the Mexican republic, as he contemplates doing, and as I desire to obtain this right of coining Mexican money in San Francisco, I hope that your excellency, as well as President Juarez, will deem it of great advantage to grant me this privilege on the conditions expressed in the copy which I forward herewith. All the papers, as well as the \$60,000 referred to therein, are to pass through the hands of Minister Romero. * * * Señor Ortega goes to Matamoras to-morrow or the day after, and Señor Ochoa will be accredited to Washington as soon as Señor Ortega shall have set up his government at Matamoras.

We are quite elated here, because the latest news leaves no room for doubt as to Maximilian's departure and the ultimate triumph of the liberal cause.

WILLIAM H. MCKEE.

Señor DON J. M. IGLESIAS,
Minister of the Treasury, &c., Chihuahua.

Señor Ortega to General Huerta.

[Enclosure No. 3.]

NEW YORK, July 24, 1866.

In the exercise of ample power for such purposes, I have given permission to Dr. William H. McKee to coin in the city of San Francisco, California, United States, money having the

form, value and legality of the Mexican currency, on the conditions which you will settle in accordance with the instructions which I have given you. I reserve to myself the ratification of the contract. For this purpose I hereby commission and authorize you to act in the premises, and this note shall serve as your credentials therefor.

Independence and constitution!

JESUS G. ORTEGA,

Constitutional President of the Mexican Republic.

Citizens General EPITACIO HUERTA, *Governor of Michoacan,*
and FERNANDO MARIA ORTEGA, *Governor of Puebla.*

[Enclosure No. 4.]

The conditions agreed upon are as follows :

ARTICLE 1. The Mexican government concedes to Señor McKee the privilege of coining Mexican money in the city of San Francisco, California, United States.

ART. 2. The money so coined shall have the same form, value, and legality as that which is now current in Mexico, and Señor McKee, or the company he represents, shall be held responsible therefor.

ART. 3. The government shall appoint an employé, to be paid out of the public treasury ; he shall represent said government in said mint.

ART. 4. The present grant is for the term of thirty years from date : and no other similar one shall be made for a mint in any place within the United States.

ART. 5. Señor McKee shall pay \$60,000 in consideration of this privilege, as soon as the Mexican minister, appointed by said President, shall be recognized at Washington.

ART. 6. There shall be two copies of this agreement made out, and signed by both parties, one for each.

E. HUERTA.

F. M. ORTEGA.

W. H. MCKEE.

NEW YORK, July 24, 1866.

I approve and ratify the foregoing contract, in the name of the republic of Mexico, as constitutional President of that nation.

JESUS G. ORTEGA.

NEW YORK, July 24, 1866.

[Enclosure No. 5.]

MINISTRY OF THE TREASURY AND PUBLIC CREDIT,
Chihuahua, October 29, 1866.

Enclosed in your communication of August 28 last, which I received long after due, were copies of the documents relating to a contract into which General J. G. Ortega went through the forms of making with you for the establishment of a mint in San Francisco, California.

General Gonzalez Ortega, who calls himself the constitutional President of the Mexican republic, and who pretends to govern said republic from abroad, exercises therein no public authority of any kind whatsoever, nor has he the right to exercise any. Hence the acts by which he aims at exercising the authority of legitimate governor of Mexico are null and void.

As to the request which you make that the citizen President of the republic, Benito Juarez, will grant the privilege for the establishment of a mint in San Francisco, in California, on the same conditions as those contained in the contract which General Gonzalez Ortega pretends to have made with you, it is impossible to accede to such a request. The coinage of money being one of the attributes of the national sovereignty, it should not take place outside of the national territory over which such sovereignty is exercised. No motive nor any condition can justify such a concession.

Independence, liberty, and reform!

IGLESIAS.

Dr. WM. H. MCKEE.

[Enclosure No. 6.]

NEW YORK, June 25, 1866.

DEAR FRIEND: I venture to address you this letter ; but I do so on account of the urgency of the affair, and because I am aware of your patriotism.

The United States government has refused to recognize Don Benito Juarez, on account of

his lack of any legitimate title or constitutional power to negotiate with said government a loan of \$50,000,000, and in consequence of this it has recognized me as the constitutional President. I believe that before ten days the loan of \$50,000,000 will be all settled.

It is important that you send word immediately to Garcia de la Cadena, to Auza, and to Sanchez Roman, urging that they issue proclamations recognizing the constitutional government of Mexico, and setting forth that such has always been the sentiment of the State of Zacatecas, whose guide is always the law, and whose standard is the constitution, and stating that this proclamation is made at the present time in order to solemnly record that sentiment of the people of Zacatecas, and to aid the national cause. Have them to publish the proclamation, so that not only the attention of the public but that of the press may be attracted thereto. I wish that the State of Zacatecas may occupy a worthy rank in the salvation of our law, our independence, and the forms of republican government. I desire that the State of Aguas Calientes should figure in the same position.

Tell Garcia de la Cadena that Ferniza acted with shrewdness and prudence, and did not deliver the letters to those for whom they were intended, but he retains them still in his possession; so Señor Cadena is not in the least compromised. Ferniza will set out in a few days, and will cross the deserts on the frontier. He will bear with him instructions for the arrangement of some way to forward arms and means on a scale corresponding to an affair of so great magnitude as the present. Send word also to Aureliano, and give him a copy of this note.

In a few days I will set out for Mexico. I will cross the frontier; and, should not any obstacle be put in my way by the United States, I mean to cross with a lot of American volunteers. Still, I do not think that any difficulty will arise, judging from the letters which I receive.

The personal interests of Don Benito Juarez have prevented Mexico from realizing her salvation. She could have secured it had he not broken the order established by law. The blood that has been uselessly spilt these last few months is exclusively upon him; for the efforts made by the Mexican people have proved feeble and sterile through the fault of said Don Benito Juarez.

We should learn from a foreign nation how to respect law. Tell all our friends, in my name, that before six or eight months we shall have finished our work.

Your friend,

J. G. ORTEGA.

General DON MIGUEL NEGRETE.

SEPTEMBER 10, 1866.

True copy:

DR. ARROYO.

R. GARCIA HERNANDEZ, *Secretary*.

[Enclosure No. 7.—From the New York Tribune, November 21, 1866.]

To the Editor of the New York Tribune:

SIR: If Ortega has done nothing on United States soil which may be properly construed into conspiracy against a neighboring power with which we hold friendly relations, and has been guilty of no other act violating the neutrality laws, then I concur with you in the opinion that our government has no right to interfere by arresting him. His conduct, after crossing the Rio Grande, is the affair of Mexico; and it does not alter the law of the case that the Mexican people, with a unanimity far greater even than that which was shown in our own recent elections, have already decided against him and for Juarez.

But I do not agree in the view you seem inclined to take of that decision. I think the Mexicans decided rightfully as well as unanimously. It would be superfluous to debate this here, in the United States, were it not that an opinion favorable to Ortega's claims, if given in a paper so influential as the Tribune, must place serious embarrassments in the way of the Mexican liberals. This, I know well, is a result furthest possible from your intentions.

But thus it acts. For four years past the French invaders have had possession of the Mexican seaports, and have seized and appropriated all the revenue from imports. But nearly four-fifths of the public revenues of the Mexican government is derived from the tariff. Add to this that the people, harassed and pillaged, have had little means left, however well disposed, to contribute support to the constitutional government. That government, thus nearly beggared, had nothing left but the resort to which all civilized nations have at times been forced—a public loan. She needs imperatively arms, munitions, and military appointments; but she has nothing with which to pay for these except her bonds, duly authorized by Juarez and certified by his accredited minister. Though her entire public debt does not exceed \$100,000,000, yet, because of her uncertain fortunes, her credit is low, and she has to dispose of these bonds at 60 cents to the dollar in payment of the supplies she needs. You make it very difficult for her to do even this; you strengthen the hands of

speculators who seek to impose upon her still harder conditions, for you supply to them arguments going to depreciate the credit of the Juarez government. It is bad enough for an exhausted nation to have to receive 60 and pay some day 100 in return, with seven per cent. interest on the 100 till paid. You aggravate the hardship when you intimate that perhaps Juarez has no rightful claim to the position he holds.

If he *had*, in point of fact, no such claim, good and well; let the truth be told, no matter whom it injures. But is that so?

The technical period when Juarez's term expired was the 1st of December last. Seven months later Ortega put forth his claim in a pamphlet, in Englu, published here: an appeal, in fact, against his own nation to ours. This pamphlet had an appendix of twenty-six pages, entitled "Letters in ratification of his position." It discloses the fact that, after seven months' delay, Ortega could muster but nine indorsers, every one Mexican refugees—four living in Texas, five in New York. There were two ex-governors of States, two ex-brigadier generals, one ex-postmaster general, one ex-colonel—all disaffected officials like Ortega himself, and, like him, all absent from their native country in her hour of danger and suffering. Three more, an ex-editor and two unknown individuals, made up the list.

To this pamphlet the friends of Juarez issued a reply. Its appendix contains letters from every governor of a State in Mexico, then acting as such, to the number of twelve, besides despatches from the principal corps commanders then in the field, and communications from other public men. Every one of these sanctions Juarez's action, and approves, in unqualified terms, his continuance in office as legal and in accordance with the will of the people, so far as it was possible to ascertain that will.

The pamphlet further says: "Not a governor of a State, not a town or city under native rule, but has declared for the continuance in his present position of President Juarez. Nay more—not a Mexican citizen, resident in Mexico, has, in public harangue or in private communication, expressed disapprobation of the extension of Juarez's term of office."

The grounds upon which this acquiescence rests (aside from the love and trust borne by the nation for their long-trying leader, Benito Juarez) seem to be the following:

The Mexican constitution differs from ours in this, that no one but the man actually voted for as President is, under any circumstances, permanently to occupy the presidential chair. In temporary default of a President, (Art. 79,) the president of the supreme court of justice shall serve. If the default of President be absolute, (Art. 80,) a new election shall be forthwith held. If the election of President shall not have been published by the 1st of December, (Art. 82,) the president of the supreme court shall be President provisionally. The word in the original is *interamente*, strictly translated *temporarily*.

Taken alone and according to its letter, article 82 gives the presidency temporarily to Ortega as chief justice. But, taken in connection with the articles which precede it, and in view of the well-known intent of its framers, and yet more especially interpreted in the light of that policy which distinguishes the Mexican constitution from ours, namely, that he only shall permanently act as President who was elected to be President, not he who was elected as a temporary substitute, it would have been a direct violation of the spirit of the constitution had the substitute, in a crisis like the present, become the principal.

The default of the President, in his case, was absolute, not temporary; and, in such a case, there is but one constitutional remedy—a new election shall be held. That could not be because of the French invasion. The case provided for in article 82 is not one in which it was impossible to hold an election, but one in which an election, being possible, was not held or was not published. The intent was to guard against some intrigue of an unscrupulous incumbent, a contingency much more likely to happen under an unsettled government, like the Mexican, than among us. But no one doubts Juarez's great desire, had it been possible, to hold an election; and as little can we doubt that, in case of such an election, he would have been, by an overwhelming majority, the people's choice.

These are the arguments of Juarez's friends. Good or bad, they have been indorsed by the Mexicans themselves, the sole judges in this case. To go behind their decision is to do them an injury by increasing the difficulty of re-establishing among them constitutional rule.

Perhaps you doubt whether they are steady and patriotic enough to do this. I do not doubt it. I think we are too much inclined to undervalue other races than our own, and too little disposed to make allowance for the difficulties under which such races often labor. The Mexican race, when Cortez found them, mild and friendly, had made encouraging advances towards civilization. Since then they have been trodden under the heel of despotism. The French usurpation is but the last in a long series of outrages. For nearly three centuries they suffered under Spanish viceregal rule, intensified by religious bigotry, as odious a government as the world ever saw: and when relieved from that, they fell into the hands of an unscrupulous church, with vast temporal possessions—\$300,000,000 of real estate, including half the city of Mexico. The ecclesiastical revenues from this source amounted to \$25,000,000 annually, amply sufficient in that country to carry on war, and employed by the Mexican church throughout the last thirty years for that very purpose against the liberals who sought to throw off so grievous a burden. These last succeeded in that attempt only in 1859, under Juarez: all the church property beyond its legitimate means of support being then secularized—that is, disposed of for the public benefit.

The Mexicans had their slavery as well as we; only ours was secular, theirs ecclesiastical.

They, like us, have rid themselves of it, and are prepared, as we are, to enter untrammelled on a new career of progress. Let us bid them God-speed. Let us place no stumbling-block in their way; that is the least we can do for them.

That the Mexican republicans will ever recognize, or that we in any shape shall ever assume the \$300,000,000 of debt incurred by France and by Maximilian in an iniquitous attempt to subvert a republic and erect by force a monarchy on its ruins, is incredible. No Mexican congress will ever ask for such assumption, and no American congress will ever agree to it.

A FRIEND TO REPUBLICAN MEXICO.

NEW YORK, *November 17, 1866.*

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,

Washington, December 12, 1866.

MR. SECRETARY: Continuing the transmission which I have made to your department of the documents which have relation to the project of establishing colonies in Mexico of discontented citizens of the southern portion of the United States, engaged in sustaining the usurpation of the Austrian ex-archduke, Don Fernando Maximilian, I have now the honor to remit to you two letters, with their annexes, addressed by Richard L. Maury, called sub-commissioner of colonization in Mexico, and ex-colonel in the army of the Confederate States, to M. M. Pettis, of Montgomery, Alabama, and to O. G. O'Neal, of Columbus, Georgia, and dated the 5th and 10th of April of the current year.

I gladly avail of this occasion, Mr. Secretary, to renew to you the assurances of my most distinguished consideration.

M. ROMERO.

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

[Enclosure No. 1.]

OFFICE OF COLONIZATION, 13 SAN JUAN DE LETRAN,

Mexico, April 5, 1866.

SIR: Your letter of February 12 has just been received.

The agents of this office in the south have all been arrested, and required to give up their appointment; therefore, no transportation can be furnished you.

The government only offers lands to settlers. Many private individuals and companies, however, offer aid of every sort during the first few years. Mr. Forns you will find exceedingly kindly disposed towards those who come to his land. (See enclosed circular.)

You will do most wisely to bring a few negro laborers with you. They must be regularly apprenticed to you, for not less than five nor more than ten years; and the government will compel them to observe their indentures, if they should be disposed to run away before their time is out.

As a No. 1 surveyor, you would have very good chances for employment here. Still, a place could not be kept for you, because as the demand occurs it must be supplied at once. Still, places are every day opening up for those who are on the spot.

Respectfully,

RICHARD L. MAURY,

Sub-Commissioner, late Colonel C. S. Army.

M. M. PETTIS, *Montgomery, Alabama.*

[Enclosure No. 2.]

LATEST FROM MEXICO.

Arrival of Missourians.—Maximilian firmly seated.—Ex-Governor Allen publishing a paper in Mexico.—The emigrants and their colony.—Liberal grants of land.—The grandson of Turbide heir to the throne.—List of the exiles.

We had a call last night from Messrs. R. H. Thomas and J. M. Lane, of Missouri, who were members of the body-guard of Major General Sterling Price, late Confederate States army, and accompanied him to the city of Mexico. They determined, after so doing, to

return to their homes, and started September 18, going by stage to Paso del Macho, and thence by rail to Vera Cruz, arriving here yesterday on a sailing vessel.

These gentlemen report the country somewhat disturbed by guerillas, but very firmly in the possession of the emperor Maximilian, whom they regard as highly capable of making Mexico as prosperous as any other ruler can.

These gentlemen did us the favor to bring us the first number of the Mexican Times, dated September 16, which they were instructed by the distinguished editor and proprietor, Governor Henry W. Allen, to bring to us, and for which we thank both him and them. The agents for the Times in this city are Messrs. Nugent & Co.

Our visitors also inform us that the Americans who had emigrated to Mexico are about to settle at Cordova, about half way between the cities of Mexico and Vera Cruz, in a most delightful region, very rich and healthy, where tropical fruits grow wild, and where the best coffee they ever drank is produced. It has a sufficient market in the country, and is never carried out of it. Grants are made to families of 640 acres, and 320 to single men. Ex-Governor Allen, our informants tell us, went with General Price, General Magruder, Commodore Maury, and other American emigrants, to superintend the laying out of the lands for these colonists.

We find in the Times the important statement that on the day of its issue, the independence day of Mexico, their majesties were to adopt as their successor to the throne of the Mexican empire Augustin Iturbide, two years of age, grandson of the lamented emperor of that name, and the son of an American mother. Nothing could be better calculated to insure the emperor the love and confidence of the people of Mexico.

We append an extract from the prospectus of the Times, to show what is its object. From this we must doubt much that Governor Allen at present thinks of returning to this State. He says:

"The Times will advocate—

"1. Immigration and progress; giving full and accurate descriptions of the rich lands and their products, the valuable mines and minerals, and the various climates of Mexico.

"2. Railroads and manufactories, and internal improvements of every kind.

"3. Special attention will be given to arts and sciences, to polite literature, and to the general news of the day, foreign and domestic."

The following is a list which the Times gives of "emigrants of the United States of America and of strangers" visiting Mexico:

"Sterling Price, Missouri; J. B. Magruder, Virginia; Isham G. Harris, Tennessee; E. Clark, Texas; Truett Polk, Jo. O. Shelby, Missouri; H. W. Allen, H. Dennis, W. A. Broadwell, Louisiana; M. F. Maury, Virginia; J. Perkins, Louisiana; Heber Price, H. M. Duncan, J. P. Tucker, Missouri; W. P. Hardeman, H. P. Bee, M. W. Sims, Texas; George Young, R. J. Laurence, C. G. Jones, J. N. Edwards, Missouri; D. C. Cagle, Louisiana; W. Yowell, George Hall, F. M. Kephart, R. A. Collins, Y. H. Blackwell, J. Terry, J. Moreland, T. Boswell, W. J. McArthur, J. C. Wood, E. Wood, M. M. Langhorne, F. T. Mitchell and family, Missouri; Mr. Wood and wife, Missouri; D. W. Bouldin, Missouri; S. Hunkel, Missouri; J. Beard, Missouri; W. Skidmore, Missouri; H. Thomas, Missouri; C. M. Wilcox, Tennessee; R. Joseph, Missouri; T. Weston, Louisiana; H. B. Acton, Missouri; J. Donahoe, California; I. Reed, Virginia; T. J. Divine, Texas; J. Brown, North Carolina; Señor Conrow, Missouri; Señor O'Bannon, South Carolina; Señor Kimmel, Missouri; D. Leadbetter, Alabama; Señor Jones, Texas; Señor Thompson, H. T. Childs and family, Missouri; M. L. Kritser, Missouri; J. S. Kritser, Missouri; T. Whalen, California; J. M. Meador, T. Collins, W. Fell, B. F. Jones, J. B. Kirtley, J. B. Conner, G. M. Winship, J. Ward, Missouri; E. Lilly, N. T. Fincher, Texas; H. McNamee, California; R. J. Flynn, R. H. S. Thompson, Louisiana; Señor Bartlett, Mississippi; G. Mitchell, J. N. Lane, B. H. Lyon, Kentucky; J. J. Gaenslen, Virginia; T. C. Hindman, Arkansas; J. H. Brown and family, J. Brown, P. M. Brown, H. C. Cook, Texas; Richard Taylor, Kentucky; O. M. Watkins, Louisiana; T. C. Reynolds, Missouri; A. Ridley, California; E. Kirby Smith, Florida; J. N. Martin, J. G. Walker, Missouri; T. O. Moore, Louisiana; W. Preston, Señor Roberts, Texas; Alfred Mordecai, North Carolina."

Of the above, Judge Divine, of Texas, has returned to San Antonio, where he resided as Confederate States district judge during the war. Señor Roberts is, we presume, Judge Roberts, formerly of the State supreme court of Texas, and colonel late Confederate States army. W. Preston, of Kentucky, was United States minister to Spain, and a general in the late Confederate States army. J. G. Walker, of Missouri, captain in the United States mounted rifles, and major general Confederate States army, commanding district of Texas just before the surrender of the trans-Mississippi department, is now in England, we understand, and desirous of coming back. A. Ridley came from California with General Sidney Johnston; was a major of a Texas cavalry regiment; was captured in the attack on Donaldsonville by Tom Greene's men, in 1863, and was kept a prisoner on Johnson's island, returning to Texas just before its surrender. T. C. Reynolds was the confederate governor of Missouri. O. M. Watkins, of Louisiana, was formerly of Alabama, and served with Magruder in a Louisiana regiment on the peninsula, and then on his staff in Texas. General T. C. Hindman was understood, several months before Lee's surrender—on his arrival at Shreveport from Georgia, after Hood's defeat—to have given up the confederate cause as

hopeless. He went from San Antonio to Shreveport, and thence to Monterey. J. J. Gaenslen was a surgeon in the old army, and also in the confederate service, with Magruder, and then with Slaughter, on the Rio Grande. D. Leadbetter was an officer of the old army, we believe, and a general in the Confederate States service. He was under Kirby Smith, in Texas, but a short time before the latter's surrender. Señor O'Bannon, of South Carolina, was well known and very popular in the old army. He served gallantly with the Palmetto regiment in the Mexican war, and was given a position as an officer in the regular infantry at the close of the war. He was Bragg's chief quartermaster in his Kentucky campaign, and, as Kirby Smith's chief quartermaster, was noted for his energy and integrity. He once kicked a man down stairs in his office, at Shreveport, who offered him a big bribe. We heard an old friend of his say the other day that O'Bannon went to Mexico as poor as a church mouse. C. M. Wilcox was in the old army, and a well known general in Lee's army. Sterling Price, Maury, Perkins, of Louisiana, Magruder, I. G. Harris, Edward Clark, of Texas, Shelby, of Missouri, Moore and Allen, of Louisiana, are too well known to need any showing of who they are. Generals W. P. Hardeman and Ham. Bee are old Texas names—the former one of the few left of the real Texas rangers of the days of Jack Hays and Gillespie.

We hope yet to see all these gentlemen returning to their former homes and country. Those who stood so well the brunt of battle and revolution for what they deemed a right principle, owe it to their native land to labor as persistently in restoring peace and prosperity to it after the struggle is over. Could they follow a nobler example than Lee and Johnston?

[Enclosure No. 3.]

OFFICE OF COLONIZATION, MEXICO, *February 7, 1866.*

MY DEAR SIR: I have received your letter inquiring, like many others, about Mexico, with the view of making it their home.

You know its geographical features and the fame of its mineral wealth. Its soil is of unsurpassed fertility, and its climate, after you begin to ascend the table-land, is as delicious and healthful as the heart of man can desire.

The emperor is ruling wisely and mildly. Their majesties are beloved by the imperialists and respected by all. They move as freely among the people as the President of the United States ever did in days of yore.

The empire is continually gaining ground. Enterprise is abroad; many works of internal improvement are already under way and about to be commenced. Capital is leaving its hiding-places, and the columns of the newspaper press are daily, and for months have been, filled with the names of liberals who, looking upon the empire as a success, and their cause as a failure, have laid down their arms and are giving in their adhesion.

Property and life are daily becoming more secure. As an illustration, the doors of the house in which I live are without locks, nor do I ever take care even to shut any of them before I go to bed. True, there is a porter below, but the building is an old convent, inhabited and frequented by hundreds of people, who are not barred from each other by any fastenings.

The impressions abroad about Mexico are very erroneous. With regard to the inquiries in behalf of our friends who desire to come to this lovely land, I have to say, they can find desirable locations in any climate they please, and suitable for the cultivation of any staple they prefer, or the raising of any kind of stock.

As to the most profitable branch of agricultural industry, that varies with the locality, the variation depending as well upon the convenience and circumstances of the market as upon geographical conditions. Owing to the want of roads, navigable rivers, and canals, internal transportation is tedious and expensive, and exportation difficult. Hence, in one part of the empire the spectacle has not been unfrequently presented of breadstuffs at famine prices, while in a neighboring department they were wanting for the want of consumers.

The most desirable location, therefore, for emigrants who are "well to do," (and this is the class that must lead the way,) are on what may be called the intertropical belt of Mexico, within which Cordova and Jalapa are situated. This is a sort of steppe or slope, which rises from the low lands of the coast to the various climates which are to be found in all intertropical latitudes between the heights of from 2,000 to 4,000 feet above the sea. Within this range the climates are those of perpetual summer; they are healthy and delightful.

These steppes encircle the empire on the east, south, and west. They overlook the valley of the Coatzacoalcas and the Gulf of Mexico on one side, and the Pacific ocean on the other, and abound in garden spots as beautiful as Eden itself, and as sinful too. Cordova and Jalapa are such places; they are in sight of the sea. The farmer there, and at many other places, may reap from the same field two or three crops annually, with an increase of three or four hundred fold upon the seed sown.

In the course of the present year a railway is to be completed from each of these points to Vera Cruz, which will bring them fairly within the domains of foreign commerce.

Corn, cotton, coffee, sugar, and tobacco all do well here, but, as a rule, I consider coffee,

cotton, and tobacco the most profitable staples of cultivation, because they can best bear transportation and stand competition in foreign markets.

Formerly, and before the country began to be tossed and vexed by revolution, lands in the neighborhood of these two cities were valued at from \$75 to \$100 per acre.

Many of these splendid haciendas—some of them large enough to accommodate with elegant farms ten times fifty families—were broken up during the revolutions, and their owners compelled to seek safety elsewhere.

They have fallen into ruin and decay through absenteeism; and now that order is restored, the empire gaining ground, and the internal improvements encouraged by the wise policy of the emperor, these lands are coming into demand again. But present owners find themselves too poor to repair and bring them under cultivation again. They are for sale, and may be bought at from \$2 to \$3 per acre.

These abandoned haciendas (and they are to be found in all parts of the empire) are the places for your thrifty American farmers to establish themselves. Let them, therefore, send out their head men to select a place for the whole settlement, to be followed immediately by their young men, to sow and plant, and build and repair, and make ready for the old men, the women, and the children, and others to follow by the time the crops are ready.

They will find it, at first, best to establish themselves in villages, as well for mutual convenience as for protection against the bands of lawless marauders who are ever ready to pounce upon the solitary farmer. Immigrants should bring with them such mechanics as are required to satisfy their own wants and necessities. Tell those who come to count upon all the assistance, every facility, and the best information that it is in my power to afford or within the province of this office to give.

In the northern departments the vine flourishes well, and the wine is excellent. On the slopes next the sea cochineal and indigo are cultivated, drugs and gums and spices collected. The most profitable stock raising are mules, horses, and goats. There is room for much improvement in the breed of horses, cattle, and sheep.

The immigrant is allowed free exercise of religious worship. It is guaranteed to him both by an ordinance of the empire and a dispensation of the Pope. He is also entitled, on entering the country, to a free duty permit for all of his cattle and effects, and exemption from all taxation for one year, and from military conscription for five years. He is allowed to bring in his arms also, and, with his neighbors, to form a sedentary militia for mutual defence against robbers, who are daily becoming less bold. But he may not bring in anything for sale, exchange, or barter, without the payment of full duties.

In the rural districts the Indians generally are honest; indeed, in some parts of the country, theft among them is unknown. They are a gentle and docile race. Simple in their habits, they are superstitious, entering zealously into all the festivities and ceremonies of the church. They seem not to care to earn more than a dollar or two a week, and when they have done this, whether by two or three days of labor, they generally stop work and frolic till their money is gone, when they are ready to earn, by labor in the field, the next instalment. The Sabbath is not much observed by them or the Mexicans generally, except as a day of parade and pleasure. As a rule, the wages of farm hands are paid weekly in cash, and at the rate generally of from 25 to 50 cents a day, the laborer finding himself.

Silver is the principal circulating medium. There are also gold and copper coins, but no bank notes.

The implements of husbandry are generally rude, and agriculture by no means in a high state of improvement. Nevertheless, the Indians and the mixed classes, of whom there are about 7,000,000, are skilful laborers in their way. Their mode of husbandry is, in the way of contrast, so much the better for the display by the European or American farmer of his exquisite skill, and of the virtues of his improved implements, which last he can bring in duty free.

It is not advisable at present for immigrants without money to come to Mexico, unless they come under the auspices of some friend who can assist them, or under the care of some one of the various companies for establishing colonies that have been recently incorporated. Some of these propose to bring the immigrants into the country; to furnish them with land; to establish them on their farms; to subsist them for a while; and to receive a certain portion of their crops for the loans advanced for these various services. Many who have some means, and desire to come in companies to Mexico and establish themselves on some of these fine but abandoned haciendas, wish to know where these haciendas are, and their price.

Answer. In almost every part, and at any price, from a few cents to a few dollars the acre. Of course the prices named to me, though moderate, are the asking prices.

It is best for every such company of immigrants to send some of their number ahead to select a place, and bargain for it themselves. Bryant, from Arkansas, has established a colony in Chihuahua; Mitchell, of Missouri, another on the Rio Verde, in the department of San Luis Potosi; Terry, of Texas, another in Jalisco. They rent at first, with the privilege of purchase in the mean time at a stated price.

Then there is the fine colony of Carlotta, near Cordova, where the lands were abandoned. There was a number of haciendas in that neighborhood that were indebted for more than they were worth to the church, and which, by the Juarez government, were confiscated. These have been ex-appropriated by the emperor and applied to colonization.

These lands are sold to immigrants at \$1 per acre in five equal annual instalments. Generals Price and Shelby, of Missouri, Governor Harris, of Tennessee, Judge Perkins, of Louisiana, the Rev. Mr. Holeman, of Missouri, and a number of others, have already established themselves there.

They are all highly pleased with their prospects. By the time the railway hence to Vera Cruz is completed, and their last instalment falls due, they will have improved their farms, when the most staid among them expect that their lands will be worth \$10, \$20, and even \$50 per acre. A gentleman from Louisiana has been there for seven or eight years. He established a coffee plantation of 80 acres, which is now in good bearing, and the crop from which, last year, was valued at \$16,000.

The Cordova coffee sells in New York market as Java, and the tobacco equals that of Cuba, while the sugar has 14 per cent. more of saccharine matter than that of Cuba.

It will cost at the rate of some \$5 or \$6 per acre to clear, enclose, and bring these lands under cultivation. Hence it will be much cheaper for those who have a little money to buy haciendas with ground already cleared, fences made, and houses, or at least walls of houses, already erected. All the lands of this colony are already, or soon will be, taken up. Each married man there is allowed 640 acres, but it is now generally admitted that one-fourth of that quantity will probably be quite as much as one family will be able to cultivate. It is fertile and wonderfully productive. But to emigrants with a little capital the speedy filling up of this colony should not be disheartening, under the idea that there are no more good lands and choice spots. There are better lands than these, both about Cordova and Jalapa, which present owners, not being able to work, are ready to sell on favorable terms.

Agents have been established at various convenient points to assist immigrants on their arrival in the country, by giving them information and furnishing them with the necessary certificates and passports to enable them to pass the custom-houses, to enjoy all the rights, privileges, and exemptions of the emperor's decree.

It has not been, as yet, practicable to establish agencies on the Rio Grande, but as soon as it may be done one will be stationed at Presidio del Norte.

At present the following agencies have been established, viz: Y. P. Oropesa, at Vera Cruz; J. Perkins, formerly of Louisiana, at Cordova; J. T. Lux, formerly of New Mexico, at Monterey; Alonzo Ridley, formerly of California, at Mazatlan; captain of the port of Tampico, at Tampico; captain of the port of S. Blas, at S. Blas; captain of the port of Matamoras, at Matamoras; D. Ramon de la Vega, president de Mejoras de Colima, at Manzanilla.

I am about to embark for England, expecting to return to this beautiful land accompanied by my family. The office is left in charge of the sub-commissioner, R. L. Maury, who, during my absence, will attend to the business of the office. He is earnest in the cause, and has now in hand a guide-book for immigrants, which will soon be ready for the press.

The rainy season commences in June and ends in October. Immigrants should not come by sea during that time.

There are many inquiries made also as to religious liberty in Mexico. Perfect freedom of worship is guaranteed by the organic law of the empire and sanctioned by the Pope.

I have just returned from the palace, where I had a long and interesting interview with the emperor. I read him your questions; we discussed them *seriatim*; and he gave his answers to them one by one. I repeat your questions and give his answers:

"1. Will Protestant clergymen be tolerated, and permitted to enjoy their religious opinions and worship in these colonies without molestation?"

Yes, and encouraged.

"2. Can a support be provided for such clergymen?"

Yes, as soon as I get my finances in a better condition.

"3. Will they be sustained in the establishment of Protestant schools and colleges?"

Yes.

"4. Would a Protestant bishop be allowed among them?"

Certainly.

"5. Will the government do anything towards the support of the schools and colleges?"

Yes.

"6. Could endowments of land, or otherwise, now be made for their support?"

Yes, by lands and voluntary contributions now, and money from the government afterwards.

"7. Would it be possible, for the present, to engraft on the University of Mexico a department in which the studies, lectures, and instructions in general, should be in the English language?"

The question suggests a capital idea; converse further with — upon that point. I desire to see communities of different religious persuasions established in this country, and to give encouragement to all, for they act and react upon each other with wholesome effect.

I have quoted as nearly as, after the interval of an hour, I can remember the words used by this remarkable, clear-headed, and business-like sovereign.

There is a clergyman, Rev. Mr. Holeman, in the colony of Carlotta, near Cordova. He is the only preacher, except the Rev. Mr. Mitchell, (Methodist,) of the Rio Verde colony, that I have as yet heard of among the settlers.

In the city of Mexico there is a large number of English and American residents who are

anxious to engage the services of an Episcopal clergyman who can minister unto them in their mother tongue. They meet at the houses of one another on Sundays, when the services of the church and a sermon are read. I have attended service in a sort of upper loft, or retired room, such as we may imagine the early Christians met together in, and in which the congregation were all Mexicans. There were not more than a dozen or two, but enough, apparently, to represent all classes of society.

The services were performed in Spanish, with the prayer-book in that language. The sermon was a very good one. It was also preached in Spanish, by a Mexican, who had been a priest of the Roman Catholic church. Other Protestant denominations also have their meetings in the same quiet way, and Protestant Bibles are freely sold. So you observe, my dear sir, even here in Mexico a field and a harvest, much room for and a great lack of laborers.

Come to us!

We have accounts now of some 600 or 800 immigrants with their families, who are on their way thence, and who are preparing to come hither.

I had an offer this morning of lands for colonization on the north bank of the Panuco river. They commence about 30 miles west of Tampico and extend up to the table land. This tract includes several hundred square leagues. It is in what is known here as the Huasteca country, decidedly one of the finest regions of the whole empire. The owner, a Mexican, is most anxious for our people to establish themselves upon these lands, and has requested me to tell him how to get them there. "Give them alternate sections, with a pre-emption right to the rest at \$2 per acre." "I will do it," said he, "and give the lands for roads and villages besides." He has now gone to reduce his offer to writing.

The river is navigable, but the country there has been for years, and until recently, in a disorderly and unsafe state.

A few months ago, however, the people there gave in their adhesion to the empire, and everything now is as orderly and as quiet as could be desired.

A party of surveyors went out yesterday from the land office to survey a fine body of public lands in Mitlatoyuca, one of the sub-districts of that region.

We hear of immigrants who are coming from the South to the number of several hundred families. They should aim to arrive in this country by the first of May, if possible. They will then have an opportunity, unless they come by land, to shelter themselves by the time the rains commence.

Yours, very truly,

M. F. MAURY,
Imperial Commissioner.

HO FOR MEXICO!—NOTICE TO IMMIGRANTS.

THE FORNS COLONY.

MEXICO, *February 9, 1866.*

The imperial commissioner of colonization is hereby authorized to dispose of 25 square leagues of land (108,459 acres) of my hacienda of Limon, situated on Panuco river, in the department of Tamaulipas, giving gratis every alternate section—640 acres—to a man with family; 320 to an unmarried man—with pre-emption right in each case to as much more at \$2 per acre.

I will give also gratis enough land for a town, as well as for a road 16 yards wide traversing the entire colony from north to south.

J. O. FORNS.

FEBRUARY 10, 1866.

The offer of Mr. Forns is most princely; the land is situated in the Huasteca country, on the mountain borders of the Tierra Caliente. It is said to be healthy, and is admirably adapted to the cultivation of coffee, cotton, sugar, rice, tobacco, and the whole list of inter-tropical fruits and productions; it is also a good stock country, with an abundance of timber. The Panuco river is navigable up to it, and boats are running on that stream. Provisions are plenty, but labor is said to be not very abundant, the usual price being 37½ cents a day and found.

Those who come from any of the Gulf ports should take shipping direct to Tampico, taking care not to come later than the first or middle of May, on account of the rainy season, which commences in June. Immigrants are advised to send out their pioneers first, to make ready for their families to follow.

The best time for planting the first corn crop is in June, after the rains have commenced. This is the surest of the three corn crops. November is the time for planting again; cotton, corn, and tobacco may be put in the ground now and gathered from March onward until the rains again.

Immigrants should not begin to arrive at Tampico before the last of March. Mr. Forns will then be on his hacienda to receive them and show them their lands.

This is a well-wooded country, and immigrants will do well to provide one or two good portable saw-mills for each settlement. They should also bring with them seed of all sorts.

The collector of the port at Tampico is authorized to pass the effects of immigrants duty free, to issue them the certificates which secure to them all their rights under the decree, and to speed them on their way.

M. F. MAURY,
Imperial Commissioner.

[Enclosure No. 4.]

OFFICE OF COLONIZATION, 13 SAN JUAN DE LETRAN,
Mexico, April 10, 1866.

SIR: Yours of March 6 I have just received. Since the letter of mine which you speak of was written the Yankees have refused to permit our transportation agents to act in the United States, and thus his majesty's intention of furnishing passage to needy emigrants has been frustrated. As immigrants are now coming faster than we want them, it is probable that this offer will not be renewed, as we can get as many colonists as we desire, without giving them this aid. You would do very well to bring your negroes with you.

The general will sell you 640 acres at \$1 per acre. Mr. Forns will give you that much. You should not arrive between June and October, on account of the yellow fever.

Respectfully,

RICHARD L. MAURY,
Sub-Commissioner, late Colonel C. S. Army.

O. G. O'NEAL,
Columbus, Georgia.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, December 13, 1866.

MR. SECRETARY: For some days past the public press of this country have been publishing the report of a strange act, attributed to General Sedgwick, commanding in chief the United States forces at Brownsville, State of Texas. It has been said that the general referred to sent troops of the United States, who occupied Matamoros, at the moment when that city was attacked by General Escobedo, to carry out the orders he had from the government of the Mexican republic; the necessary result of such occupation being, under the circumstances in which that garrison stood, to interpose great difficulty to its capture by General Escobedo, whose forces were, in consequence, repulsed with serious and lamentable losses. This narrative, with more or less detail, has been confirmed by private letters. Besides, I hoped to have before me the official report of such occurrences in order to refer them to you on presenting the complaints which the case should require.

Notwithstanding I have not yet been able to obtain the official report which I wished for, and as I have no doubt that the facts treated of have substantially taken place as the press has related them, I think myself obliged to call to them your attention, transmitting to you herewith the annexed extracts from the *Tribune* and the *World*, of New York, correspondent with the 6th day of this month. Convinced, as I am, through various trustworthy reports, that the occupation of Matamoros, to which I allude, did not emanate from orders and instructions from the President of the United States, my object now is only to express the pain caused to me by this uncalled-for occurrence, through the mischief it occasioned to the loyal forces of my government, no less than for the sinister constructions which the enemies of the Mexican republic might put upon it, by attributing it to a direct intervention of the United States in the domestic affairs of that republic.

I should assure you that I entertain well-founded confidence that the government of the United States will take the measures necessary to chastise all who are responsible for the acts to which I confine myself, and to avoid in future the repetition of the like.

I avail of this occasion to repeat to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

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

[Special despatch to the New York World, December 6, 1866.]

CINCINNATI, December 5.

A special despatch to the Commercial, from Brownsville, Texas, dated November 30, says: "General Sedgwick, on the 24th, made a formal demand on Colonel Canales for the immediate surrender of Matamoros, which was acceded to, and Canales occupied the fortifications, while the American flag floats over the city. A sufficient number of troops occupy the city to render the occupation secure.

"Escobedo attacked Canales on the 27th, and a desperate battle ensued, lasting three hours, resulting in the defeat of Escobedo, with a loss of 600 men, including General Espinosa. Colonel Canales lost 75 men.

"Escobedo lays his defeat to the interference of United States troops."

Another despatch says Escobedo attacked Canales in Matamoros on Tuesday morning at half-past five o'clock, but fell back after two hours' desperate struggle. One occasion of his defeat was the occupation of Matamoros, three days before, by a body of American troops, who relieved Canales of the city, and left him to use his force in defending the fortifications.

Escobedo indignantly complains of the action of General Sedgwick. He expects reinforcements, when he will resume the attack. Meanwhile, the American flag floats within the besieged defences.

SECOND DESPATCH.

CINCINNATI, December 5.

The following is the full despatch to the Commercial:

The city of Matamoros was surrendered to General Sedgwick, commanding the United States forces on the Rio Grande, on the evening of the 24th instant. Colonel J. G. Perkins, of the 19th United States colored infantry, was placed in command. 118 men of the 4th cavalry crossed over and occupied the city on that day.

Colonel Canales made an official statement to General Sedgwick that, owing to his inability to pay his troops, he could no longer correct them, whereupon Sedgwick immediately demanded the surrender of the place, which was granted.

The following were the terms: First, Colonel Canales shall place Matamoros under the orders of the commander of the United States forces. Second, the latter guarantees to Canales and his forces their liberty, and secures the safety of their interests. Third, the persons and interests of all the inhabitants of Matamoros are to be respected, no matter to what nationality they belong. Fourth, the forces of Canales are to maintain their actual position. Fifth, no forces shall enter the place except those of the United States.

It will be seen that, under the agreement, General Sedgwick pledges himself that the forces of Escobedo, now besieging the city, shall not enter therein, and that the forces of Canales shall remain within the fortifications.

On Sunday morning, the 25th, Colonel Perkins issued the following order, which was posted about the streets:

[General Order No. 1.]

HEADQUARTERS UNITED STATES FORCES.

Matamoros, November 24, 1866.

According to the orders which the undersigned has received, he takes command of this city in the name of the United States. The persons belonging to my staff are the following: Lieutenant J. S. Patterson, assistant adjutant general; W. T. Larkin, provost marshal; who shall be obeyed and respected as such.

M. G. PERKINS,
Commander United States Forces.

A body of colored troops passed over Saturday night. During Sunday a pontoon bridge was laid at the ferry-way.

On Sunday evening, through the instrumentality of General Sedgwick, an interview was

arranged between Canales and Escobedo, for the purpose of settling existing difficulties. Much bickering and recrimination ensued, and nothing was accomplished.

Escobedo announced his intention to attack the city at once. Monday, the 26th, passed in quiet. Colonel Perkins having been taken sick, Brevet Colonel A. M. Randall, company I, 1st artillery, was placed in command, and the American troops occupied the plaza, while Colonel Canales remained within the fortifications.

The attack began at 5 o'clock a. m. of the 27th. Escobedo opened his attack, the American flag meanwhile floating from the Government House. A feint was made by Cortinas on the south side of the city, while the main attack was made on the north side. Brisk firing continued up to 7 o'clock, but the attack was repulsed at every point. The American force in the city preserved peace and guarded the ferry, practically acting as provost guard.

Escobedo, who is endeavoring to enforce the authority of Juarez, attributes his defeat to the moral effect of the presence of the Americans, which he considered increased the strength of Canales threefold. He claims that orders were forwarded to General Sedgwick from Washington to afford him all the assistance which he might require in sustaining the authority of Juarez, and that, instead of doing it, he has assisted Canales, who is in open rebellion.

Escobedo's loss in killed and wounded, captured and deserted, foots up 714 men.

During the fight on Tuesday morning Colonel Randall sent a message, under flag of truce, to Escobedo, informing him that the United States forces held the place, and directing that in no case should his forces advance beyond the fortifications without communicating with him (Randall.) Escobedo responded that he should be guided by circumstances; that the American commander had promised him to withdraw all his troops, save 50 men; and that he had broken his promise by retaining 300 men in the place. Randall, who had received orders in no case to fire on Escobedo's men, immediately made arrangements to withdraw with the army in case he should be attacked. Battery I, of the 1st artillery, was stationed on the American bank to cover the troops, if for any reason they should have to fall back.

The following is a memorandum of the agreement entered into between Sedgwick and Escobedo prior to the attack:

First. General Sedgwick assures General Escobedo of the continued friendship of the United States government towards himself and the liberal government.

Second. The American commander considers himself as morally holding the city of Matamoros, under the terms of Canales's surrender of that place to him; but it is for no hostile purpose, as regards the force commanded by General Escobedo, but to protect the lives and property of American citizens and others of foreign nationality.

Third. That the American commander will withdraw the armed forces in case an attack is made, with the exception of 50 men and two officers, who will report their presence to General Escobedo should he capture the city.

Fourth. That the United States forces shall hold Santa Cruz and the ferry, and that no armed men shall cross to the American shore.

This agreement had not been made known to Colonel Randall when he sent out the flag of truce.

Rumors of an attack on Brownsville by Cortinas were rife on Tuesday, the 27th, and 200 citizens were enrolled for defence; they were armed by the United States authorities. It proved nothing but a scare. On Wednesday this force was retained under arms to keep down any outbreak on the part of the Mexican population, as such was threatened.

The occupancy of Matamoros by the Americans caused the most bitter feeling among the people, and prominent citizens are accused of exciting the lower orders to an attack on the troops. General Sedgwick's course is regarded as incomprehensible. He seems at first to have determined to take possession of and hold the city, with a view of eventually turning it over to Escobedo, and to have subsequently changed his mind and held it for the purpose of protecting American and other foreign citizens, while Canales and Escobedo were fighting over the fortifications.

His position rids Canales of the necessity of taking care of the city and of protecting the ferry. The impression among his troops was that the American forces were in the city to assist them if necessary.

Escobedo announces his intention to renew the attack at an early date. Sedgwick has written to him, stating that he desired his success, and would do what he could to assist him. Escobedo returned a very bitter response.

General Sedgwick, apparently realizing the effect of his act, is doing what he can to remedy it. All supplies for Canales from this side have been stopped, and all the forces have been withdrawn, save a company of colored troops.

The steamer has just arrived from New Orleans and returns at once. It brought despatches to General Sedgwick, on receipt of which orders were issued for the withdrawal of the troops from Matamoros.

Advices received here from the city of Mexico say that Mejia left that city October 2, with orders to March on Matamoros with all speed. Another report says the liberal force under Queviro, Narajano, and others, were completely routed at the Hacienda de los Bocas, near San Luis Potosi. Quiroga left the main army with 1,000 cavalry, and marched upon Monterey, which had been left without defence.

BROWNSVILLE, *December 1, 1866.*

Upon the demand of General Sedgwick, the city of Matamoros, with the fortifications and troops, was surrendered to the United States last evening. The troops are to be treated as prisoners of war of the United States. Their lives and property are fully guaranteed. The city will be turned over to Escobedo. He is reported in possession.

[By telegraph to the New York Tribune, December 6, 1866.]

AMERICAN VIOLATION OF NEUTRALITY—GENERAL SEDGWICK'S OCCUPATION OF MATAMORAS—HE SUSTAINS CANALES—ESCOBEDO'S ATTACK ON THE CITY.

WASHINGTON, *December 5.*

The following despatch has just been received at this bureau from the Tribune bureau at Brownsville:

BROWNSVILLE, *November 30.*

American neutrality on the Mexican border has again been sacrificed, but this time, instead of on the side of Juarez and justice, as under gallant but too impetuous Weitzel, it has been prostituted to serve a rebel and mutineer, as Servanda Canales, the usurper of Matamoros, is to our government as much an outlaw as Mejia, the imperialist. The former lacks the personal claims that entitled the gentlemanly commander and sober representative of Maximilian to respect and consideration. The mistake of General Sedgwick, therefore, in interfering in favor of Canales, is both a diplomatic and moral blunder. On Saturday, the 24th instant, Escobedo, with about 2,700 men, being expected to attack Matamoros, Canales expressed a desire to surrender the place to Colonel Sedgwick, alleging, as his excuse, that he could not control his own command, which, he said, unless restrained, would resort to pillage. His request and reasons for this having been stated in writing, General Sedgwick responded by immediately crossing a detachment of the 4th cavalry and the 19th United States colored infantry, the former under Brevet Colonel McIntyre and the latter under Colonel Perkins. Colonel Perkins, with his colored troops, took station at Santa Cruz, which is at the ferry and about two miles from the city. McIntyre went into town and the next Sunday morning published an order assuming command of the surrendered city by virtue of rank, forbidding any but United States soldiers to carry arms, forbidding soldiers to pass or repass without authority, and requiring foreign citizens to register themselves at their several consulates, and to pass goods, if subject to pass, from headquarters of the American occupation. This order was countermanded and taken down by Colonel Perkins, sustained by General Sedgwick. Brevet Lieutenant Colonel Randall, 1st United States artillery, soon after succeeded McIntyre in command.

Thus, while the city appeared nominally surrendered to the Americans, not only were Canales's troops permitted to retain their arms, but left free to occupy in full force the fortifications against which Escobedo was to move. Late Sunday evening a meeting between Escobedo and Canales was arranged by Brevet Brigadier General Sedgwick, to the end of an amicable settlement, which, of course, was impossible—Escobedo, justly offended at the new attitude of affairs and the moderate support rendered by Americans to the cause of mutiny, refusing to accept anything less than unconditional surrender for Canales, at the same time demanding the withdrawal of the United States troops, except 50 men, to remain for the protection of American interests, which demand was agreed to by General Sedgwick, but he failed to comply with it. Instead of 50, 300 Americans were retained in the city, for which General Sedgwick's precarious excuse is that it subsequently appeared the additional number of Americans were absolutely necessary as a defence against an uprising of the citizens, so outraged by such ill-timed intervention. To an American flag of truce sent out on the morning of the attack to inquire what would be the attitude of the assailants toward the Americans, Escobedo returned a curt reply that, as the stipulations had been violated, his own course would be guided by circumstances. At 5 o'clock on Tuesday morning, Escobedo attacked in full force, with about 2,700 infantry and artillery. The attack was begun upon the left, the east or lower side of the city, by Cortinas, who was repulsed; next at Fort Monterey, at the back of the city, on the Monterey road. General Lonneganega assaulted, but his bridge prepared for the trench proving too short, in the delay ensuing, the point of attack was re-enforced and rescued. The final assault upon the usurper, on the upper or west side of the city, by the cazadores and two squadrons of cavalry under Colonel Flores, was also successfully repelled by the ill-timed intermeddling of Americans, Canales being enabled to swing his whole force from side to side as needed, without fear of a distracted rear.

The following, from the *Ranchero* of the 29th, is represented to be Escobedo's general order extraordinary:

GENERAL ORDER FOR THE NIGHT OF THE 26TH OF NOVEMBER AND THE MORNING OF THE 27TH.

The general in command orders that to-morrow Matamoros be attacked by the forces under his command. For this the following columns will form, to which there will be given suit-

able positions: The first column shall attack Fort Freeport, and will be commanded by Colonel Alonzo Flores, and it will be composed of the battalion of Cazadores and the squadrons of Fernandez, Garcia, and Perez Villareal. The second column shall attack Fort Monferey. It will be commanded by General Lorenzo Viga, and will be composed of the Coahuila battalion, a company of the Foreign Legion, and free corps of the frontier. The distance between these columns will be covered by the corps of explorers, under the command of Lieutenant Colonel Ruperto Martinez. General Sosternes Rocha will have chief command of this line of attack. The reserve will be formed of one column of infantry and two of cavalry. On their flanks, the first will be composed of the battalion of sappers and miners, first Nuevo Leon, under command of General Albino Espinoza and his subordinates, composed of the bodies which form the light cavalry brigade, under command of their chief, Colonel Adolfo Garza. The artillery will give three pieces for the first column of attack, six for the second, and establish its respective parks in convenient positions. The train general will situate himself according to instructions of the provost. The Tamaulipas brigade, commanded by General Juan N. Cortinas, will attack the fortifications of the line, which to-day covers and comprises from Fort San Fernando to the Rio Grande, by the oriental part of the city. The point or points which ought to be attacked is left to his discretion, but on his most strict responsibility he is ordered to commence attack as soon as the line which attacks west of the city opens artillery. He is also ordered, within half an hour of the broken fire, to execute the assault on the fortifications which he attacks. General Cortinas will make a boundary in order to take possession of the enemy's first fortified line quickly, without continuing the attack to the interior of the city, till headquarters give him proper instructions, in order to avoid a meeting of his column and the columns of attack. General Cortinas will be careful to give quick notice to headquarters as soon as he will have taken possession of the enemy's first fortified line, and hold it at all hazards. The forces which attack the place will have for watchword, "Oajaca," and for the countersign, "Durango," and they will carry for distinction a green leaf of any kind of plant. The troops will immediately prepare themselves to march to their respective positions. At the first, order will be given by General Cortinas to the commanding generals, chief officers and soldiers who compose the forces which go to attack Matamoros, that they will be strict and active in discharge of duties, which are more important than ever to free themselves. The aforesaid general in command is convinced that each and every one of the citizens who make up the forces with whose command he is honored understands very well the object of the affair which to-day is confided to their valor and military skill. It is as important and glorious as if it treated of some national independence, which is the principal object of endeavors of all Mexicans.

HEADQUARTERS, front of Matamoros.

By order of the general in command:

FELIPE BERRIOZABAL,
Adjutant General.

Escobedo's loss is rumored to be about 400. His right bower, General Espinosa, lies mortally wounded, shot through both thighs, a prisoner in Matamoros. This gallant young chieftain, a native of San Luis Potosi, already has no less than a dozen scars. General Sezvando Canales, youngest brother of M. Canales, was killed, and another brother, Tristane, seriously wounded.

The American flag is reported by Brownsville papers of the 29th to be still floating over Matamoros, supported by a garrison of about 50 men. Canales, emboldened by success and backing, still holds out, and, doubtless to the increased irritation of Escobedo, condescends to offer an arrangement for peace. Meanwhile, the American commander and usurper in Mexico has an elephant on hand of most egregious proportions. It is fair to state that Brevet Brigadier General Sedgwick is a young man, and, doubtless unduly influenced by representations from interested parties in Matamoros, has partly himself acted in good faith. Canales's adjutant general (Major Foster) is a confederate—a New Yorker—who is said to have remarked of the American flag raised over Matamoros that he had fled 2,000 miles in vain to escape its shadow.

BROWNSVILLE, *November 30.*

Tuesday's struggle lasted two hours. A pontoon was laid across the river near the ferry on Sunday, and Colonel Randall, sensitive of his ticklish position, had his two batteries drawn up on the American side in readiness to cross. A regiment of volunteer militia was raised for the defence of Brownsville, and was commanded by the notorious filibuster and confederate, Colonel Ford.

It is said that Marshall, the new American agent, successor to Mr. Avery, is now in Brownsville, afraid to return to his office, such is the danger from the loose soldiery of Canales and from the citizens enraged at American intervention, who cry on the streets "Death to the Gringos!" Escobedo, it is understood, as soon as re-enforced by Trevino, will renew the attack, probably this week; but the hope of his troops must again be compassed by the prospect of the flag of a friend strangely supporting the foe.

The Tribune is indebted to Mr. Sterling, of New York city, who courteously takes charge of these despatches to telegraph office, Galveston.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, December 14, 1866.

MR. SECRETARY: I have the honor to remit, for your information and that of the government of the United States, a copy of a letter I have received from Vera Cruz from a trustworthy person, in which are given some interesting details about the arrival of the *Susquehanna* at that port and the course which the so-called imperial prefect Don D. Bureau took respecting the aids which said steamer needed, and the communication sent to the consul of the United States.

I send also a copy of the printed proclamation published on the 1st instant by the so-called prefect of Vera Cruz, in which he announces the resolution taken by Maximilian not to leave the country, but rather to return from Orizaba to the city of Mexico, to assume anew and indefinitely the pretended authority he has exercised, which indicates an absolute change of position so far, at least, as it had been presented.

I avail of the occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

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

[Enclosure No. 1.—Translation.]

VERA CRUZ, *December 1, 1866.*

The day before yesterday the American steamer *Susquehanna* anchored in this port. It blew from the north, and up till yesterday she communicated with the shore.

The prefecture forbid the captain of the port from sending her pratique; but as the command is with the French military authority, the order of the prefect was a nullity, as that authority sent pratique to the *Susquehanna* to improve her anchorage, which was bad. The pratique brought on return a communication to the American consul, which was taken to the prefecture, but they dared not open it; many shifts were resorted to, perhaps for the purpose of finding out what it contained; after keeping it an hour it was sent to the consul, who, I think, will not rest quiet after the delay suffered by his communication.

[Enclosure No. 2.—Translation.]

Long live the Empire! Long live the Emperor!

VERA CRUZANS: One of the most grateful events for good Mexicans has just occurred to the nation.

His Majesty the emperor, who has made so many sacrifices for the welfare and happiness of our dear country, has given the last proof of the interest he takes in it. When overwhelmed by the natural feelings which were still contending, and still are so in his mind, in consequence of the ill health of his august and noble spouse, our beloved sovereign, he thought for a moment that he ought temporarily to abandon the country to devote himself to fulfilling the sacred duty of offering to his worthy consort the cares she so much needs in the delicate condition in which she is. The emperor sacrifices himself for us, postpones his duties as a man to those which his honor points out to him to be controlling, and in these critical moments, that the country may pass safely through, he solemnly declares that he will continue at the helm, and will contest without remission, until the last drop of his blood be shed in defence of the nation.

Vera Cruzans, let us rejoice, let us give thanks to Providence for having saved the integrity of our territory, and with full outpouring of our hearts, let us hail the day of the resurrection of our nationality, on the eve of disappearing.

VERA CRUZ, *December 1, 1866.*

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, December 17, 1866.

SIR: I have the honor to acknowledge the receipt of your note of the 13th of December, in which you allude to a late proceeding of General Sedgwick, in taking possession of Matamoros and holding it for a few hours. I have to inform you in reply, that the proceeding of General Sedgwick was not only without authority from this government, but is understood by this department to have been in violation of the orders of his military superiors; that as soon as it came to their knowledge the proceeding was disallowed and countermanded, and that General Sedgwick was thereupon suspended from command and subjected to discipline. I am unable to write with precision upon the subject for want of full information; but I think there is sufficient ground for believing that General Sedgwick's error was committed under pressing importunities from persons residing in Matamoros, amenable to the government of Mexico, and that his indiscreet proceeding was regarded by him as favorable to that government, instead of being injurious to it, or likely to give offence.

I avail myself of this opportunity to renew to you my assurances of the highest consideration.

WILLIAM H. SEWARD.

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

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, *December 21, 1866.*

MY DEAR SIR: I have the honor to remit to you various articles from the principal daily papers of Paris, published during the late days of November last, in which there is very ably discussed the important question, Who is the responsible party, in France, for the ill results which the Mexican adventure has had? The semi-official press treats of throwing the responsibility on the opposition and on public opinion, while the independent journals attribute it to the Emperor Napoleon.

I gladly avail of this opportunity, sir, to repeat that I am, very respectfully, your most obedient servant,

M. ROMERO.

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

[Enclosure No. 1.—From La France, Paris, November 24, 1866.—Translation.]

THE MEXICAN EMPIRE.

The expedition to Mexico was inspired by a grand and generous thought, and under the circumstances in the midst of which it was carried out, was a political conception as ably prepared as energetically conducted. That England and Spain should associate themselves, from the outset with France, must have been because they comprehended that the higher interests of civilization and of justice called upon them to go so far to avenge the wrongs done to their subjects. The three allied powers well knew that there was something else to be done in Central America besides calling for an ephemeral reparation. They wanted to obtain, through the establishment of a strong regular government, essential guarantees against the revolutionary powers which, through all time, have been in conflict in those countries, and against the cupidity, hidden or avowed, which, by invasion of South America, might destroy the equilibrium of the whole world.

France has been left alone in this work worthy the ambition of a great prince and a great people. Sagacity counselled perhaps to follow the course of the English and Spaniards, and to withdraw upon an appearance of satisfaction, without having secured anything in the present or settled anything in the future; but honor demanded energy, and, as always, when the flag of France is unfurled, honor alone is listened to. At the close of some triumphant military movements, the French army entered Mexico a short time afterwards, and were received as liberators by a population which had long grieved in disorder and anarchy; and the Mexican nation, restored to freedom of thought, solemnly consulted, restored again the empire of Mexico amid the plaudits of Europe. The work of France then found for its accomplishment a mind bold in initiative, strongly imbued with the great ideas of our times, a strong mind, a brave heart, a choice intellect in the Archduke Maximilian of Austria. Impartial posterity will justly appreciate the self-devotion of this prince, who, braving difficulties and dangers, accepted the crown of Mexico and undertook to found, in a policy of order, of peace, and of progress, the future of a country whose past history had been so brilliant. If he has not been able to accomplish the noble self-imposed task, he will at least enjoy the ineffaceable honor of having generously undertaken it. He was, in fact, permitted to believe in his success. The French army protected the Mexican throne, restored by the national vote, and all respectable men, all conservative interests, grouped themselves around Maximilian to aid and sustain him in his task. But at this moment, it must be admitted, an unlooked-for movement of opinion showed itself in France. The public mind grew restless under the possible consequences of our intervention in Mexico. The feeling of the country, of which the opposition took hold with much skill, pronounced itself markedly each day more and more for the recall of our troops and the prompt closing up of this distant expedition. It was a regrettable error. No serious danger then menaced the expeditionary army, nor the empire of Maximilian. No one would have dared to address to our country a humiliating injunction; and, as long as our flag sheltered the Mexican territory, no foreign power would have dared to intervene. But the public sentiment which arose among us had, beyond the ocean, an influence easily to be foreseen. It encouraged the hopes of all enemies of the Mexican empire, and discouraged the confidence of all its friends. The discontented found, within and without, gatherings on which they had not reckoned; conservatives, disquieted about the future, ceased to act in favor of the imperial government, fearing to commit themselves further, and all the force that sustained the Mexican throne vanished at once. We avow, with a feeling of sadness which we do not seek to dissemble, that this was a fatal solution of this grand experiment; but, at any rate, let us not aggravate it by regrets or by unjust appreciations. The responsibility for the actual condition must not be placed in the wrong quarter.

The Emperor's government had conceived a grand affair; had pursued its realization with a perseverance worthy of the grandeur of the purpose and an elevation of views worthy of the policy of France.

The army, on its part, had accomplished its mission with its traditional bravery. In Mexico it added new laurels to its crowning glory. It retires not before any conquering enemy, nor any menace. It leaves Mexico because a controlling will prevents it from finishing its work. This will is that of the country, which on all occasions has expressed a wish to put an end to the Mexican expedition. It is that opinion which governs public authorities and the sovereign, and which, according to an august expression, "must always carry the final victory." Such is the truth; and if it be possible to look at it without sadness, it should at least be looked upon without passion. But whatever be the issue of this glorious enterprise of civilization and of national regeneration, we cannot too much honor the generous prince who consecrated his most devoted efforts, and that noble woman—that touching empress Charlotte—whose griefs and sorrows have shaken her fine intelligence. These vast misfortunes cast a funeral veil over the close of the Mexican empire, but leave no place for anything but respect and sympathy in all quarters.

J. COHEN.

[Enclosure No. 2.—*La Liberté*, Paris, November 25, 1866.—Translation.]

THE RESPONSIBILITY.

The art of mixing up questions, and of casting upon others the responsibility for one's own acts, truly, at this time, makes astonishing progress. The journal of France which understands how to bedeck the reader with garlands, and bind with flowers the temples of the victims he is going to sacrifice, attempts to-day to play a scurvy trick on public opinion. He seeks to make it responsible for the ill success of our intervention in Mexico.

To listen to *La France*, the government happily conceived and admirably conducted this adventurous enterprise, which would have succeeded if public opinion, interpreted by the journal and deputies of the opposition, had not encouraged the hopes of the enemies of the Mexican empire, and discouraged its friends.

Even to-day public opinion alone must be responsible for the evacuation of Mexico; the opposition must bear the burden of the evils which fall on Maximilian. Was this not pub-

lic opinion? The government always, to believe La France in the matter, would have persevered and carried out the task undertaken.

Here we perceive the tactics, and La France scarcely takes the trouble to conceal it. "History," says it, "disengaged from the prejudices and passions of contemporary time, will certainly do justice in the end to the great purpose of which this great enterprise was the medium." Therefore, when history shall be written the check of Maximilian, the ruin of Mexican bondholders, the cordial understanding between the United States and France compromised, so many millions spent, and so many lives sacrificed for the regeneration of Mexico, so many errors committed—all these will revert to those who from the first cried out, with as little success as Cassandre of old, "No interventions, no distant expeditions."

In the name of history, which is invoked, we cannot allow such allegations to pass without protesting against similar allegations. La France speaks of public opinion absolutely as does L'Etendard, and quite as justly. If public opinion is the cause of the present evacuation of Mexico; if the votes of the citizens are sufficiently listened to now, so that after four years' of heroic, yet powerless efforts, the field is left open to Juarez, why has this public opinion, so well heard when the heavens were overcast, been so little attended to by the journal La France, when at the commencement of the embarkation it foresaw the storm and predicted the tempest?

Has the journal La France, yes or no, approved the expedition? Yes or no has it boasted of the infraction of the convention of La Soledad? Has it or not attacked with vigor the journalists and the deputies, who, through forecasting patriotism, maintained that the result of the enterprise would not compensate the risks? Is it not still La France which, notwithstanding the affirmations of M. Rouher, has done everything to convince the holders of Mexican bonds that they had made a good investment; that the sad recitals of the situation of Mexico were false, and that at all events the government had, in respect of them, come under moral obligations?

And after holding this language for years La France attempts to decline responsibility for events, and throws it altogether on other shoulders. No, a hundred times, no. At the outset we invoked the principle of non-intervention, and we placed our finger on the perils of the enterprise. The campaign commenced; we, accepting the situation made for us, indicated the best measures for consolidating, if the thing were possible, the throne of Maximilian. When this throne was cracked throughout, we asked that the country should not suffer too much from this catastrophe, and in recommending to treat with Juarez we have, in all conscience, shown the best way to pursue to secure the safety of French interests still connected with Mexico.

During this time what has this journal La France done? Exactly the contrary to what we were doing; praising what we blamed, blaming what we praised; putting aside our propositions as utopian, and doing the indignant when, in our devotion to the country, we spoke of treating with Juarez.

"The responsibility for the present situation," said La France, "must not be placed in the wrong quarter." That is our opinion. Let La France therefore take it on herself, and not endeavor to make it fall upon public opinion, assuredly very innocent of the mishaps of the emperor Maximilian.

H. PESSARD.

[Enclosure No. 3.—From L'Avenir Nationale, Paris, November 30, 1866.—Translation.]

The Mexican expedition has twice failed of its purpose; it failed at first with the three powers which undertook it in common; then when the French government, refusing to ratify the convention of La Soledad, alone continued the war begun by three, and took under her protection the empire raised on the ruins of the republic. This double check the opposition had not only foreseen, but had announced. However, it maintained reserve, abstaining from reprisals too easy to be made, when it was unexpectedly called forth by the inconceivable accusations of La France. It was not possible to suffer the parts to be thus changed, and we were obliged, in recalling the facts, to cast back the responsibility for this expedition on those on whom it rests entirely. La France calls that denigration, and adds: "Nothing is more sad than this system of denigration in view of the checks on our policy."

What is sad is to see writers who, by their imperturbable approbation of an undertaking which miscarried and brought about such disastrous checks, descend to such controversial expedients, and seek to turn the bearing of opinion. If they think to embarrass us they are mistaken, and so long as they do not get tired of misstating facts, we shall not weary of reasserting them.

The provocations of La France place us between two difficulties: to stir up or smother the discussion. We would avoid the one and the other, but we would, in recalling facts, prevent a deceit upon public opinion, and a change of parts.

At the outset the expedition was concerted between France, England, and Spain. What did those three powers want? To appearance they had one common and avowed object; in reality each a purpose privily entertained, and indeterminate at least as to the means of attaining it.

The common and avowed object was indicated by the very terms of the convention. The three powers had to claim from the Mexican government reparation for numerous and divers wrongs, and observance of engagements contracted and guarantees for the future. They did not bind themselves to acquire any portion of territory, or to seek any special advantage, nor to exercise any peculiar control over the domestic affairs of the republic, nor to make any attempt against the right of the Mexicans to choose the form of their government, and to administer it as they understood it.

On the first arrangement the agreement was easy and might last: vagueness and doubt begun with the second understanding. In fact, to declare that the Mexicans should be left to make choice of their form of government, was to say that they regarded the government of Juarez as less regular than the future government, such as might be that which afforded the surest guarantee.

In this second arrangement lay the germ of difficulty of disagreement, each of the three powers being entitled to interpret it differently, according to its opinions or private wishes. Two things are equally incontestable: First, the three powers thought the presence of the allied troops would lead on to a rising of the people and the subversion of the government; next, it was evidently privately understood that the civil war in the United States should be taken advantage of to found in Mexico a government able to check the expansion of the great republic, suspected of wishing to absorb Mexico and Central America, at least as far as the isthmus of Panama.

England, who only thought of the preponderance of her commercial interests, left to the others, according to her wont, the greater part of the expense and responsibility. Spain, who made pretension to play the leading part, dreamed of making Mexico one of her dependencies, and if the throne should be restored in Mexico, of placing a Bourbon thereon. The French government, if it wished a monarchy, certainly did not want it for a Bourbon, which soon dissipated the views of Spain, and explained the strange part which General Prim made his troops play.

The three governments were alike deceived in their expectations. The inventors of the candidature of the Archduke Maximilian had announced as certain a general *pronunciamiento*; but the country did not stir, and, as General Lorencez acknowledged in his order of the day at Paeblo, the resistance surpassed all anticipations; consequently, the calculations settled upon being found mistaken, it was necessary to think of new combinations, and to change the natural current of the expedition.

Then it was that the opposition accentuated its protests, its notices, and called the government only to follow up "reparation of its wrongs." All was useless. The counsels of wisdom and sound policy were considered as acts of systematic hostility, as a want of patriotism. The majority of the legislative body, by votes, the official journals, royalist and clerical, by their approbation encouraged the government to follow up the expedition alone. Thus encouraged the government went to extremes; our army entered Mexico, the monarchy was re-established, and the Archduke Maximilian mounted the throne of Montezuma. To-day he is on the way to Miramar.

La France pretends that the opposition should glory in revindicating a share of responsibility in this great check. Why! a part in the responsibility for an enterprise which it blamed in its first days, of which it pointed out the dangers, announced the result, and against which it has never ceased to protest. You don't speak seriously. If the expedition had succeeded you would have reproached the opposition for its false calculations, its predictions confuted by events; you would have claimed all the glory for yourself. Well, then, keep all the responsibility for the check, for it is not you that it weighs upon exclusively.

A. PEYRAT.

[Enclosure No. 4.—From Le Temps, Paris, November 30, 1866.—Translation.]

La France persists in charging upon our check in Mexico the shortcomings of the country. The enterprise was "grand," and the government had the honor of it; the winding up was "sad," and the fault of this lies on the French people. Power "nobly sacrifices its wishes to the nation from which it emanates;" but those projects were unimpeachable; nothing was wanting to their success but agreement of opinion. "Even now, should our soldiers return from their glorious expedition before the purpose is gained for which the enterprise was planned, it is because public sentiment has spoken out in the chambers and elsewhere in a sense contrary to keeping up our intervention."

Here you have what is well understood. All the annoying anticipations of public opinion have been realized; nevertheless, it is that which is wrong; it is that public opinion which has done all the mischief. The responsibility for the present state of things must not be misplaced. The government of the Emperor had conceived a great thing; it pursued its realization with perseverance worthy of the grandeur of the purpose, and with a loftiness of views worthy of the policy of France.

The army, on its part, had accomplished its mission with its traditional bravery. In Mexico it gathered fresh laurels around the crown of its glory. It has not fallen back before any conquering enemy, nor in presence of any menace; it leaves Mexico because a higher will has uttered the wish that a term should be put to the Mexican expedition.

So the matter admits no doubt; not only is it public sentiment, perceived by the opposition, which, expressed out here for the recall of our troops, has caused the "vanishing at once of all the forces that sustained Maximilian;" but it is opinion, even opinion alone, that invited the withdrawal of our soldiers. This withdrawal is not brought on by the recognition of our powerlessness to found anything in Mexico; even at this hour, by maintaining our intervention, we might achieve a glorious end for the expedition, and would incur no danger. But public opinion has pronounced for the recall of our intervention, and the authority inclines to it; only as opinion has not had in this sense any legitimate reason which draws it out, either from the interior of Mexico, or from the possibility of foreign complications, or any other considerations, it follows that the wish of the country is purely a caprice, and an inexplicable caprice. The French people has shown itself unworthy of understanding and carrying through this great enterprise of civilization. Honor to every one, even Maximilian who flies; but it must be imputed as a regrettable error to the nation this want of courage, this fatal winding up!

Such is the way they reason in a country of universal suffrage, and are astonished to hear us say that such language is an injury to the country. "History freed from contemporaneous prejudices and passions, will certainly do justice," France says, "to the great aim of which this glorious enterprise was the means." What, then, will history say of the people which refused association with this "grandiose attempt," except that it was a nation cowardly and degenerate? We supplicate La France to advance for us a little the hour of history, and not deprive us any longer of our appreciation of the voluptuous pleasure of admiration so rare in these days. Let her show us the great aim, admirable yet concealed, for which the expedition to Mexico was to be the means; let us know this unknown plan; let her show it written out in authentic documents; let her produce these official papers, of which history will have need to judge of this mysterious conception; let her, in fine, tell us under what solemn circumstances, through what authorized organ, the government invited the nation to concur in its vast projects by making them known to it; for, if the nation was ignorant of them, how can you reproach it for not having adopted them with enthusiasm? If the recovery of some debts and reparation for some injuries have been the sole causes assigned by our authority for the expedition, is that the reason why public opinion could divine the hidden causes? She has predicted what has happened. In return for all your splendid prophecies, "which," do you say to us, "has been realized?"

There is a dictum to express that which opinion has always felt and always said since the outset of the Mexican affair: "The game is not worth the candle." The expression is vulgar; but who can now say that the expression was not apt and just? The "last victory," you say, must always be carried by opinion. Is that enough? And who does not see that this triumph comes too late when produced, after a manner, at the last moment? Who does not see that it is opinion that should carry things before it at once, and that it is necessary, in order that it be manifest in season, to count upon checks and mistakes, and to meet them all, those popular freedoms without which it rests unknown and powerless?

But no! rather than draw conclusions from the event, you prefer to say that opinion went astray; the error belongs to it and not to you. Ah! you know well the fortune of *Cassandre*; but the fable itself has not told us that after the fall of *Troy* there were still *Trojans* weak enough to wonder at the wooden horse, and to jeer at the daughter of *Priam*.

[Enclosure No. 5.—From the *Journal des Debats*, November 28.]

It would be high time to write dispassionately about the Mexican question now that fate has pronounced, and that it might be considered as almost within the domain of history. But really it is putting the patience of the enlightened portion of the community to a test far above its powers to frame, as has just been done, a regular indictment against the French people, whose faltering, we are told, has upset and disconcerted the grand designs of its government. A little memory is sufficient to enable the public to ascertain that popular opinion is no more answerable for the issue than for the outset of that undertaking, and that on that question, as on all others, the government was left wholly unfettered. The votes of the chamber are there to prove it. The truth is that public opinion, warned by that marvellous instinct of self-preservation which communities possess in the same degree as organized beings, felt alarmed at the consequences of the Mexican expedition, at the very time that that expedition was exposing us to a serious risk, which no serious interest justified the country in incurring. The French public watched at first with more curiosity than apprehension the attempt that was being made to found an empire in Mexico, and to establish an Austrian archduke on the Mexican throne. Without feeling any degree of interest in the regeneration of the Latin, or rather the Indo-Latin, races in that distinct region, without feeling the slightest desire to reduce to subjection a new *Algeria*, at such a distance from our coasts, the French public at first viewed with patience the Mexican expedition, regarding it as a kind of costly and risky experiment, which might possibly turn out well. That which changed the public feeling, which abruptly ended that relative indifference, was the aspect of the United States, relieved of the cares of their civil war, their open hostility toward the

Mexican expedition, and their determination to oppose it. There can be no doubt that the sudden apparition of such an adversary would only have acted as a stimulant on public opinion, and roused the national spirit among us; if the French people had really thought that their interests or their honor were involved in the success of the Mexican venture. But the idea of going to war with the United States to solve in our own way the philosophical question of the regeneration of the Latin races, or the equally idle question of the relative advantages of a monarchy over a republic, was not calculated to become popular, and induce France to submit to such a heavy sacrifice of blood. It is from that day that popular opinion, deeply roused, was able to exercise indirectly some influence on the decisions of the government. But let us be just. Even if that influence had not existed, the final resolve of the French government would have been the same, for the simple reason that it never contemplated founding Maximilian's throne at the cost of a war with the United States. It is, therefore, insincere to say that it is the nation which restrained the government, which was certainly wise enough to restrain itself. Instead of charging the nation with faltering, when, after all, it has done nothing to recommend and approve a retreat so necessary that it would be carried out even if public opinion were so ill advised as to disapprove it, why not acknowledge that the Mexican undertaking was founded on two opinions, both of which events have shown to be wrong? The first was that the great majority of the Mexican population would be favorable to the new empire, and that the dissidents could be reduced without any great difficulty; the second—which was far more important as to the future prospects of the undertaking—was that the American Union was hopelessly destroyed, that the south would beat the north, and would form a bulwark for the new empire. These were the conditions on which the success of the empire depended. But while the first was secondary—as with time, blood, and money, the Mexican dissidents must have been reduced to submission—the second was vital, as the idea of founding an empire at the gates of the resuscitated United States, and at the cost of a war with them, could never have entered any mortal head. In fact, fate has now pronounced, and it may be stated that if Maximilian's abdication be only dated yesterday, the real date of his fall goes back to the capture of Atlanta and Charleston, and to the surrender of Richmond. His fall was even foreshadowed by the two despatches by which England and Russia refused to join the French government to propose a mediation and an armistice between the federals and the confederates. The failure of the Mexican expedition rests, therefore, on two errors of judgment, from which the expedition originated. Illusions were entertained as to the internal state of Mexico, and as to the probable issue of the war in the United States. That it would have been better not to have made these two mistakes all the world agrees: but there is a newspaper which allows itself to be mastered by its zeal to such a degree as to pretend that if the expedition failed it is the country that is responsible for the blunder. It is enough to reply to that paper that it is mistaken, and that no one labors under that mistake but itself.

[Enclosure No. 6.—From La Liberté, November 28, 1866.—Translation.]

A LESSON.

About ten months since La Presse, discussing the Mexican question with La France, the latter journal maintained that the expedition had fully completed its purpose, that purpose never having been to found a monarchy in Mexico, but only to obtain reparation from that government without scruple. La Presse in vain protested. On the approach of the debates in the legislative body, La France thought necessary to give the Mexican enterprise these moderate proportions. At this day, on the contrary, it is La France, taking the opinion sustained by La Presse ten months earlier, declares that the expedition to Mexico was a means, and that the end was very different.

In truth, this controversy, which might have had an interest in the month of February, 1866, has only an historic interest in the month of November, for whatever the purpose it matters little to know, because the purpose failed.

Was it proposed only to protect our countrymen, and to realize the pitiful sums due us from Mexico? The object has certainly failed, for Mexico, in this month of November, 1866, owes more than she owed us in the month of November, 1861: and as for our countrymen, exclusive of their having died in five years a much greater number by war, connected with yellow fever, than would have died in twenty years of civil discord in Mexico, it is difficult to believe that in the future they will be better protected, more liked, more respected than they were before.

If it were purposed to re-establish in Mexico that clerical party, which, after having disturbed it for more than forty years, went out of power in 1857, and was definitively stricken down in the last months of 1860, the object again failed, for hardly had we reached Mexico, accompanied by the principal leaders of that party, than we were obliged to turn it out rudely from the control of affairs.

Was it intended to found a monarchy in the midst of republican America? The return of Maximilian shows plainly enough how that succeeded. Was it purposed, in fine, to oppose a barrier to the ambition of the United States, and to the expansion of the Anglo-Saxon race

in the New World? Was it, in a word, the application, by means which are not our own, of the intercontinental policy, which we object to? The precipitate departure of Mr. Campbell and General Sherman, the alliance more intimate than heretofore between the Mexican United States and the United States, show sufficiently that we have not succeeded.

What, then, remains to us for these five years of efforts and sacrifices? There remains one precious thing—a lesson.

To France the Mexican affair teaches that a policy of intervention is powerless, and the system of permanent armies full of peril. To the government it teaches the sterility of the *juste milieu* system.

The policy of intervention has not anywhere been exercised so actively as in the Hispano-American republics. The ministers of European powers accredited to those republics had no other occupation than to plead the wrongs of their countrymen. Often government yields to avoid a conflict. Sometimes it resists, and ends in those military demonstrations which so often occur. But those demonstrations are powerless. This is demonstrated in the history of Mexico for twenty years, and if it be decided to act more energetically, you come to those blind alleys with no outlets which are called the conquest of Algeria and the expedition to Mexico.

The only reasonable thing to do is, therefore, once for all, that our countrymen, in expatriating themselves, act at their own risk and perils; that they accept in advance the chances, good or bad, of expatriation; that they have, in consequence, no aid to expect from citizens who, not running the chances of the happy accidents of such enterprises, don't expect to suffer the ill consequences; and this declaration should be absolute in the interest of all; in the interest of those who, in self-expatriation, will make for themselves no dangerous illusions; in the interest, above all, of France, who will not risk being drawn by her generosity into enterprises of no result. But that this policy should in earnest be adopted, a declaration is not sufficient; there must be a sanction; there must be disarmament.

To desire that a government should maintain a large army, and to require that it should remain inactive, is to require what is absurd and impracticable. It is to require what is absurd, because if you want a good army, it must be inured to war, and that it may be inured to war it must be that with intervals of five, ten, or fifteen years, which pass between two great European wars, there are lesser wars which keep the army in breath. It is to require what is impracticable, for a government with an army cannot leave it inactive for a thousand reasons which all the world understand very well. There must, therefore, be room for the manœuvring of this military force and an off-drain for its need for action. Under the government of July, there was Algeria and Abd-el-Kader; under the second empire, there is Mexico and Juarez. Frankly, where is the difference? Has Mexico cost more men and more money than Algeria? No, only Mexico borders on the United States, while Algeria borders on Morocco; that is all the difference. Suppose that Algeria bordered on a state as powerful as North America, it would have been abandoned long ago. Suppose Mexico had for neighbor only a state powerless as is Morocco, how many good reasons there would have been for remaining there.

Those journals which wish the maintenance, the extension of armaments—armed peace, in a word—and which cry out bitterly against the expedition to Mexico, the *Sicècle*, the *Opinion Nationale*, the *Temps*, who declare themselves partisans of the policy of intervention, and yet blame intervention in Mexico, are simply inconsistent. If the government had not its hands full with Mexico, they would probably have dragged it into Poland. Frankly, what would France have gained thereby, and in what respect is it less glorious to go and protect our countrymen in Mexico than to go and protect the Poles in Poland? It is less dangerous, that is all. In what regards the policy of intervention, the lesson is therefore complete. It is not the less severe on the *juste milieu*. What were the two radical policies to be adopted toward America? On one side was our policy, that of non-intervention; on the other side, the policy set forth in the letter of 3d July, a policy having for object to found in the Gulf of Mexico a powerful state, becoming the centre of the Spanish republics, and opposing a barrier to the expansion of the Anglo Saxon race in the New World. Good or bad, our policy was precise; good or bad, the policy of the 3d July had the merit of being a policy, and we do not even say that it would not have been grand, imposing.

One policy having been put aside, what did sound logic counsel? It counselled to follow up with resolution the policy of the 3d July.

From the moment of action in an interest opposed to that of the American Union, the day should not have been waited for when peace, re-established by the capture of Richmond, would permit the cabinet at Washington to call upon us for the evacuation of Mexico. It was logic to recognize the southern confederacy; it was not logical to place the new government we were founding in Mexico in an impossible financial condition, and, in place of authorizing loans which would not have given her more than 30,000,000 disposables, it was necessary to guarantee a suitable loan. It was sound sense to say resolutely to the country: This is what you have to do; the indefinite aggrandizement of the North American republic appears to be to us a danger as great as the ambition of Russia. We went to stop Russia at Sebastopol; we go to Mexico to interpose a dyke to the American fleet. For this we need many men and much money, for if France is not bound to undertake everything,

she is bound to succeed in what she does undertake. The moment is opportune, for the discussions in America furnish us an excellent opportunity; the object is grand, it only needs the means to be in proportion to the object. The government we may find there must not be in dependence on a French general. We must give it the resources necessary for the organization of an immense country, whose natural resources are considerable, but whose disposable resources are nothing. In this way, would the undertaking have succeeded? It is difficult to say after the affair is over, but we sincerely think it. We believe that if, in 1864, at the moment when Doblado and a great many of the liberal leaders offered to rally round the empire, there had been in Mexico a government independent and furnished with sufficient resources, it could have been sustained. How many years it would have lasted we do not know.

What changes it might have undergone we know not, but in any event it would have been founded, and the object of the expedition would have been achieved. In place of that, we adopted half-way measures. It has been said in the newspapers that Mexico had an organized army, and a well-balanced budget. Twenty-five thousand men were sent to Mexico when fifty thousand were needed to pacify that country; two insufficient loans were allowed to be made, in place of guaranteeing at once in good faith a loan which would have yielded abundantly at low interest the indispensable amounts. There is what La France has never ceased to praise, for it is the triumph of the policy of between two. When Mr. Jules Favre advised to make a finish of Mexico by giving it up to itself, and when Marshal Forey advised making an end of it by sending out a sufficient army, La France found fault with these two extreme opinions. "Neither re-enforce nor abandon," said that paper; "a little action, and abandon at the end, that is policy." When we said don't lend money to Mexico, and when we said: "Don't authorize indirect loans and inadequate to usurious charges, but lend all that is wanted or don't lend at all; guarantee the loan or don't guarantee it," La France cried out: "Wilful men, be silent, the truth is in the *between two* conditions. You are wrong to be willing not to lend to Mexico anything, and you are wrong to be willing to lend her too much. You know you are wrong not to authorize a loan; you know you are wrong to guarantee one. It should be a small loan and a half-way guarantee." And yet at this day it is La France that boldly puts forward this question: On whom rests the responsibility for the check? The check! It is on you, only on you. It lies not on the army, always victorious in Mexico; it is not on Maximilian, wanting in adequate financial resources; it is not on us, who have never ceased to protest; nor even on the primitive idea of the expedition; it rests on the *between two policy*, which enervated the action of government without stopping it, and which, in place of having an understanding with the opposition to blame the undertaking, only allied itself with the idea of the government to render it powerless, by counselling half-way measures in a business where the choice lay between inaction and action the most resolute. That won't hinder the *juste milieu* from declaring themselves the only political spirits of the age, but will the lesson profit the government or the country? In such case, costly as it may be, we shall not count it too dear.

CLEMENT DUVERNOIS.

[Enclosure No. 7.—From La Liberté, Paris, December 1, 1866.—Translation.]

PUBLIC OPINION.

The journals which counselled the Mexican expedition, and afterwards wished it should continue in place of adhering to the convention of La Soledad, are naturally much embarrassed in view of the results obtained. That which might best happen to us after five years of efforts and sacrifices is to obtain to-day the same benefits, the same guarantees, which were effected for us in 1861, and which then were repelled with disdain. There would still be a difference in favor of the convention of Soledad, because in 1861 we treated directly with the Mexicans, while at this day the United States will mix up in the contract in a manner to establish indisputably their controlling influence over Mexico.

A war undertaken for the purpose of placing a barrier against an invasion of the New World by the republicans of the North will then have had for result definitively the hastening of such invasion.

This is sad beyond doubt, and we understand the journals which counselled the expedition must be annoyed at the responsibility they have incurred: but what is almost laughable is the effort they are making to throw this responsibility on public opinion, which at first favoring the enterprise, afterwards manifested fears which did not permit the government to finish a work the success of which was assured.

La France, who sustained the argument against *Le Temps*, would be obliging if she would let us know by what signs she recognizes the satisfaction or discontent of public opinion.

If we adhere to the letter of the constitution, public opinion has no lawful interpreter other than the legislative body; but we would like to know what difference there was between the approving votes of 1862, of 1863 and of 1864, and the approving votes of 1865 and 1866. Is

it that the white ballots cast into the urns by honorable members should change their significance from one year to another?

Is it that wishing to say in 1862 "We approve your policy," the same ballot would say in 1865 and 1866, "Your policy frightens us?" Upon what might one judge that the ballots had so changed their signification, and that "yes" no longer means "yes?" La France would be still more embarrassed to explain that she is not embarrassed in justifying the advice she has been giving for five years.

The truth is, the lawful expression of opinion is constantly brought out in the same way; there is not a day when an attempt is not made to oppose the continuation of the Mexican expedition. The majority approved in 1862, when M. Billault, answering to Jules Favre, declared they could not be content with the treaty of Soledad, but had no thought of establishing an empire in Mexico; the majority has remained unshaken; since our troops have gone through a thousand perils, M. Thiers said, with reason, that the only wise thing to do was to treat with M. Juarez.

The majority could not longer hesitate when they saw the establishment of the empire of Mexico give contradiction to the assertions of M. Billault. The majority has remained compact when a clear-sighted opposition anticipated difficulties between France and the United States. The majority, the lawful organ of opinions, has then fully, confidently, incessantly shared in the responsibility of the enterprise, not merely in its primitive conception and in its general bearings, but also in its various phases.

Thus, of these two which compose the chambers, one has been clear-sighted, the other has deceived itself. The constitutional opposition was not blinded for a single day; from the beginning it foresaw the issue, and has every year given counsels that might soon close the enterprise. In 1862 it voted for the treaty of Soledad. In 1864 it proposed to treat with the Mexican government; it has always combated the idea of the establishment of a monarchy in Mexico. While it was counted in favor of this establishment on the triumph of the confederates over the federal cause, the left side never ceased to foresee the triumph of the Union, and while illusions were entertained on the sentiments of Mexico and its immediate resources, the left never ceased to dissipate those illusions by stating the facts precisely, and producing the figures. Which of the two constitutional fractions of the chambers has given proof on this occasion of the greatest discernment and of true political skill? Has it been the fraction which voted with M. Jules Favre and M. Thiers, or the fraction which voted afterwards on the counsels of M. Billault and M. Rouher? Such is the question as it stands, and such it is well to place it before electoral France.

As for me, "if entry to the chamber through the gate of official candidature, to go and take my seat on the benches with the majority, I had for five years approved the divers phases of the expedition, I should reason thus: I thought I did well. I would say I have no reproach of conscience in voting with M. Billault and M. Rouher. I thought I voted in the interest of the country; but I see I was mistaken, for I voted in 1862 with M. Jules Favre, and in 1865 with M. Thiers; I would have spared my constituents many useless sacrifices and the government many a mortification. The conservative interest is therefore not that I always vote according to ministerial speeches; it means that I sometimes vote in accordance with the opposition. Perhaps politicians, who are themselves perfectly at home in Mexican affairs, sometimes give some foresight to the examination of questions of finance and the discussion of domestic questions. I shall this year listen to them with more attention, give them more confidence, and in some cases vote with them."

That is what I would say if I was a member of the majority, and if I was an elector voting for the official candidate I should reason in an analogous manner.

I have voted for the candidate my prefect recommended; being conservative, I thought I acted judiciously. I have been told a liberal chamber will prevent the government from doing great things, and I have been willing to give to the government all its initiative privilege for whatever great things have been done since 1863, and which would have been hindered by the opposition of the chamber. I have sought a good deal in vain; I don't see; I see no great victories, nor in fine does the aggrandizement of Prussia pass for a victory of France, nor great public works, nor exceptional prosperity. On the other hand, there is the expedition to Mexico, which has cost the life of many young conscripts, which has cost myself the value of more than two Mexican bonds, to say nothing of public outlays in which I have taken part, and for consolation I see myself on the eve of being called out to drill in the landwehr. If in place of voting for the official candidates we had voted for the liberals, should we have been worse off? I should have saved the amount of my two bonds, I should not be going to drill in the landwehr. But what less would I have in territorial grandeur and material prosperity? What is there, that I do not? In what have I weakened the government? I don't see that, either.

What is the upshot of all this?

The conclusion is that the discussion between La France and Le Temps to find out what responsibility rests on public opinion for the Mexican check is without cause in a country which, having the right of suffrage, is fully self-possessed.

La France is wrong when attempting to attribute to a change of opinion a check to an enterprise which had the constant approval of the legislative body.

Le Temps is alike wrong when it attempts to shift off from the country the responsibility which does rest upon it. It is necessary that an electoral country should well understand

that it has not the right to complain. Having had the power to stop what was doing, it has become fully responsible from what has happened by not preventing it. It should not be that of this country, free in its vote, it should be said, "It is the fault of the government." It should be told severely, "It is your own fault, for a government based on universal suffrage necessarily yields to the will clearly expressed by the country, so that, in place of sending a majority favorable to the foreign policy of the government, you should have sent a majority, equally constitutional, but opposed to the policy of intervention, and the government would have abandoned these projects."

So settled, the Mexican check will appear to the people such as it really is: a moral victory of constitutional opposition to the majority, a victory of prudence over devotedness.

CLEMENT DUVERNOIS.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, December 22, 1866.

MR. SECRETARY: I have the honor to enclose to you, for the information of the government of the United States, a translation into English of an article published on the 3d instant by the paper called *Diario del Imperio*, the organ in the city of Mexico of the ex-archduke of Austria, Don Fernando Maximilian, and of a manifesto from him to the Mexicans, dated on the 1st. In these documents is reiterated the determination of the ex-archduke to remain in Mexico some time longer, which I communicated to your department in the note which I had the honor of addressing to you on the 14th instant.

In both documents, and especially in the second, are at once noticeable the vacillations of its author as to what is best for him to do to get out with less discredit of the difficult position to which he is reduced. After having constantly asserted that he was called to Mexico by the will of the Mexican people, he now wishes to call on that very people to know whether it consents in his continuing in the character he has assumed, and for that purpose he announces that he is going to convene a congress that may decide this point, and in which all parties may be represented.

If the Mexican people have already expressed their will on this point, why should they be consulted again on the same subject? Besides, that people, which, with arms in their hands, have been expressing their will in an unequivocal manner, would not lend themselves to participate in elections ordered by Maximilian, should they be attempted; since they do not recognize the right to convoke elections except in the national government, which exercises it in conformity with the constitution of the republic. The complete accord which exists between the conduct of the ex-Archduke of Austria and the suggestions made to him by his counsellor, Mr. F. Eloin, in the letter which he wrote to Maximilian, dated at Brussels on the 17th of September last, is a very remarkable fact. I referred to this letter in the note I had the honor to address to your department on the 10th of October following.

It seems to me, besides, that there is some inconsistency in the present desire of the Austrian ex-archduke to have assembled in congress, for no less a purpose than that of deciding whether the so-called empire shall exist or not, the portion of the Mexican people which has not ceased to resist French intervention and all its consequences, with the provisions of his decree of October 3d, 1865, which still remains in force, and which, as you well know, provides that all Mexicans defending the independence of their country shall be shot, denying them even the rights which civilized nations accord to belligerents.

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

M. ROMERO.

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

[Enclosure No. 1.—From Diario del Imperio, (organ of the empire,) November 3.]

Official statement as to Maximilian's abdication.

His majesty, anxious to facilitate the solution of the difficulties created by the present crisis, convoked, as is well known, his council of state at the city of Orizaba, and afterward called thither a majority of his ministers for the purpose of consulting them as to whether the way to accomplish such solution would not be to return to the people, from whom he received it, sovereign power. As his reason for such resolve he called their attention to the state of the civil war now raging in the empire; to the possibility of a Franco-American intervention, for the purpose of bringing such war to an end by a change in the actual institutions of the country, and also to the broken-down state of their majesties' health.

His advisers have not deemed these causes sufficient to make the emperor resign the supreme power in the present situation of the country. They have even besought him to remain at the head of the nation, and thus preserve the interests of society, threatened with destruction by revolutionists, and to prepare to defend, in every eventuality, the independence and nationality of Mexico, confided to his care. The appeal in behalf of interests so dear, thus made by the highest body in the state, could not pass unnoticed by his majesty, who glories in being the first of Mexicans. Determined to make any sacrifice for the benefit of his country, his majesty, before acceding to the wishes of his council of ministers and of state, awaited only their judgment as to the possibility of solving certain political questions relative to the convocation of a national congress based upon the most liberal, as well as upon universal suffrage; also relative to financial and military matters, and likewise relative to the opening of important diplomatic negotiations.

The council decided that these questions would be considered by them at once in the order of their respective importance, and at the present moment his majesty is taking into consideration their request.

[Enclosure No. 2.]

ORIZABA, December 1.

MEXICANS: Circumstances of great magnitude relating to the welfare of our country, and which increase in strength by our domestic difficulties, have produced in our mind the conviction that we ought to reconsider the power confided to us. Our council of ministers by us convened have given as their opinion that the welfare of Mexico still requires our presence at the head of affairs; and we have considered it our duty to accede to their request, announcing at the same time our intention to convoke a national congress on the most ample and liberal basis, where all political parties can participate; and this congress shall decide whether the empire shall continue in future; and, in case of assent, shall assist in framing the fundamental laws to consolidate the public institutions of the country. To obtain this result our counsellors are at present engaged in devising the necessary means, and at the same time arrange matters in such a manner that all parties may assist in an arrangement on that basis.

In the mean time, Mexicans, counting upon you all, without excluding any political class, we shall continue the work of regeneration with courage and constancy, having been placed in charge of your countrymen.

MAXIMILIAN.

[Enclosure No. 3.—From the New York Daily Herald.]

ORIZABA, December 12, 1866.

Maximilian's hiding place.—Rightly judging, as events have since shown, that Orizaba would be the next *point d'appui* in the Mexican revolution, I have made my way here, fortunately in time to witness the departure of Maximilian. It was a strange fortune that thrust this quiet, beautiful city of the mountains into notoriety. Its magnificent climate, never very hot and never uncomfortably cold, together with the grandeur of the surrounding scenery, were probably the reasons that recommended it to Maximilian as his temporary place of refuge. Strategic merits, it has none. Here the Austrian archduke whom misfortune has made an emperor has passed his time for the last month or two, writing voluminous despatches, which, like Mr. Toodle's letters, seem to have reached no one but the writer; in chasing beetles and butterflies, and in raising up for himself, on very insufficient capital, a great and undeserved reputation as a *roué*. He used to drive out daily, attended by only a few Austrian soldiers, and generally in the direction of Cocolapa, where there are a large cotton factory and a paper mill, whose operations he found pleasure in watching, till the French, ill-natured and for no other reason, apparently, than to give him annoyance, threw a barricade across the road, with room only for a horse or foot passenger to pass through. Thus cut off from his daily drive, Maximilian, who does not much fancy horse exercise, has

took to pedestrianism, and 20 times a day he was to be seen in the streets, dressed simply in a hussar jacket and forage cap, his long lanky legs encased in tight-fitting breeches, terminated by Hessian boots, and with no mark of his rank except a handsome gold medal on his breast. I met him thus at least three or four times yesterday. He was attended by his master of the household only; and, as he walked rapidly along, striding over the gutters and wedging his way among the barricades, few turned their heads to look after him, and fewer still paid him the slightest mark of respect. He looked careworn and muddled, but not in any way depressed. The building which Maximilian has occupied as a palace is an unassuming private building, two storied, as all houses are in this volcanic country, and limewashed a dingy green hue. The front part is let out as stores, and a tobacconist and a dry-goods dealer hang out their signs under the imperial flag.

The departure.—Thus matters stood yesterday, when the rumors of Maximilian's projected return to the capital, which had for a long time prevailed, began to assume a more connected shape, and gradually it leaked out that Maximilian would certainly leave for Mexico city at 6 o'clock this morning. French troops were sent ahead to clear the road as far as Puebla, and all the Austrian troops in Orizaba were placed under marching orders. Long before daylight this morning the march began, but it was considerably after 6 o'clock when Maximilian, attended by his ever present factotum, Father Fisher, stepped into his traveling carriage, drawn by 12 sturdy mules, and gave the word, "On to Mexico." Not a cheer was raised nor a hat lifted. The stolid Mexicans who happened to be on hand looked on and smiled and chattered placidly among each other, but neither seemed nor cared to understand the import of what was occurring. The imperial escort consisted of about 200 Austrian cavalry, all told. He leaves behind him none but French troops at Orizaba.

The issue is reduced to a game of checkmate between Maximilian and Marshal Bazaine. Maximilian returns to the capital, not with any strong expectation of regaining the power he once wielded there, but to spite and thwart the French, whose treatment of him latterly he feels has been neither just nor honorable.

Bazaine's designs.—From the first Marshal Bazaine hated and despised the archduke, who was sent out to take a position which he himself coveted Maximilian, instead of crushing him when he had the means, weakly sought to propitiate him by costly gifts. Bazaine went on consolidating his influence, till at last he got Maximilian in his grasp, and for the last few months he has held him virtually as a state prisoner. In every district not overrun by the liberals Marshal Bazaine is emperor of Mexico, not Maximilian. He holds the troops and the purse-strings, and has left to Maximilian but the semblance of a sovereignty. Moreover, facts are coming to light which seem to indicate a design on the part of Bazaine to hold on to his power at all risks, with or without the countenance of the French government. Vain, ambitious, and unscrupulous, he will stick at nothing to carry his ends. From sources of the best information I learn that within the last few days he has been endeavoring to open communication with the liberals, and even got together such liberal chiefs as he could find, in and around Mexico, and made overtures to them for their support. They rejected his proposals with contempt. Meanwhile every petty insult and contumely has been heaped upon Maximilian to induce him to quit the country. The barricading of his favorite drive is one of many such acts.

Maximilian wanting to bolt.—It was while the irritation caused by these slights were fresh upon him that Miramon and Marquez and his council of state came to Orizaba and urged Maximilian to return to the capital. The French were daily pressing him to abdicate, and he, to thwart them, was seriously preparing to hurry down to Vera Cruz, *incognito*, and embark at once for Austria. The strong remonstrances of Mr. Scarlet, the British minister, against this undignified step alone prevented him from doing so, and resulted in the notable Orizaba manifesto, already published in the Herald. Then it seems to have occurred to him that the proposition of Miramon and Marquez afforded him the best opportunity of spiting Bazaine and defeating the French; so back to the capital he has gone.

Miramón a fugitive—Marquez a failure.—His allies, Miramon and Marquez, will be able to afford him little assistance in his perilous undertaking. Miramon's arrest has been ordered by Bazaine, and he has fled to Queretaro, sixty leagues beyond Mexico city. Marquez is still in Orizaba, but all he has done towards raising the promised twenty millions and army has been to arrest some 200 laborers, whom he is keeping in prison till he can get arms to put in their hands, and to steal a few thousand dollars from the surrounding planters.

Maximilian on the President's message.—That portion of the President's message which refers to Mexican affairs was telegraphed to Orizaba immediately on its reception in Vera Cruz. Maximilian is said to have rather enjoyed it, as affording another chance to humiliate Bazaine.

VERA CRUZ, December 14, 1866.

French re-enforcements.—The French steamer Panama, which has just arrived here, has brought out two hundred additional French troops and three hundred barrels of gunpowder.

Special envoys.—M. Eloin, the hero of so many mysterious missions, and a special courier from the French government to General Castlenau, also arrived by the steamer. The courier started at once by special train for Mexico city. The mysterious Eloin quietly booked his place in the diligence and is jogging along in the footsteps of Maximilian.

Seizure of the custom-house.—The seizure of the custom-house here by the French troops, on Sunday last, has caused considerable excitement. Maximilian sent down an order for

\$50,000; the French authorities refused to allow it to be cashed; the prefect protested, but a file of Egyptians cut his protest short. The seizure has been made under the convention of September last, but this convention, though it was temporarily agreed to by Maximilian, and was sent to France for approval, was never signed by him, and is consequently invalid. The French assert that they only intend to hold the custom-house for ten days.

Distinguished arrival.—Jake Thompson is wandering about the city looking considerably dazed. He booked by the French steamer for Havana, but as the vessel did not touch there he finds himself unexpectedly in Mexico. He can soon hunt up some friends here. Beverly Tucker is managing a hacienda at San Luis Potosi, and considers he has fallen into a good thing; and General Price, Governor Harris, Judge Perkins, and General Joe Shelby are all at Cordova.

[From L'Estafette, December 2, 1866.]

BAZAINE, DANO AND CASTELNAU DEFINE THEIR POSITION.

The official organ of the empire on the 29th of November published an article purporting to state the object of the emperor Maximilian in calling his ministers and council of state to Orizaba. Said article appeared in the non-official columns of that paper; but it is well known that it had been transmitted over the telegraph by the ministry, with the order to publish at once.

Public opinion was justly excited on learning that the emperor Maximilian gave as his reasons for an eventual abdication, first, the state of civil war in which the country is plunged; and, second, the possibility of a Franco-American intervention for the purpose of bringing such war to a close through a change in existing institutions.

This last idea may appear strange, put forth as it was from the midst of council which has no safe places of assemblage except under the protection of French bayonets. It then becomes important to set forth the truth of the case.

France has no wish to interfere in relation to the form of government which the Mexican nation may wish to adopt. Having sent her troops to Mexico for the protection of her own subjects, and animated as she is with the desire to put an end to the disorders from which all classes suffered alike, she would certainly have preferred to see established that form which appears to her eyes as offering the strongest guarantees of stability. But far from having done anything whatever for the purpose of changing the existing institutions, she has made the most disinterested but unavailing sacrifices in order to maintain them.

The trying crisis in which Mexico now finds herself can in no way be laid to the charge of France. Her agents have been kept entirely unaware of the sudden determination taken by the emperor Maximilian to leave his capital. Some of them had no knowledge of his having done so until informed by the notice published in the *Diario oficial*.

No one is ignorant, however, of the fact that when only a few leagues away from Mexico city he wished to promulgate his act of abdication. And during the past month he reverted several times to the same notion, and refrained only at the most urgent instance of his suite. All this while the orders connected with his departure had been given, and vessels were awaiting him from day to day at Vera Cruz. Even the majority of his counsellors were kept in utter ignorance of the real intentions of his majesty. The agents of France were neither consulted nor notified. However, the emperor Maximilian, having manifested to them a desire to obtain from them important concessions before taking any final step, they made every effort to grant the concessions asked. His majesty returned them his thanks for this, and, in view of an eventuality which at that stage appeared imminent, but which they had not been instrumental in bringing about, they consulted as to what measures might be necessary in order to secure the interests of all—Mexicans as well as foreigners—declaring that they would leave the Mexican nation to choose its own destiny, and they made no attempt or pretence to impose any form of government upon it. They could go no further; and, in view of the action taken by the imperial government, their duty becomes very simple. They do not wish to take any part in the proceedings of interested parties; this would be to revive hatred and rekindle the flames of civil war, which they were endeavoring to extinguish. Henceforth they will confine themselves to the rigid execution of their instructions, namely, to disengage in the most absolute manner the responsibility of their government; to look only to such interests as it is directly incumbent on them to protect; and to prepare, in the shortest time possible, the complete evacuation of the expeditionary corps.

On the following day the Estafette published the following notice:

"Some persons believe that the official communication which we published on Sunday emanated exclusively from the legation of France. We are authorized to state that the note referred to is the common act of three high French authorities now resident in Mexico—that is, of Marshal Bazaine, the minister of France, and General Castelnau."

The same journal, as if to show that the French troops are in a hurry to evacuate, gives the following:

"Lieutenant Colonel the Marquis de Galiffet will take command of the contra guerillas in the Tierra Caliente. Colonel Dupin is to be appointed governor of the department of Vera Cruz.

"This looks like vigorous action on the coast."

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, December 27, 1866.

MR. SECRETARY: Referring myself to the note which I had the honor to address to the department, dated 5th October last, in relation to the answer I gave to an inquiry of General Regules, chief of the army of the centre of the republic of Mexico, about a continuation of hostilities against the forces invading Mexico, I have now the satisfaction of sending you copy of a communication which I have received from Mr. Lerdo de Tejada, minister of foreign relations of the constitutional government of the republic, dated at Chihuahua on the 16th of November last past, and marked No. 502, in which are approved the instructions I gave on that occasion to General Regules.

I avail of the occasion to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

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

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT—DEPARTMENT OF RELATIONS, AMERICAN SECTION, No. 502.

CHIHUAHUA, *November 16, 1866.*

With your notes Nos. 660 and 679, dated 5th and 12th of October last, you sent me a copy of a communication which was addressed to you by General Regules, chief of the army of the centre, about the conduct of the French along the line of his command, and a copy of the reply you gave him, as well as copies also of the note in which you gave notice of the former to Mr. Seward, and of his reply.

The President of the republic, being informed of these, has approved of what you say to General Regules about the compromises of the French government with that of the United States as to the non-continuance of intervention in Mexico, which are not compromises in which the government of the republic has taken part, and in no way affect the war which the forces of the republic must continue to carry on as before against the invading forces. When there is occasion you can communicate to General Regules that the government has approved your answer, and, in view of it, have considered it unnecessary to address to him a communication of like import on said affair.

I protest to you my respectful consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO, *Envoy Extraordinary
and Minister Plenipotentiary at Washington.*

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, January 9, 1867.

MY DEAR SIR: In observance of the charge I took on myself in our conversation to-day, I have the honor to send you copy of communication number 538, which Mr. Lerdo de Tejada addressed to me on the 5th of last month, about the change of the channel of the Rio Grande, on the boundary between Mexico and the United States, and likewise of the annexed document which accompanied it.

I remain, Mr. Secretary, your very respectful and faithful servant,

M. ROMERO.

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

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS AND GOVERNMENT—SECTION OF RELATIONS—
BUREAU OF AMERICA, NUMBER 538.—CHANGES OF THE CHANNEL OF THE RIO GRANDE
ON THE DIVISIONAL LINE BETWEEN MEXICO AND THE UNITED STATES.

CHIHUAHUA, December 5, 1866.

I send to you annexed copy of a communication which the governor of the State of Chihuahua addressed to me the 31st October last, transcribing another from the political chief of the district of Brazos, dated 17th of the same month, about the evidence there should be in the archives of that legation respecting the manner of proceeding of the boundary commission, and of what is stipulated in article 5th of the treaty of the 2d February, 1848, on the permanence of the dividing line between the two republics, which was not altered by article 1st of the later treaty of 30th December, 1853, in what relates to the present case.

Although the imperceptible changes caused by alluvion on the banks of the Rio Grande could not be considered, it is not possible to pass without notice the visible and important changes caused by the force of the stream. It appears to be founded in justice, and by the stipulations of the treaty, that in respect of the noticeable portions of land which became fixed on the opposite shore by the force of the river, the eminent domain of the nation to which they belonged, and the private rights which there should be existent over them, should continue.

If that government admits these principles, and in conformity therewith is disposed to give instructions to the functionaries of the United States in the districts of the dividing line, it seems it would not be necessary to do anything more at present; but, in the contrary event, your excellency will please to communicate to me what may be the principles of that government in this particular, in order that what should be proper might be done in respect of cases which already have occurred, and which may easily continue to occur from the nature of the soil through which the Rio Grande flows.

I assure you of my respectful consideration.

LERDO DE TEJADA.

Citizen MATIAS ROMERO,

*Envoy Extraordinary and Minister Plenipotentiary
of the Mexican Republic at Washington.*

[Translation.]

MEXICAN REPUBLIC—SUPREME GOVERNMENT OF THE STATE OF CHIHUAHUA.

CHIHUAHUA, October 31, 1866.

The governor of Chihuahua transcribes a communication from the prefecture of Brazos relative to the difficulties which are presenting themselves by reason of the main channel of the Rio Bravo on its immediate bank at the Villa del Paso.

The political chief and military commander of the district of Brazos, in despatch No. 113, dated 17th instant, says to the secretary of the government in my care, what I copy to the letter:

“Since the year 1852, when the boundaries were marked which in the future should divide our republic from that of the United States along all this frontier, the deepest channel of the river at the time when those boundaries were marked was designated as the dividing line, and to fix them, the joint commission of boundaries, having in view the changeableness of the current of the river, owing to the character of the soil which constitutes its bed, made provision for designating that topographically and astronomically, for which purpose a multitude of astronomical observations throughout the whole extent were made by the two commissions, and mainly by the Mexican, which gave the situations in longitude and latitude of old Picacho, the initial point, Morleros, El Paso, San Elizario, Presidio Viejo, Presidio del Norte, San Carlos, &c., solely for the purpose of connecting those points with the deepest channel of the river at that period; that it might serve, as I have said, as a perpetual boundary between both republics.

“The shifting nature of the soil through which the river runs has caused, in course of time, a change in currents in different parts, and more notably below San Elizario, where it has left all the woodlands which belong to that town on this side, and in this villa, in the partido of the chamizal, where it has carried away more than fifteen hundred varas, which before that were owned by individuals, and now are slashes, sandy and ridged, which, as previously stated, ought to belong to El Paso; but the chief people in Franklin defend this land as theirs, as they also defend in other places what the river has left on this side, as is the case at San Elizario. We respect their woodlands, which the river has left on the right

side, (and they also defend them,) because we are convinced that they belong to them; but they neither respect nor recognize as ours the soil which the same river has taken from us and left on the left front at Franklin.

"To-day it threatens us, and perhaps at the beginning of the year, or earlier, will divide El Paso, and the greater portion of the town will be on the left bank. In such case, will the part which remains on the left bank belong to the United States? Should it be that the same river should return to its ancient channel—that which it held in 1850—and leave on the right the towns of Ysleta, Socorro, and San Elizario, in such case, will these settlements belong to Mexico?"

"For these reasons this prefecture, considering the evils that the river may cause to this settlement, has arranged to clear a canal in the land which before was on the right, and now is on the left of the river in front of this town, to see if it would be possible to make it change its course, and place it at a distance from the settlement by causing it to take another channel more distant from it, although it should be on the same ground; but the authorities at Franklin don't allow this, because they say it is already private property, and because they have divided it up to various settlers, while we cannot cut a stick in their woods that the river has left on this side without their seizing our drays and oxen and making us pay heavy fines.

"This prefecture, sir, places these facts in the knowledge of the government through your worthy hands, that it may please inform the President of the republic, and do what he may think proper in the case, for it may doubtless happen that if the river does not take to its old channel, it will divide El Paso, and, as is very probable, may end in destroying that town. Please accept the assurance of my esteem and distinguished consideration."

I have the honor to transcribe this for you, sir, that you may please agree with the President of the republic on the most proper solution of the important matter of which the prefecture of Brazos treats.

LUIS TERRAZAS.

The CITIZEN MINISTER OF FOREIGN RELATIONS AND GOVERNMENT, *Present.*

CHIHUAHUA, December 5, 1866.

A copy:

JUAN VALDES, *First Officer.*

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, January 26, 1867.

MR. SECRETARY: I have the honor to send herewith to you, for the information of the government of the United States, various documents, which show what is the latest aspect which French intervention presents in Mexico and the so-called empire of the ex-Archduke Maximilian. Among them I permit myself to call your attention to the letter dated at the city of Mexico the 8th of December last, and continued to the 26th of the same month, because it was written by a well-informed person. I hope the narrative it contains may be read with interest by the government of the United States.

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

M. ROMERO.

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

[Translation.]

List of

Mexican legation sends, with note of this date, to the Department of State of the United States.

No. 1. December 8, 1866. Letter written at the city of Mexico, relating what occurred between Maximilian and his so-called ministers and councillors on the 26th November and following days.

No. 2. December 8, 1866. Letter of Maximilian to D. T. Lares, explaining to him the reasons why he convoked his so-called congress to Orizaba.

No. 3. December 10, 1866. Issue of a circular from Lares, called minister of foreign relations of Maximilian, showing that the latter reckoned upon the French army continuing to sustain him.

No. 4. December 10, 1866. Extract from *La Patria*, ministerial newspaper of Maximilian, announcing that General Bazaine had given orders to deliver material of war to the troops Marquez was organizing in defence of that usurper.

No. 5. December 19, 1866. Circular of General Bazaine, inviting the French soldiers fighting under the banners of Maximilian to return to their country with the expeditionary corps.

No. 6. December 19, 1866. Publications of French agents, showing the disagreement which exists between them and the emperor, (so-called,) in relation to the custom-house at Vera Cruz, which the French held in possession.

No. 7. January 8, 1867. Notice by the French legation in Mexico, inviting resident French who wish to return to their country to embark with the expeditionary corps.

No. 1.

[Translation—Extract.]

MEXICO, December 8, 1866.

MY VERY DEAR FRIEND:

All intrigues have been useless; all the blood shed has been shed in vain; falsehood, perfidy, baseness, and flatteries, and threats, and the perspective of a military future capable of seducing him who in heart loves Mexico, all, all have been used with ability to upset the man who grasps the standard of independence, and the man remains at his post.

Three months ago the idea was to erase the name of Juarez from the flag of the independents, and to substitute therefor that of Gonzales Ortega. To this end, Bazaine called on several liberals, giving them carte blanche to conspire against the empire on condition of abandoning Juarez. All was useless; there are no Ortegaists; if there had been they were ashamed; but the capture of the general upset this last illusion. It is necessary to regard Juarez as re-established in the capital. If a treaty of peace has to be made between Mexico and France that treaty must bear the signature of Juarez. This is what the French have come to understand after four years of war, and is it not very natural they should trip and hesitate rather than fall? But all this that I am writing you know, if not better, at least as well as I do. I am going to give you some news that by few channels could reach your knowledge. I will speak to you of the conferences at Orizaba between Maximilian and his council of state. Nothing has been published beyond the resolution of the grand duke to return to the capital.

On Saturday, 24th of last month, the councillors reached Orizaba to the number of 16, notwithstanding the council is composed of 30 and more members, and on Monday, 26th, they had their first session. Maximilian did not present himself to preside over it, as was to be expected. M. Lares, the soul of the imperial government, had authority to do so. He began by reading a letter from the archduke addressed to the council, which in substance said as follows: That he had an intimate conviction that he ought to retire from the country, returning to it through the medium of that body, the only one existing, all its liberty to frame in the manner it may judge most convenient its own constitution; that such conviction rested on reason more or less incontestible, and which, in fact, made the empire an impossibility. Among these reasonings and facts you have here the principal ones. That the French agents had intimated that France had an understanding with the United States to end the question of Mexico on the basis of a republican government; that the condition of poverty in which the public chests were found was such that it was impossible to meet its most pressing and urgent obligations without recourse to violent exactions; that for the same reason there were no elements for raising an army sufficient to make head against the dissidents, who not only occupy important cities at a distance, but growing in boldness daily, come already to a very short distance from the capital; and, finally, that his personal misfortune, that is to say, the sickness of his wife, filling his heart with bitter grief, had completed the series of calamities. The letter ends by announcing his resolution to abdicate in the midst of the council of state.

The letter having been read, Lares thought proper to make some explanation, and said that the resolution of Maximilian was not definitive; that although French agents had, in effect, declared what the letter expressed, they had not done so officially, and added that he was authorized to receive General Castelnau, and would give assurance that he had no other mission than to ratify in words that which at various times lately Napoleon had written to Maximilian, to wit: That the present situation of Europe prevented him from continuing to lend him his aid in any way, and obliged him to withdraw his troops after a short time, which General Castelnau was authorized to fix. He said, lastly, that both Castelnau and Bazaine had offered him both artillery, arms, and ammunition in considerable quantity on condition that Maximilian would return to Mexico and continue at the head of the government.

This declaration surprised all, because it was generally believed that the French had refused to deliver armament.

A committee of the council was appointed, which on the following day should report their opinion. Fonseca, Vidaurri, and another whose name I do not recall, composed that committee. The report was presented, and concluded, as might be expected, by requesting the archduke to return to Mexico and to continue to govern the empire.

Five of the council voted for the report, and, as I understand, the three ministers who were present; against it, eleven councillors, of whom one, Cortez Esparza, did so absolutely; and ten, among them, Silicio, Victor Perez, Manuel Cordero, Linares, and Luiz Mendez, explained their vote by saying in substance that Maximilian ought, before abdicating, to guarantee, in I know not what manner, the interests created by the empire.

Larez, the interpreter on this occasion of the council, and of Maximilian, charged himself with giving account of this and of the result of the deliberations, and on the next day returned to preside over the sitting, and read a second letter from the archduke.

This new letter said that Maximilian, before taking a definitive resolution, and supposing the vote of his councillors, wished them to solve for him that day the following questions:

1. If the government could count upon such resources as to be able to face the situation without recourse to violence and arbitrary action?

2. If it was possible to arm a numerous army without recourse to levies to take from the dissidents the strong posts they had in possession, cause them to disappear, aid to the imperial rule through all the extent of the country?

3. If it was possible to enter upon a negotiation with the United States which should result in the recognition of the empire by that power?

The letter spoke, also, of national representation and of submitting to its vote various questions, upon the understanding, I suppose, that in the bosom of that congress the two political parties would be represented.

The council declared it was not possible to resolve such questions that day, as was asked, because it had not necessary antecedents on each of them; but added that, in reasonable time, in another place, that is, in Mexico, and laying before it the divers intents and projects of finance, with all the explanations and suitable observations, by doing the same with all connected with the brands of war, and becoming informed, also, of all done to this time by the imperial government, directly or indirectly, to obtain the recognition of the United States, would be possible to express the opinions asked for.

It was to be believed, and all the world believed, that Maximilian had wished to present to his steadfast partisans, represented by the ministers and some of the councillors. all the difficulties of the situation, of such volume they had themselves acknowledged them and declared them insuperable. But Mr. Larez, who continued in his office of interpreter, to the general amazement, announced next day that, assuming the opinion of the council, and whatever was to be assumed, Maximilian had resolved definitely to return to Mexico and put himself at the head of the government. This resolution was communicated by telegraph to all the prefects, ordering them to celebrate the occasion with ringing of bells, music, and fireworks, a notice which was faithfully carried out. After that the "Patria" newspaper, which the government pays, sung the victory, and announced to us that the time for pardon and magnanimity had gone, very clearly expressed in the law of the 3d of October, and that thenceforth the empire, sustained by Miramon, Marquez, and Mejia, would regulate all affairs at the sword's point. But leaving this on one side, although those that we see obliged to remain here cannot forget it, and turning to the matter of the conferences at Orizaba, I will say to you that their results would be truly matter for joking if they had not happened to retard a solution which the entire country, without distinction of parties, (and even foreigners resident in it,) has awaited with feverish anxiety during the last forty days.

The conferences of Orizaba and their results would be droll, I have said, and, in fact, are so; at least I have fancied hearing the conversation of two deaf men, who by their condition can't hear each other, and in consequence cannot understand each other. As the details I communicate to you are authentic, it cannot be doubted that the council disapproved the opinion that advised that Maximilian should remain; that is to say, that the council wished he would abdicate; and to this declaration the archduke replied that, regarding it as the wish of his council, he would remain.

You should notice the manifesto of the archduke to the nation. There is not one who gives it any importance, so far as to the purpose it ostensibly has, because there is no one who believes that the independents will lay down their arms to decide the question at the electoral urns. But yes; even his most decided partisans reprove such a manifesto, because they see that the sovereign places his title in doubt. Here it works with good result, because no liberal allows himself to be deceived.

We are at the 20th of December, and as the New York steamer has not yet arrived, there has been no opportunity to send you this. It contains news which will already be forgotten by you; the fault, as you perceive, is not mine.

You know that when Bazaine married, Maximilian, who was sponsor, presented to the bride the old house of Mrs. Rutwellthen. In the deed of donation is a clause by which the archduke engaged to give 100,000 francs for such house, if Bazaine, at the time of leaving

Mexico, should so desire. That he does so desire is unquestionable, but, you understand, the house being bought with public funds, the French army withdrawn, and the constitutional government re-established, the donation is a nullity. The interest is what now worries the imperialists. If you contribute, they say, to Bazaine to do away our prestige, the government will lack means to meet a personal promise with you.

Here you have one of the explanations given of the suspicious conduct of the French. I insist on it, the mischief comes chiefly from Paris.

Castelnau and Dano were at Puebla, where the archduke was. It was said the principal object was to have him abdicate, and it was even given out the abdication was made. I doubted this news, and believed they were treating of the convention of 30th of July, which Maximilian don't care to ratify. For this belief I rest upon the fact that the situation has lately grown more serious, because, by order of Maximilian, they are collecting in Mexico all the duties paid at Vera Cruz to the French, in virtue of such agreement. That is to say, that Maximilian ignores the treaty, as Juarez would do if he were now in Mexico.

Zacatecas was occupied on the 29th of last month, and Aguas Calientes a few days after; day before yesterday came news of the occupation of Guadalajara, which General Gutierrez was to have defended until Miramon got there. Daily is announced the departure of Miramon, and daily is the news contradicted that Bazaine will give to the imperialists arms and ammunition in considerable quantity. Taking into account the interests which are connected with Bazaine, such news may end in a fact.

A levy on a large scale is what to-day fills the world with annoyance. The curiosity is, that the imperial government has thrown off the mask and officially authorizes this, as you will see by a circular from the department of government, published these four days.

Yours, affectionately,

No. 2.

The France publishes the following letter from Maximilian to M. Lares, president of the council of ministers:

"MY DEAR SIR: The gravity of the present condition of our country has led us to call to our aid the councillors of the crown, in order that, by their clear and prudent judgment, we may arrive by legal means at a solution of the existing difficulties. A weighty duty is now imposed upon us, but we have a thorough conviction that the welfare of the country demands its accomplishment. After reflection free from all party prejudice and passion, after a long and conscientious examination of the position, we have arrived at the conclusion that it might be our duty to restore to the Mexican nation the power which it had confided in us. The following are the reasons which confirm us in this opinion: first, the civil war still continues—with grief we state the fact; it stains the devastated territories with the blood of thousands of our countrymen, and is every day assuming vaster proportions; secondly, the hostility of the United States toward the monarchical principle is daily becoming more marked; thirdly, our allies have declared it impossible for them, from political reasons, to continue their support, and it has even lately come to our knowledge that there have been negotiations between the French and the United States government with the object of coming to an agreement as to the means of putting an end to the civil war which has been so long ravaging our country. Considering the opinion of the great majority of the American people, it would not be possible, they say, to attain that end, except by founding, by the aid of these two powers, a new government of a republican form. Although it has pleased Providence to destroy the happiness of our domestic hearth, and although our courage and strength have consequently been unduly tried, we should not for one moment hesitate to make any sacrifices for the welfare of the nation if we had not well-founded reasons for believing that our person would prove an obstacle to the pacification of the country. These are the motives for calling round us the ministers—who have already given us so many proofs of their adhesion and fidelity—with the object of finding a solution for existing difficulties.

"MAXIMILIAN."

No. 3.

[Circular.—Translation.]

DEPARTMENT OF FOREIGN AFFAIRS AND MARINE,
Mexico, December 10, 1866.

* * * * *

His Majesty has received at this time the most explicit assurances from his excellency Marshal Bazaine, in conformity with the orders of his sovereign, that he is to aid in consolidating order and peace by furthering the measures of his Majesty's government during the continuance of the French troops in the national territory. All which I have the honor to

communicate to your excellency by order of our august sovereign, that you may bring it to the knowledge of the government near which you are accredited, authorizing him to read this note to the minister for foreign affairs, and to leave a copy with him if he request it.

The Under Secretary for Foreign Affairs in charge of the office,

JUAN NEPOMUCENO DE PEREDA.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY
of the Empire at _____.

No. 4.

[Translation.]

The Patria, semi-official paper published at the capital of the empire, says:

"By express order of his excellency General Bazaine, communicated to all the generals of the expeditionary army, all the Mexican troops and Austrian and Belgian legions are placed under the orders of his excellency General Marquez to dispose of them as may suit him for the military operations confided to him as chief of the army of the Orient.

"This is already a fact, and the Mexican general is hurrying to organize and opportunely increase his force and commence operations.

"All the Mexican material of war which was in the power of the expeditionary army has been delivered, by express order from Marshal Bazaine, to the imperial government, as well that in the city as what is inland; this is also a fact. It proves, as does the former, the good understanding there is between the intervention and the empire, which we have ourselves averred at various times, differing in that from the assurances which have been given to the public."

No. 5.

Marshal Bazaine issued the following circular:

HEADQUARTERS EXPEDITIONARY CORPS OF MEXICO.

The marshal commanding in chief has received a telegram from Paris, dated December 13, expressing the intention of the French government to have returned to France, not only the foreign legion, but all the soldiers of French nationality who were formerly authorized to enroll themselves in the service of the Mexican government, and who are actually serving in the general army corps of the Mexican army. However, if any of these soldiers having knowledge of this circular desire to remain in the service of Mexico, they are authorized to do so, and remain in the corps to which they actually belong. As to the French, whatever is their rank in the Mexican army, officers, non-commissioned officers, or privates, those manifesting a desire to discontinue serving in Mexico, but who are yet unattached to the French corps, will be transferred into the foreign legion, where they will have their former rank; as to others, they will be returned to their country at the expense of the French government. Consequently there will be made in each Mexican corps a nominal report of all Frenchmen serving in said corps, which report will be forwarded to the marshal commanding after each soldier has written opposite his name the action by him voluntarily taken, if he is determined or not to remain in the Mexican service. Soldiers taking the first determination will join themselves to the nearest French detachment on the first secure occasion which will offer itself.

BAZAINE, *Marshal Commanding.*

Copies of this circular were sent to General Mejia on December 19, to be enforced immediately.

No. 6.

[Translation—Communicated.]

The carrying into execution of the treaty of July 20 at the time fixed by his Majesty the Emperor Napoleon, (1st November,) according to the right conferred on him, and the taking possession of the custom-house of Vera Cruz by French agents, have called out on the part of the Mexican authorities an opposition and protests which have, with good cause, disturbed trade, by proving that the convention was made applicable without the consent of the Mexican government. The official publication of the convention which had been kept back till now, in hope of an understanding with this government, will suffice to edify us without further explanation on the rights of the French government, and the legality of the acts of its agents.

The French government, in taking control of the custom-house at Vera Cruz, retained a l

the employés appointed by the Mexican government. The collector and thirty agents withdrew, refusing their assent to the execution of this convention, and protesting against the deductions made in anticipation of duties to come in. The French authority would not allow to be idle in their hands the delegations; they made claim and had commission to recover, and appointed a French agent collector in conformity with the provisions of article three—the measures taken were necessary to secure the collection duty of the duties payable at the Vera Cruz custom-house:—these duties, without exception, and with reserve only of previous delegations which had been admitted and duly paid, are allotted for payment of the delegations admitted for the benefit of France. This note is accompanied by the text of the convention, and the following notice:

“Merchants who shall have paid duties due at the Vera Cruz custom-house, conformably to the regulations of the empire, are permitted to withdraw their goods from the Mexican warehouse, and to claim, if there is cause, the concurrence of the French authority.

“A. DE MAINTENANT,
“Inspector General of Finances, Chief of Financial Committee.”

MEXICO AND THE FRENCH.

A letter from the city of Mexico says:

“Everything at the capital portends an early evacuation by the French, and it is even said that Maximilian will be off at the same time; that he is now preparing himself for such a step, and that the putting off of the national congress—for which an assembly of notables is now to be substituted—is for the purpose of abdicating. His minister of the treasury, Campos, has wished to give up his place, being unable to cope with the difficulties that surround him.”

The French legation in the capital have issued to the French residents the following circular:

“LEGATION OF FRANCE IN MEXICO,
“January 8, 1867.

“The Emperor Napoleon has determined that the French residents, who wish to leave Mexico, shall be re-embarked at the same time as the expeditionary corps.

“Persons who intend to make use of this favor will be pleased to make it known as soon as possible at the office of the legation.”

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, January 29, 1867.

Mr. SECRETARY: I have the honor to transmit to you copies of the notes from Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic, dated in Chihuahua the 9th of December, and in Durango the 27th of the same month, numbered 544 and 545, respectively, informing me of the transfer of the constitutional government of Mexico from Chihuahua to Durango on the 10th of December mentioned, and its arrival in the latter city on the 26th.

I am pleased to have this occasion to repeat to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

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

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT—DEPARTMENT OF RELATIONS—SECTION AMERICA, NUMBER 544.

CHIHUAHUA, *December 9, 1866.*

To-morrow the government will leave this city for Durango, and I will duly communicate to you the day of arrival there.

I have previously informed you how you can direct your future correspondence.

I assure you of my respectful consideration.

LERDO DE TEJADA.

Citizen ROMERO,

Envoy Extraordinary and Minister Plenipotentiary.

[Translation.]

ADMINISTRATION OF FOREIGN RELATIONS AND GOVERNMENT—DEPARTMENT OF RELATIONS—SECTION AMERICA, NUMBER 545.

DURANGO, December 27, 1866.

As I announced to you from Chihuahua on the 9th day of this month, the citizen President of the republic set off from there on the 10th, arriving here yesterday evening.

Here and in all the towns on the way he was received by the generality of the inhabitants with most patriotic demonstrations of attachment and respect for the first magistrate of the republic and representative of the national cause.

When the President may determine to go to any other place that may be convenient in view of circumstances, I will promptly communicate to you for your information.

I assure you of my very respectful consideration.

LERDO DE TEJADA.

Citizen ROMERO,

*Envoy Extraordinary and Minister Plenipotentiary.**Mr. Romero to Mr. Seward.*

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,

Washington, January 30, 1867.

MY DEAR SIR: Having seen that the newspapers have spoken with some diversity about the detention to which a quantity of Mexican dollars, taken on a United States merchant vessel to Matamoros, were subjected, and about which some action had been taken before the authorities of that port by the Hon. Lewis D. Campbell, of which he has probably notified the department, I think it proper to send you, unofficially, the annexed copy of two communications addressed to me by General Berriozabal, in which you will see what passed on the subject, and the happy solution it had.

I remain, sir, your very respectful and obedient servant,

M. ROMERO.

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

[Translation.]

MILITARY COMMAND OF THE BRAVO LINE,
AND NORTHERN DISTRICT OF TAMAULIPAS.

MR. MINISTER: In consequence of the proceedings of the judicial authority in a confiscation case, in which Mr. McGaffey is interested, Mr. Lewis D. Campbell, the United States minister, has taken some steps which I think proper to explain to you.

The American schooner *Mary Bertrand* left Tampico for Brazos with twenty thousand dollars. The vessel was wrecked by a storm on the Mexican coast. The custom-house officer boarded her and demanded the documents necessary to show that the exportation was legal. The certificate of clearance required by our laws not having been produced, the twenty thousand dollars were seized, and a suit for confiscation was instituted on account of clandestine exportation.

General Sherman directed the American consul to state the case to General Escobedo, and solicit a military order to have the money that was seized returned to the person claiming it as owner. However disposed General Escobedo might be to oblige General Sherman, he had no power to suspend judicial proceedings, and give a military decision to a case belonging solely to a civil tribunal. It was insisted that the money should be given up, unbonded, showing the exportation was made in good faith; that the money, the proceeds of arms and ammunition sold to the Tampico authorities, had been exported without paying duty, according to stipulations in the contract; that the custom-house had only given a permit, which was taken by the inspectors stationed at the bar.

General Escobedo, without denying the justice of those interested, stated that, according to the fiscal laws, every vessel for foreign ports must have a clearance, and copies of the policies or permits; these documents must prove that the exportation was legal, and if the whole or part of a cargo is left out the law presumes the export to be clandestine, and this

presumption is sufficient cause for proceedings in confiscation, to investigate the character of the exportation; that the *Mary Bertrand*, when wrecked by a storm on the Mexican coast, was within the jurisdiction of the republic, and the officers of the revenue had done their duty. Señor Escobedo added that he gave this explanation to show that he was unprejudiced in the case; that Mr. McGaffey should have sufficient time and protection to prove his rights, and that the non-intervention of the military authorities was to refrain from setting an example of opposition to judicial authority, thus destroying by abuse of power the chief security of the inhabitants of the republic.

Subsequently Mr. Plumb, secretary of the American legation, applied to me for intervention of the military authorities in favor of the claimants of the money. He insisted that, after the vessel had left Tampico, it was no longer under Mexican authority, and when wrecked on our shores it should be considered as coming from sea, and not from Tampico, and was not, therefore, obliged to exhibit its papers; that by treaties all aid should be given to wrecked vessels, and it was a violation of these agreements to institute proceedings for confiscation, instead of tendering due succor. Though I had an answer for those arguments, I refrained from giving it, and merely said it was a case for the judicial authorities; I believed it was the duty of the military authorities not to interfere; the judicial authorities would give due consideration to his argument, and Mr. Plumb might rest assured that the owners of the money would have ample time and protection to prove their rights.

From inquiries I have made, it appears that ample time has been allowed the claimants of the money to prove the legality of the exportation. As the custom-house stores were not secure, the judge ordered the money to be given up, under bond, and as those interested could not give it, though they wanted the military to interfere, the money was consigned to the safe-keeping of a merchant, who gave the requisite surety. You are aware that, if the omission of the proper documents was the fault of the Tampico revenue officers, they are responsible not only officially, but also are liable to a suit for loss and damages.

I protest to you my consideration and esteem.

Independence and liberty! Matamoros, December 28, 1866.

FELIPE B. BERRIOZABAL.

The MINISTER OF THE MEXICAN REPUBLIC,
Near the Government of the United States, Washington.

[Translation.]

MILITARY COMMAND OF THE LINE OF THE BRAVO,
AND OF THE DISTRICT OF NORTHERN TAMAULIPAS.

Mr. MINISTER: I had the honor to communicate to you that an American vessel, called *Mary Bertrand*, storm-driven, entered the territorial waters of the republic, where she was visited by the revenue guard of the port.

Said vessel was cleared at Tampico for Brazos, and had on board the sum of \$20,000. The officers of the vessel being called upon to exhibit the permit, which according to law ought to have been issued, it was not shown, which omission caused the presumption that a fraudulent exportation had occurred, for which it was necessary that such presumption should be removed by legal investigation.

Mr. Minister Lewis D. Campbell made some private inquiries which tended to an interference of military authority in the matter, but I thought it my duty to abstain from such a step, to avoid the sad consequences to which an attack on the independence of the courts might lead.

But this abstention in no way interfered with legitimate rights, and in consequence the parties interested had nothing to fear if in their proceedings there was no fraudulent or clandestine act.

In effect, the investigations being followed out in the regular course, the district judge sought information from the customs at Tampico, which declared that the exportation on which the inquiry turned was made according to law, whereupon the presumption disappeared, which arose from the want of the permit.

The end of this affair, in securing lawful interests, has occurred without violation of the independence of the courts, the right which the American minister desired to secure by his private action being thus assured, and the principle which upholds the main guarantees of the inhabitants of the republic.

Please accept the assurances of my consideration.

Independence and reform! Matamoros, January 5, 1867.

FELIPE B. BERRIOZABAL.

Don MATIAS ROMERO,
Minister Plenipotentiary, &c., Washington, D. C.

Mr. Romero to Mr. Seward.

[Unofficial.]

WASHINGTON CITY, D. C., *January 31, 1867.*

MY DEAR SIR: Since the interview I had with you this morning, referring to the rumored execution of Mr. Carman, United States consul at Mazatlan, and the subsequent bombardment of that city by a United States gunboat, I have again examined carefully the telegraphic despatches from New Orleans of January 28th, and from San Francisco of January 29th, instant, which I enclose in slips herewith.

From these it will appear that, under the most favorable circumstances, no advices could be obtained from Mazatlan and reach the city of Mexico prior to the 15th of January, allowing the extremely short time of six days to come from Mazatlan to the city of Mexico; while direct dates received at San Francisco from Mazatlan of January 18th contradict the rumor. I cannot, therefore, give credit to the story, and believe it to be a fabrication, like the reported shooting of General Escobedo a short time ago.

Should I receive anything more definite relating to the subject I will hasten to communicate it to you. Meanwhile, hoping that no such unfortunate affair has occurred, I renew to you my sincere regards.

Very respectfully, your obedient servant,

M. ROMERO.

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

NEW ORLEANS, *January 28.*

Vera Cruz correspondence of the 23d says: A bulletin appeared in the French newspaper offices in the city of Mexico a few days ago stating that Mr. Carman, the American vice-consul at Mazatlan, became involved in a difficulty with a Mr. Broman, when the Mexican authorities interfered.

Mr. Carman shut himself up in his house, but was attacked, and during the fight killed two Mexicans. He was then imprisoned and summarily executed.

Norville, commanding the United States gunboat off the town, demanded the punishment of the Mexican officers who had taken part in the execution of Carman, and on the refusal of the authorities he bombarded the town for eight hours.

SAN FRANCISCO, *January 29.*

The report of the execution of Consul Carman by the French authorities at Mazatlan, and the bombardment of the place by a United States gunboat, is news here. Direct dates to January 18 say everything has been quiet since the city was evacuated by the French last November.

Mr. Romero to Mr. Seward.

[Unofficial.]

WASHINGTON, *February 1, 1867.*

MY DEAR SIR: Having sent yesterday a telegraphic despatch to the Mexican consul at San Francisco, California, asking for reliable information on the reported execution of Mr. Carman and bombardment of Mazatlan, I have just received an answer denying those rumors. I enclose to you for your information a copy of that answer.

I am, sir, very truly, your obedient servant,

M. ROMERO.

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

Mr. Godoy to Mr. Romero.

[San Francisco, California, dated 1st.—Received February 1, 1867—1.50 p. m.]

Señor Don MATIAS ROMERO, *Mexican Minister:*

The news false. I have letters from Mazatlan of January 19.

J. A. GODOY.

Mr. Romero to Mr. Seward.

WASHINGTON, *February 5, 1867.*

MY DEAR SIR: I take the liberty to call your attention to the enclosed account of what occurred at a meeting in the city of Mexico on the 14 h ultimo, to decide whether the ex-Archduke Maximilian should continue to uphold his so-called empire or not.

In my opinion this call shows the want of confidence in the project to convoke a national assembly or convention to settle the above question, and that it is the general belief that the so-called empire cannot be sustained, for the assembly was composed of the counsellors and ministers of Maximilian, together with a few other persons favorable to Maximilian, and one-third of them voted against trying to sustain the empire.

I remain your attentive and obedient servant,

M. ROMERO.

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

THE NOTABLES OF MEXICO.—RICKETY STATE OF THE EMPIRE.—REPORT OF THE FRENCH MARSHAL.

The following are the names of the distinguished Mexicans who were called together at the capital by the emperor Maximilian, January 14, to consider the affairs of the empire:

Senors Lares, Lacunza, Marshal Bazaine, Marin, Garcia Aguirre, Mier y Teran, Campos, Pereda, General Marquez, Murphy, under-secretary of war, Almazan, Luis Mendez, Manuel Cordero, Estaban Villalba, Cortes y Esparza, Bonifacio Gutierrez, Robles Pezuela, Fonseca, Sarabia, Iribarren, Hidalgo y Teran, Arango y Escandon, Orozco y Berra, Linares, Hernandez, Victor Perez, Lopez Portilla, Tomas Murphy, General Portilla, General Galindo, the archbishop of Mexico, the bishop of San Luis Potosi, Sanchez Navarro, Rev. Father Fischer, Vidaurri, Manuel Lizardi.

As at Orizaba, Senor Lares presided over the assembly in the name of the emperor, and offered the following question:

In the actual circumstances of the country, and in view of the figures presented by the ministers of war and of finance, ought the imperial government, and can it, undertake the pacification of the country?

The minister of the interior then rose and read a list of the departments which still remained faithful to the empire.

The minister of finance then rose and said that the treasury counted at that time upon a certain revenue of \$11,000,000. Once the departments of San Luis, Zacatecas, and Jalisco recovered, it would amount to \$23,000,000. When the arm of the imperial government could embrace the whole country, it would amount to \$36,000,000.

The minister of war rose and said that he counted upon an effective force of 26,000 men, immediately disposable.

General Marquez then rose and argued eloquently in favor of pushing on the war. He was supported by Senor Murphy, under-secretary of war, Senors Marin, Garcia Aguirre, Lares, Mier y Teran, and Lacunza. Marshal Bazaine then rose and read a discourse, which was translated into Spanish by Senor Lacunza. He said that it was the opinion of the French army, which had travelled through the whole country, that the republic had gained ascendancy over the greater part of the people, and was in all their thoughts. He had had under his orders 40,000 French soldiers and 20,000 Mexicans. He had had all the necessary resources of the country placed at his disposition, and he was convinced that the empire would be war, not peace. He believed that, therefore, the emperor ought to retire.

The archbishop of Mexico felt himself incompetent to give an opinion. So, also, the bishop of San Luis Potosi.

Then followed divers opinions, and the result of the discussion was that by a vote of two-thirds to one it was resolved "to maintain the actual situation." It was observed that at the vote General Vidaurri absented himself, and M. Lizardi refused to vote on account of his foreign nationality. On the assembly rising Senor Lares was charged with submitting their labors and their results to the emperor.

Elsewhere we publish the names of the council of notables at the city of Mexico, the reports of the ministers of war and of finance, and the result. The opinions of individuals of fame and fortune in Mexico are interesting.

General Marquez was the first to speak. He thought that the government ought vigorously to push on the war; that it had more men and money than necessary to bring it to a successful conclusion. Why be discouraged? It is certain the dissidents occupy points of great importance, but are we not accustomed to occupy the points to-day which they occupied yesterday? Is it not the constant history of civil war?

Senor Murphy, under-secretary of war, was of the same opinion. He considered that the dissident forces are composed of but a band of robbers.

Senor Marin was of the opinion of General Marquez. He said that if the public safety demanded it he would vote that an accommodation be proposed to the republicans. But as, fortunately, the entire country showed itself resolute in favor of the empire, he believed the government ought to pursue the war even till it obtained a complete pacification.

Senor Garcia Aguirre believed, likewise, that the war ought to be pushed on at any cost. If soldiers were wanted, forced levies could be made. If money were wanting they could seize it wherever it could be found—a very consoling fact.

Senors Lares, Mier y Teran, and Lacunza were of opinion that the imperial government ought and is able to undertake the pacification of the country.

Senor Arango y Escandon was of the same opinion as the ministry, and supported it by historical citations.

Generals Portilla and Galindo declared for war to the bitter end.

The archbishop of Mexico said that his office did not call upon him to resolve questions of this kind, and he had no means of judging the figures presented by the ministers of war and finance.

The bishop of San Luis Potosi said that when he received the invitation to assist at the junta he believed that it was intended to discuss some question of morality and religion. Like his colleague, the archbishop, he declined to give his opinion upon this question of war. But he added that the report before them of the dissident forces was inexact. He knew many of the republican chieftains to be honorable men, and to be worthy of high esteem.

Senor Hidalgo y Teran expressed himself in the same style as the hierarchs.

Senor Sanchez Navarro argued warmly in favor of the continuation of the war.

Senor Iribarren, imperial commissioner for the departments of Sonora and Sinaloa, sided with the ministry. He declared that if he had abandoned Mazatlan and the departments intrusted to him, it was because he believed the emperor had abdicated. He considered it every way easy to recover that region of the empire.

Senor Sarabia, imperial commissioner of the department of Durango, was of opinion that the emperor ought to abdicate, inasmuch as the actual state of things could not be maintained.

Senor Robles Pezuela expressed surprise to see the ministry counting on a revenue of \$11,000,000. In the exercise of his functions as imperial commissioner at Guanajuato, he observed that the revenues, far from increasing, had diminished in a very perceptible manner. In view of this state of things he did not believe that the empire could sustain itself.

Senor Bonifacio Gutierrez was of the same opinion.

Senor Cortes y Esparza observed that this re-union was composed of heterogeneous elements, and that they lacked reports sufficiently precise to solve the question proposed, "whether the imperial government ought and is able to undertake the pacification of the country." What documents have we to verify the correctness of the figures before us? The \$11,000,000 spoken of, do they really exist? Is it not an illusion? The 26,000 men upon whom the minister of war counts, are they soldiers or simply armed men? Are they really upon a war footing? What person present can respond with certainty, yes or no, to these questions? The emperor and his ministers are the only persons capable of entertaining this resolution with a perfect knowledge of the subject.

Senor Cortes y Esparza added that for some time past he had thought there would be an opportunity for the emperor to retire. He had expressed this opinion in the conference at Orizaba, and since that time his opinion, far from changing, had become confirmed. They say the country is accustomed to the situation in which it finds itself to-day. That is true; but when he became attached to the empire it was precisely because he believed that he was giving in his adhesion to an order of things whose stability would lead to peace and national prosperity. His hope has not been realized, and there are but few chances that it would be realized hereafter. He should give the same vote he gave at Orizaba.

Senor Cordero looked upon the subject in the same light. He thought that by pursuing the

war the emperor run the risk of lowering himself to the rank of a partisan chieftain. He believed, besides, that the empire, because of its youth, had but few partisans proper. He pronounced for the abdication.

Senor Luis Mendez was of the same opinion.

Senor Villalba read a discourse full of vehemence against the dissidents. He concluded by recalling to mind that the emperor had promised not to abandon the Mexicans, and he conjured him to keep his promise.

Senor Victor Perez took up the different misstatements in the list of departments reported to be faithful to the emperor, which the minister of the interior had read. He cited certain conscription districts where the government did not possess but a single point, and all the others were in the power of the dissidents. He wished the emperor to know the whole truth, and insisted that they should tell him. He declared for the abdication.

Senor Fonseca maintained the opinion that he gave out at Orizaba, in the commission charged to decide "whether the emperor ought or ought not to retire." He was for maintaining the empire, but he considered it to be unwise to bring the question every month on the tapis.

The Rev. Father Fischer declared for the war of pacification.

Senor Almazan spoke in the same language as Senors Cortes y Esparza and Cordero.

Senors Orozco and Hernandez responded that the imperial government, in the language of the resolution, "ought and is able to undertake the pacification of the country."

The opinion of Marshal Bazaine that the republic was dear to the hearts of the people, and that the empire could not be established by military force, and that the emperor ought therefore to abdicate, is given elsewhere.

Senor Pereda did not speak. General Vidaurri vamosed before the vote was taken. Senor Lizardi, an American, naturalized in New Orleans, excused himself because he was not a Mexican citizen. The junta stood two to one in favor of the emperor's undertaking the work of pacification.

ANOTHER COUNCIL OF RICH MEN.—A FORCED LOAN OF 1,000,000 DEMANDED.—HOW THE NABOBS OF MEXICO ARE MADE TO BLEED.

A few days after the junta of notables was held, a meeting of eighty capitalists was called at the ministry of finance. About fifty were present.

Senor Campos set forth that, in counting up the ways and means, the treasury found itself in such urgent want of money that it could not meet its normal expenses. In consequence of this, the government had resolved to ask of the persons present the advance of \$1,000,000, to be divided among them in proportion to their fortunes. This sum would be reimbursed, half of it in permits for the export of specie, and the other half out of the twelfth of the contributions to be made at Mexico on and after the month of April next.

General Santiago Blanco, and one or two other persons, alleged the impossibility of making any pecuniary sacrifice at the present time. Four or five foreigners, placed in the list of invited by error, on their side, also showed their right to exemption from all forced loans.

The under-secretary of finances then proceeded to the distribution of the loan, putting down the sum which each person was to pay. The quotas varied from \$2,000 to \$30,000. They were made payable, 50 per centum in twenty-four hours after Wednesday, 16th of January, and the remainder *dans quelques jours*.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, February 5, 1867.

SIR: I have the honor to acknowledge the receipt of your note of the 9th ultimo, containing a copy of a communication addressed to you by Mr. de Tejada relative to the change of the channel of the Rio Grande on the boundary between Mexico and the United States.

In reply I have the honor to state that the views of this government on the subject complained of are expressed in the opinion given on November 11th, 1856, by the then Attorney General of the United States, a copy of which is herewith transmitted.

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

WILLIAM H. SEWARD.

Señor Don M. ROMERO, &c., &c., &c.

Mr. Cushing to Mr. McClelland.

ATTORNEY GENERAL'S OFFICE, November 11, 1856.

SIR: Your note of this date, communicating a clause in the draught of the proposed report of the commissioners for determining the boundary between the Mexican republic and the United States, presents the following question of public law: A portion of the boundary is formed by the Rio Bravo, which is subject to change its course in two ways: first, by gradual accretion of one of its banks, followed, in many cases, by correspondent degradation of the opposite bank; and secondly, by the more violent action of the water, leaving its actual bed and forcing for itself a new one in another direction. In case of any such changes in the bed of the river, does the boundary line shift with them, or does that line remain constant where the main course of the river ran as represented by the maps accompanying the report of the commissioners?

The response to this inquiry depends, in part, on the terms of the treaty between the two republics, prescribing the boundary line, the material part of which, in so far as regards the present question, is to the effect that the line "beginning in the gulf of Mexico, three leagues from land opposite the mouth of the Rio Grande," shall proceed thence "up the middle of that river" to a certain point. The treaty further provides that commissioners appointed by the two governments shall survey and mark out upon the land the stipulated line, which, as agreed upon and established by them, shall in all time be faithfully respected, without any variation therein, unless by express and free consent of both republics. (Treaty of December 30, 1853, 10 Stat. at Large, p. 1032.)

If the question here were of certain other parts of the boundary which are to run on parallels of latitude or by straight line from point to point, in that case the monuments placed by the commissioners, or the line as otherwise fixed by descriptive words referring to natural objects, or by the drawings and maps of the commissioners, would, it is plain, be conclusive in all time by force of the stipulations of the treaty. It would be the line agreed upon and established, even although it should afterwards prove that by reason of error of astronomical observations or of calculation it varied from the parallel of latitude where that was the line, or in the other part did not make exactly a straight line. So if, in another portion of the boundary which calls for the rivers Gila and Colorado, there were controversy concerning the identity of either, as upon the northeastern boundary of the United States there once was in regard to the true St. Croix, then also, by force of the treaty, the determination of that point by the commissioners would be conclusive in all time.

But the present question is a different one, and depends in part for its solution upon other considerations.

In this case the boundary is not an astronomical or geographical line, but a natural object, defined by the treaty. And there is no equivocation here between two distinct natural objects, each of them answering to the descriptive language of a stipulation. It is the Rio Bravo, with a course as definite and almost as destitute of tributaries and embranchments in its main course as the Nile. That is a fact which cannot be modified by surveys or reports.

However, the established principles of public law come in here to settle the question in all its relations.

The respective territories of the United States and of the Mexican republic are arcifinious—that is to say, territories separated not by a mathematical line, but by natural objects of indeterminate natural extension, which of themselves serve to keep off the public enemy. Such are mountains and rivers. (Barbeyrac's Grotius, liv. ii, chap. 3, s. 16, and note; Coccei Grotius, illustratus *ibid.*)

When a river is the dividing limit of arcifinious territories, the natural changes to which itself is liable, or which its action may produce on the face of the country, give rise to various questions, according to the physical events which occur, and the previous relation of the river to the respective territories.

The most simple of all the original conditions of the inquiry is where the river appertains by convention equally to both countries, their rights being on either side to the *flum aque*, or middle of the channel of the stream. That is the present fact. With such conditions, whatever changes happen to either bank of the river by accretion on the one or degradation of the other—that is, by the gradual, and, as it were, insensible accession or abstraction of mere particles—the river, as it runs, continues to be the boundary.

One country may, in process of time, lose a little of its territory, and the other gain a little, but the territorial relations cannot be reversed by such imperceptible mutations in the course of the river.

The general aspect of things remains unchanged; and the convenience of allowing the river to retain its previous function, notwithstanding such insensible changes in its course, or in either of its banks, outweighs the inconveniences, even to the injured party involved in a detriment, which, happening gradually, is inappreciable in the successive moments of its progression.

But, on the other hand, if, deserting its original bed, the river forces for itself a new channel in another direction, then the nation through whose territory the river thus breaks its way, suffers injury by the loss of territory greater than the benefit of retaining the natural

river boundary, and that boundary remains in the middle of the deserted river bed. For, in truth, just as a stone pillar constitutes a boundary, not because it is a stone, but because of the place in which it stands, so a river is made the limit of nations, not because it is running water bearing a certain geographical name, but because it is water flowing in a given channel and within given banks, which are the real international boundary.

Such is the received rule of the law of nations on this point as laid down by all the writers of authority. (See ex. gr. Puffend., *Jus. Nat.*, lib. iv, cap. 7, s. ii; Gundling, *Jus. Nat.*, p. 248; Wolff, *Jus. Gentium*, ss. 106, 109; Vattel, *Droit des Gens*, liv. i, chap. 22, ss. 268, 270; Stypmanni, *Jus. Marit.*, cap. 5, ss. 476, 552; Rayneval, *Droit de la Nature*, tom. i, p. 307; Merlin *Répertoire*, ss. voc. alluv.)

I might multiply citations to this point from the books of public law; but, in order that either the United States or the Mexican republic, whichever in the lapse of time shall happen to be inconveniently affected by the application of this rule, may be fully reconciled thereto, it seems well to show that it is conformable to the common law of both countries.

I subjoin before doing this, as authority for Mexican jurists and statesmen, citations from the works on international law of the highest authority in Spain and Spanish America.

Don Antonio Riqueline states the doctrine as follows:

"When a river changes its course, directing its currents through the territory of one of the two conterminous states, the bed which it leaves dry remains the property of the state or states to which the river belonged, that being retained as the limit between the two nations, and the river enters so far into the exclusive dominion of the nation through whose territory it takes the new course.

"Nations must, of necessity, submit their rights to these great alterations which nature predisposes and consummates. * * * * *

"But when the change is not total, but progressive only—that is to say, when the river does not abandon either state, but only gradually shifts its course by accretions—then it continues still to be the boundary, and the augmentation of territory which one country gains at the expense of the other is to be held by it as a new acquisition of property." (*Derecho Internacional*, tom. 1, p. 83.)

Don Andres Bello and Don José Maria de Pando both enunciate the doctrine in exactly the same words, namely:

"When a river or lake divides two territories, whether it belong in common to the conterminous riparian states, or they possess it by halves, or one of them occupies it exclusively, the rights which either has in the lake or river do not undergo any change by reason of alluvion.

"The lands insensibly invaded by the water are lost by one of the riparian states, and those which the water abandons on the opposite bank increase the domain of the other state. But if, by any natural accident, the water which separated the two states enters of a sudden into the territory of the other, it will thenceforth belong to the state whose soil it occupies, and the land, including the abandoned river channel or bed, will incur no change of master." (Bello, *Derecho Internacional*, p. 38; Pando, *Derecho Internacional*, p. 99.)

Almeda refers to the same point briefly, but in decisive terms. He says:

"As the river belongs to the two nations, so also the river bed, if by chance it become dry, is divided between them as proprietors. When the river changes its course, throwing itself on one of two conterminous states; it then comes to belong to the state through whose territory it runs, all community of right in it so far ceasing." (*Derecho Publico*, tom. 1, p. 199.)

Leaving authorities of this class, then, let us come to those which discuss the question in its relation to private rights, and as a doctrine of municipal jurisprudence.

The doctrine is transmitted to us from the laws of Rome. (Justinian, *Inst.*, lib. ii, tit. i, ss. 20, 24; *Dig. lib. xii*, tit. i, l. 7; see *J. Voet ad Pandect*, tom. i, pp. 606, 607; Heinec, *Recit. lib. ii*, tit. 2, ss. 358, 369; *Struvii Syntag.*, ex. 41, c. 33, 25; *Bowyer's Civil Law*, ch. 14.)

Don Alfonso transferred it from the civil law to the *Partidas*. (*Partida*, iii, tit. 28, l. 31.) Thus it came to be, as it still remains, an established element of the laws of Spain and of Mexico. (Alvarez, *Instituciones*, lib. 2, tit. 1, s. 6; *Asso. Instituciones*, p. 101; Gomez de la Serna, *Elementos*, lib. ii, tit. 4, sec. 3, No. 2; Escherich, *Dic. s. voc. accesion natural, aluvion, avulsion*; *Febrero, Mexicano*, tom. i, p. 161; *Sala, Mexicano*, ed. 1845, tom. ii, p. 62.)

The same doctrine, starting from the same point of departure, made its way through the channel of Bracton into the laws of England, and thence to the United States. (Bracton de *Legg. Angliæ*, lib. ii, cap. 2, fol. 9; *Blacks. Comm.*, vol. ii, p. 262; Woolrych on Waters, p. 34; Angell on Water Courses, ch. 2; *Lynch v. Allen*, 4 De & Bat. N. C. R., p. 62; *Murray v. Sermon*, 1 Hawks., N. C. R., p. 56; *The King v. Lord Scarborough*, iii, B & C., p. 91; *S. C. ii*, Bligh N. S., p. 147.) Such, beyond all possible controversy, is the public law of modern Europe and America, and such, also, is the municipal law both of the Mexican republic and the United States.

In my judgment, therefore, the tenor of the report of the commissioners, in the clause submitted to me for consideration, is in substance correct; and, if it need modification to give it to absolute exactness, that result will be accomplished by the insertion of some word or

phrase which shall recognize the distinction which exists in law between gradual changes of a river course by insensible accretion, and changes happening through the absolute diversion of its course, effecting avulsion of land from one or the other territory, or striking out a partially new channel through the territory of one or the other, which it is suggested is subject to occur in some part of the course of the Rio Bravo.

I have the honor to be, very respectfully,

C. CUSHING.

Hon. ROBERT McCLERNAND,
Secretary of the Interior.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, February 6, 1867.

MR. SECRETARY: I have had the honor to receive the note you were pleased to address to me, dated yesterday, in reply to mine of the 9th of January last, with which I transmitted to the department copy of a communication from Mr. Lerdo de Tejada, minister for foreign relations of the Mexican republic, relative to the changes of the stream of the Rio Bravo on the boundary line between Mexico and the United States. With said note you sent me copy of the opinion given November 16th, 1856, to the Department of the Interior, by the Hon. Caleb Cushing, at the time Attorney General of the United States, on the same subject, which opinion, you add, contains the principles which the government of the United States profess in this respect.

I have read that opinion with interest, and it has appeared to me that the principles enunciated therein are equitable and founded on the teachings of the most accredited expositors of international law. On this date I transmit to my government a copy thereof, and of your note which accompanies it.

In the opinion spoken of, the proper distinction is taken between the case of change of the stream of a river which serves as boundary between two states, whether gradual or by alluvion, without change in its general direction, and that in which such change occasioned by the force of the river be sudden and complete, and cause a change of current. In the first case it is considered that the actual reach of the river continues to form the divisional line, and that the land gained or lost on each bank is acquired or lost by the state to which the bank belongs which undergoes such changes; and in the second case, that the divisional line cannot follow the new stream, but continues along the abandoned one which the river followed before the violent mutation.

It pertains to the government of Mexico to express its conformity to or dissent from these principles. Until I receive its instructions on this point, which I will duly communicate to you, I hesitate not to adopt them, meanwhile, as reasonable and equitable. As the case about which the government of the State of Chihuahua complained, and which I submitted to you with my cited note of the 9th of January last, is partially decided by the opinion of Mr. Cushing, I take the liberty to beg you that the document may be officially communicated to the authorities of the United States at Franklin, Texas, and chiefly to the military commanders at Fort Bliss, in the same State, so that they may regulate their proceedings thereby; because, you will remember, in the above-mentioned case, while they considered as property of the United States the portions of Mexican territory which the change of stream of the Rio Bravo has left on the left side, they do not permit the Mexican authorities to consider as Mexican territory that acquired on the same principle, which makes an inequality so marked that the Mexican government had resolved to request that of the

United States for an exposition of the principles it wished to observe, that such might be equally applied to both sides.

The opinion of the 16th November, 1856, solves, in the same sense, the question of the several rights that individuals have to property in the lands which the change in the river leaves on one or other of its banks; in which point, also, the United States authorities have not acted with equality in Franklin and at Fort Bliss. Nevertheless, I do not doubt that when they receive this opinion they will conform their procedure to it.

This occasion is very satisfactory to me to renew to you, Mr. Secretary, the assurances of my very distinguished consideration.

M. ROMERO.

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

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES,
Washington, February 10, 1867.

MY DEAR SIR: As a new proof of the interest which the government of the Mexican republic took in the triumph of the cause of the Union during the late civil war in the United States, I transmit to you the copy of a document which reached me recently, and which contains a proposal, made on the 29th of April, 1864, by Mr. José M. Iglesias, minister of finance of the Mexican republic, to Major General F. J. Herron, then in command of the United States forces in Brownsville, to close the port of Matamoros to foreign commerce, so as to prevent the export of Texas cotton by the confederates, and receiving in exchange the articles they needed to carry on the war against this government.

Although the proposal was not accepted, and has little interest now, I think proper to give information of it to the government of the United States for reasons above given.

Yours, most respectfully,

M. ROMERO.

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

Señor Iglesias to General Herron.

[Translation.]

MATAMOROS, *April 29, 1864.*

SIR: Although I have no instructions from the President, and am not authorized by him to enter into arrangements in regard to the affair treated of in this letter, I have thought proper to put in writing the terms upon which it might be settled, in my opinion, taking as a basis the discussion that occurred in our conversations.

As the right of the Mexican government to prohibit, when it pleases, the importation of any goods whatever into its territory is clear and explicit, it would be no violation of neutrality, which it wishes to preserve, to prohibit the introduction of foreign cotton as soon as the specified term of 30 days shall have expired, which is given to afford time for the decree to reach the knowledge of those concerned.

But, laying aside the discussion of a right I have termed clear and explicit, it is evident the exercise of it would be condemned by those interested on one side, while it would deprive the Mexican treasury, on the other, of one of the most profitable entries it enjoys at this critical period.

Nothing is more reasonable, then, than a mutual compensation, and certainly it will not seem extravagant to ask a million of dollars and 20,000 muskets in an affair of this importance. This indemnity for the loss of a considerable revenue is of small import to the treasury of the United States, and is a circumstance that should be taken into consideration.

The advantages the United States would derive from such an arrangement are important and too evident to need demonstration. A decree issued by the Mexican government would entirely stop the trade in cotton, while all the forces sent to guard the frontier could not do it along the vast course of the Rio Grande. Supposing it feasible to guard an extent of border which you, general, reckon at 400 miles, it would be much better to spare the troops that great labor and employ them in some more profitable duty. And it would be well to consider the great saving to the federal treasury by the proposed arrangement.

The great interest that you and Generals McClelland and Hamilton have taken in this cotton business induces me to hope my suggestion may be adopted, as it will bring about the desired results without the legal inconveniences presented by the project of seizure and confiscation.

The Mexican government certainly desires to increase the friendly relations that bind it to the United States, because the two nations must live in friendship; and whatever tends to that noble end ought to be constantly encouraged; and this is one more advantage in the projected combination.

I beg you, general, to communicate it to your government, and I will do the same towards mine, so that, in case of approval, the plan may be executed with the customary formality.

I am pleased to have this occasion to say, with much respect, I am your most attentive and obedient servant,

JOSÉ M. IGLESIAS.

Major General F. J. HERRON.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, March 1, 1867.

SIR: I had the honor to receive your esteemed note of the 10th ultimo, in which you transmit a copy of a document containing a proposal made in 1864 by the minister of finance of Mexico to General F. J. Herron, then in command of the United States forces at Brownsville, to close the port of Matamoros to foreign commerce, so as to prevent the exchange by the late rebellious States of their cotton for munitions of war. Though the offer and the cause for it have passed, the United States government cannot but appreciate this additional evidence of sympathy from the government of the Mexican republic.

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

WILLIAM H. SEWARD.

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

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, *March 16, 1867.*

MY DEAR SIR: I have the honor to send to you a collection of documents upon the affairs of Mexico, which the French government laid before the legislative body at the opening of its session on the 18th February last past, taken from No. 53 of the *Moniteur Universel*, corresponding with the 22d of February aforesaid.

I am, sir, respectfully, your obedient servant,

M. ROMERO.

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

No. 1.

[From the *Moniteur Universel*, of Paris, February 22, 1867, No. 53.—Translation.]

EXPOSÉ OF THE CONDITION OF THE EMPIRE.

In the United States the work of constitutional reconstruction continues. France sincerely applauds the wonderful activity with which that great nation is repairing the calamities of civil war. In the condition of the relations which exist between the different countries of the globe, the sufferings which are produced at one point are necessarily felt at all others. We have experienced the shock of events which have disturbed the Union, and we are profiting by the revival of its industry and commercial energies. No subject of disagreement exists at this moment between the two countries; on the contrary, everything is contributing more and more to bring them nearer to each other in their policy. His Majesty has received on a recent occasion the assurance of sentiments of friendship which were expressed to him in the name of the United States, and which correspond perfectly with our own feelings. We take pleasure in arguing favorably as to the future relations of the two governments in respect to the different questions on which their interests may be found to coincide.

We need not recur at this time to the necessity which caused us to undertake the expedition to Mexico. We sought the redress of grievances of every description, and the denials of justice from which our people had suffered for many years, and, animated by the generous sentiment which will always induce France to render her intervention useful wherever she shall be led to carry her arms, we did not refuse to unite in an attempt at regeneration by which all interests would have profited. But in lending its co-operation to this work the government of the Emperor had, beforehand, assigned a limit to its sacrifices, and the Emperor had fixed the end of the present year as the extreme term of our military occupation. The evacuation was to have been made in three detachments, the first leaving in the month of November, 1866, the second in March, and the third in November, 1867. These arrangements, conformable to our previous intentions, had been made in the fulness of our liberty of action, and anything which had partaken of the nature of external pressure could only have placed us in the position, in spite of ourselves, of prolonging a state of things which we wished to abridge. Reasons arising out of our military situation determined the Emperor to modify the first arrangements by substituting for a partial evacuation, at succeeding periods of time, the simultaneous transportation home of our whole *corps d'armée* in the spring of the present year. These measures are now in a course of execution, and in the course of March next our troops will have left Mexico.

Far from desiring to free itself from engagements which it had contracted on its own account, and which it has publicly announced, the government of the Emperor will thus hasten their fulfilment.

No. 2.

Mr. Drouyn de Lhuys, minister of foreign affairs, to Mr. Dano, minister of France to Mexico.

PARIS, April 14, 1866.

SIR: I have received the despatches which you did me the honor to write to me up to the date of the 10th of March, as well as your telegram of the 13th of the same month. Baron Saillard has furnished me, on his part, with all the information he could get from Mexico.

Your language to the Mexican government, and the attitude you have observed in these recent circumstances, have been in perfect harmony with the views and intentions of the government of the Emperor. The periods at which our gradual evacuation is to take place are definitely fixed: they seemed best, in Marshal Bazaine's opinion, in accord with our desire, to proceed prudently in the operation. Once determined upon, it was our duty to make it public. The *Moniteur* has accordingly announced officially the departure of our troops from Mexico, to begin this autumn and continue till the spring of 1867, and finish in November following.

No. 3.

Marquis of Montholon, French minister in Washington, to the minister of foreign affairs.

WASHINGTON, May 1, 1866.

MR. MINISTER: I have the honor to transmit to you herewith a copy of the despatch* which the Secretary of State addressed to me, in reply to the letter of your excellency, dated the 5th of April last.

* For enclosure see note from Mr. Seward to the Marquis de Montholon of the 25th of April, 1866, *Dip. Cor.* 1866, vol. 1, p. 378.

This answer, which is in a friendly tone, appears to close all serious discussion of the question, though it closes with a suggestion that reveals apprehensions of trouble from the presence of French troops that are to remain in Mexico seventeen months longer.

Accept, sir, &c.

MONTHOLON.

No. 4.

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

PARIS, June 7, 1866.

MARQUIS: In your despatch of the 1st of May, I find the Secretary of State's reply to the note I wrote you on the 5th of April. In it Mr. Seward admirably explains the nature and extent of the communications interchanged by the two governments in regard to the evacuation of Mexico by the French troops. His assurance, in the name of the cabinet at Washington, that he will not depart from the principle of non-intervention, already affirmed, fully satisfies us, and leaves no doubt of his firm will to maintain neutrality after the withdrawal of our soldiers. In regard to the concluding observations of the Secretary of the United States, you will see they can have no influence on the delays and conditions of the departure of the troops. The cabinet in Washington cannot expect us to make other declarations on this subject than those we have already voluntarily given in our initiative. In withdrawing its forces from Mexico, it is the duty of the government of the Emperor to take all needful precautions for the health and safety of its soldiers. Mr. Seward knows this himself; and I see nothing in what we have done to arouse the suspicions of the United States. If, however, the federal government chooses to keep an army of observation on the Rio Grande, we have nothing to say against it, useless as it may appear to us. But I cannot share Mr. Seward's opinions in his want of confidence in the sentiments and prudence of the commanders of the respective forces placed opposite to each other on that frontier. There is no danger of a disturbance on our part; and if the commanders of the federal forces have positive instructions from their government, and will be held accountable for their observance, all danger of a conflict will certainly be removed. I see no contradiction between the fears expressed by Mr. Seward and the excellent terms of his reply to our sincere hope and great desire to see a new consolidation of the good relations which have existed so long between France and the United States.

Accept, &c.

DROUYN DE LHUYS.

No. 5.

[For this enclosure see M. Moustier to the Marquis de Montholon, 16th of October, 1866 Dip. Cor. 1866, vol. 1, p. 337.]

No. 6.

Minister of foreign affairs to the minister of France at Washington.

PARIS, November 8, 1866.

MARQUIS: The United States envoy came to see me a few days ago. He mentioned the many newspaper reports upon the evacuation of Mexico by our troops, and expressed a fear that this change in the mode of evacuation might not effect the Emperor's decree. I told Mr. Bigelow that what he heard was about true; that our forces were concentrating for the purpose of leaving all at once; that he had nothing to apprehend from a military order purely practical; and I added our troops would all get back by next spring. Mr. Bigelow remarked that this would effect the first departure fixed for November next. I told him by sending the troops away altogether the evacuation would be sooner effected; and that the cabinet at Washington, so far from feeling any concern about it, ought to be pleased to see a combination, the result of which was to hasten the term of our occupation.

Accept, &c.

MOUSTIER.

No. 7.

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

WASHINGTON, November 5, 1866.

MARQUIS: As I informed your excellency, General Sherman goes with Mr. Campbell to Mexico. He had been ordered to New Mexico, but a telegram recalls him to Washington to-morrow. I learn also that a steamer from New York will soon be ready to take Mr. Campbell and his suite to some point on the Mexican coast. Mr. Sherman, as your excellency is aware, is not only a distinguished military man, but a considerable politician, which shows the importance of the mission with which he is charged in the eyes of the cabinet, and the circumstance is calculated to insure the success of the mission. Such is the reason given by the Assistant Secretary of State, who directs affairs in Mr. Seward's absence, in my interview with him this morning, when I asked him why a minister was sent to a country still occupied by our troops, and which he could not enter without coming in contact with the commanders of our land or sea forces. Mr. Hunter seemed very confident on this point, and assured me again of the formal intention of the American government to avoid any measure of a nature to bring about a disagreement with France.

MONTHOLON.

No. 8.

The French minister at Washington to the minister of foreign affairs.

WASHINGTON, November 15, 1866.

M. LE MARQUIS: I have received the despatch which your excellency honored me with on the 16th ultimo, and have not failed in my conversation with the Secretary of State to make use of the information which it contained in regard to the object of the mission intrusted by his Majesty to General Castelnau, as also in regard to the manner in which his Majesty's government intended to conduct the evacuation of the Mexican territory. The probability of seeing the time of our occupation shortened was received by Mr. Seward with a satisfaction which I believe to be the more sincere in that he has never hesitated to affirm, in the presence even of doubts often raised by others surrounding him, entire confidence in the ultimate accomplishment of the assurances given in regard to this matter. He has often spoken on the subject to me, and only recently, when communicating to me the instructions given to MM. Campbell and Sherman, which I have transmitted to your excellency, he again expressed to me the hope to see disappear with the departure of our troops the only question which disturbed the good relations between France and the United States.

While fully appreciating the value of these friendly sentiments, I could at the same time scarcely refrain from calling his attention to the *contrast which this mission seemed to establish between the conduct of the French and American governments*. The latter taking advantage of a doubtful moment as an opportunity to make a demonstration, and that at a time when it had received assurances of efforts made by us to hasten the execution of our engagements. It was to be feared that the mere act of sending a mission to Mexico at such a moment, and a selection for this mission of the general commanding the military and naval forces of the Mexican frontiers, would provoke in France, if not doubts as to the good faith entertained by the cabinet at Washington, at least misgivings from a political and military standpoint.

The Secretary of State replied to these apprehensions by pointing to the pacific character of Mr. Campbell's instructions, which Mr. Bigelow has been ordered to communicate and explain to your excellency. He at the same time asserted that a necessity existed for the United States to watch, to a certain extent, the situation in Mexico after the departure of our troops. *This last reason, though not in strict conformity with the principles of non-intervention, has, nevertheless, a practical value which it would be impossible to misconstrue.* What, nevertheless, must reassure us as to the ultimate results of this mission is the well-known disposition of the majority in Congress to refuse its support to any measure touching to cause the foreign policy of the country to degenerate into conquest and adventures, to which at this moment the entire sentiment of the American people is opposed.

Receive, &c.,

MONTHOLON.

No. 9.

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

[Translation.]

PARIS, November 28, 1866.

MONSIEUR LE MARQUIS: I have this instant received your despatch of the 15th of this month.

You acknowledge the receipt of the one I had the honor to write you on the 16th of Octo-

ber, and you inform me that Mr. Seward had received with much satisfaction the communication which you were instructed to make to him, and the announcement that our troops, which were not to evacuate Mexico till the end of the year 1867, would all leave together in the spring of the same year, from causes arising from the actual state of the country and the duties which the health and security of our army imposed upon us. Being in doubt as to whether you have given a copy of my despatch to Mr. Seward, I write you by telegraph to do so, and not to restrict yourself to a simple verbal communication.

Accept, &c.,

MOUSTIER.

No. 10.

Telegram communicated by Mr. Bigelow, minister of the United States, December 3, 1866.

WASHINGTON, December 1, 1866.

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

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c.

No. 11.

The minister of foreign affairs to Mr. Bigelow, minister of the United States in Paris.

PARIS, December 3, 1866.

SIR: The cause which has prevented the French government from commencing the evacuation of Mexico in the month of November, has been explained in a despatch of the 16th of October, addressed by the minister for foreign affairs to M. de Montholon. The purport of that despatch has been communicated to Mr. Seward. The latter had seemed to be satisfied with the declarations which had been made to him by our representative. I am therefore surprised at the misunderstanding of which you spoke to me.

The intentions of the French government are not changed; but, owing to military considerations, it has deemed proper to substitute the return to France of our troops, in a body, to their withdrawal in detachments, and our corps of occupation will embark in the coming month of March. I have to add that the French government is fully disposed to have an understanding with that of the United States in view of the eventualities which may arise in Mexico.

Accept, &c., &c.,

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

LA VALETTE.

No. 12.

The minister for foreign affairs to M. Berthemy, minister of France at Washington.

PARIS, December 5, 1866.

SIR: As you are aware, the minister of the United States has been instructed by his government to bring to your notice the subject of the new arrangements made for the return of our expeditionary corps from Mexico, and he has expressed to us the regret that they had not been officially notified of it at Washington, adding, furthermore, that he did not see in this aught but a misunderstanding susceptible of an explanation satisfactory to both parties.

In order to do away with this misunderstanding the government of the Emperor has not hesitated to give the orders to the Marquis de Montholon to officially inform Mr. Seward of the instructions which I had addressed to him under date of October 16, and a copy of that despatch has likewise been handed to Mr. Bigelow. Desirous, moreover, to fully enlighten the cabinet of Washington respecting our intentions, we have also transmitted to the envoy of the United States the accompanying communication: the assurances which it contains are conformable to those contained in my despatch of the 16th of October to M. de Montholon, which I had besides already developed on the 1st of November last, in a conversation with Mr. Bigelow, of which you will find a statement in my despatch of the 8th of November to your predecessor. As I then said, if we have been obliged to defer our departure, it has been from considerations purely practical. In order to guard the security and health of our troops,

we have substituted a return in a body for partial withdrawals; but neither our policy nor our intentions have changed, and the return of our expeditionary corps will be effected at the beginning of next spring. You are authorized to renew the assurance of it to the cabinet of Washington.

Receive, &c.,

MOUSTIER.

No. 13.

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

PARIS, December 27, 1866.

SIR: I took charge of this ministry on the 5th of October, and one of my first occupations was to furnish to the government of the United States friendly explanations respecting our policy in reference to Mexico. The Emperor was then at Biarritz; so soon as the return of his Majesty permitted me to ask him his orders, I addressed a despatch to your predecessor, dated the 16th, in which were stated the considerations of a nature purely military which determined us to recall our corps of occupation no longer by detachments, but all together and at one time, in the coming spring. M. de Montholon has made known the tenor of this document to Mr. Seward, and the correspondence of our representative at Washington shows that the Secretary of State of the United States had been satisfied with it. I should have preferred that M. Montholon should have immediately given him a copy of it. If I did not transmit him a formal order to do so, it is because at so great a distance a certain liberty of personal appreciation must be left to our agents. However, having supposed that I could infer from his correspondence that he had simply read it to him, I hasten to advise him by telegram to complete by transmitting the despatch itself to Mr. Seward, the communication which he had only made to him verbally, but which I thought bore a character sufficiently official.

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

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

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

“WASHINGTON, December 1, 1866.

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

“WILLIAM H. SEWARD.”

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

I do not further insist upon this incident, the causes of which, perhaps local, escape me, and which must be consigned to oblivion, now that the relations between the two governments tend to become more and more cordial and amicable. The speech of General Dix at his audience of reception has given still more strength to the character of our relations with the United States. The Emperor has been entirely satisfied with it, as the reply of his Majesty proves, and I can do no less than to encourage you again to foster these good dispositions.

Receive, &c.

MOUSTIER.

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, *March 23, 1867.*

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

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

M. ROMERO.

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

[Supplement to No. 11.—Translation.]

THE SHADOW OF ZARAGOZA.

SAN LUIS POTOSI, *February 11, 1867.*

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

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

Four days had scarcely passed after General Escobedo's arrival in this capital, when it was found that the enemy was advancing upon it with one of his divisions, under the command of Don Severo Castillo, and that another, under Don Miguel Miramon, was marching in the direction of Zacatecas. The 90 or 100 hours that had passed after the arrival of the commander and his staff did not afford time to concentrate and reorganize the different sections of the northern army corps, which, as I have already said, were scattered at divers points; so it was found necessary to arrange the campaign with the force disposable in those moments, stationing one division in front of Castillo, another in the town, and a third in observation of the enemy on the road to Salinas, and the last destined to give aid to Zacatecas.

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

Thus closes this day the campaign of the insensate Miramon, who, as facts demonstrate it, in his voyage to Europe, so far from learning how, forgot how to fight; losing what little

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

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

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

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

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

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

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

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

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

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

Fifty carbineers of the 2d column of cavalry, protected by fifty others of the same arm, continued to harass him closely in his retreat. I gave orders to the citizen Colonel Martinez to continue his march on the left to the heights on the enemy's rear; to the citizen General Blanco to continue to the right till he got as far as the same heights with Colonel Martinez, so as to shun, in this way, the ambushes the enemy might lay, and I ordered the citizen General Treviño to go forward with the parallel columns of infantry and the 4th cavalry, which was in reserve.

The resistance which the enemy offered to our riflemen was obstinate, and our men obstinately persecuted him as far as San Francisco de los Adames. Here I wanted to take advantage of good ground before the enemy could reach the strong position of Cuisillo ranch, where he might cause us great loss. I sent orders to the citizen General Blanco to conquer the obstacles that the ground presented to him, to advance his column in a trot till he doubled the position of Cuisillo; to Colonel Martinez to advance by the left till he should come to the main road, and to the citizen General Treviño to make the fourth column advance, following up the charge that I was to make in a few minutes, by aid of the infantry.

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

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

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

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

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

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

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

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

MARIANO ESCOBEDO.

Citizen MINISTER OF WAR, *Zacatecas*.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,

Washington, March 27, 1867.

MR. SECRETARY: I have the honor to inform you that in a communication, dated Havana, 20th current, which has reached me to-day, I am advised that Don Ramon Carvallo, who acts as consul of the so-called Mexican empire in Cuba, was enlisting men to serve in defence of Vera Cruz; that he gave twenty dollars bounty, and promised those whom he enlisted that they should receive one dollar daily from the time of their landing at Vera Cruz; that at that date, there were already enrolled a long list of Spanish soldiers, acclimated, and whose time had expired, who were to leave Havana for Vera Cruz on the 22d, aboard the steamer Paris, forming the first remittance, and that this was doing with the knowledge of the Spanish authorities. The source from which these important reports come to me cause me to regard them as authentic.

Believing that the government of the United States is disposed to regard the enrolling of Spaniards in a Spanish colony, to interfere in the internal difficulties of Mexico, in the same manner in which it regarded the recruitment of Austrians, which was for the like purpose, made in the Austrian empire, I have thought proper to transmit to you, without delay, these reports.

I gladly avail myself of this opportunity to renew to you, Mr. Secretary, the assurance of my most distinguished consideration.

M. ROMERO.

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

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, *March 28, 1867.*

MY DEAR SIR: I have the honor to send you, for your information, a copy of the official report which General Corona, chief of the army of the west, of the Mexican republic, made to his government on the 2d of February last, communicating the taking of the city of Colima, capital of the State of the same name, which has placed at the disposal of the national government of Mexico another important state and some war material.

I am, sir, your very obedient, humble servant,

M. ROMERO.

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

[Extract from the News Bulletin of the western army, Colima, February 5, 1867.]

On the morning of the 31st of January last, I joined the citizen General Amado Antonio Guardarrama, chief of the united brigades of Jalisco and Colima, at a place called Aicaraces, seven leagues from this city, and on the evening of the same day reached the principal entrance of the city; then, acting in combination with the citizen General Julio Garcia, who held the western portion of the town with the cavalry under his command, I proceeded to place my forces in a line parallel to the fortified radius of its circumvallation. At seven o'clock on the morning of the 1st instant I ordered a surrender, when General Felipe N. Chacon, the chief in command, proposed a parley for an arrangement of terms.

In the mean time, I made known to the besieged that I would only suspend my firing in front, and continue the mining I had begun early, to bring me nearer the perimeter of the fortified city.

The day was passed in parley, fixing the terms of surrender, which were, that I should occupy the place at noon next day with the troops I had brought for that purpose; and I did so.

From the communications I have the honor to enclose in copy, numbered from one to six, you will learn the tenor of the correspondence that took place previous to the surrender of the place; and if it appears that I made more concessions than necessary, considering the superiority of my forces, I had two reasons for it: first, I wanted to gain time for the expedition into the interior, and I have already advanced citizen General Marquez, with the vanguard of the division; and second, I wanted to utilize the elements of war contained in this city, and leave those in Manzanillo for future emergencies, and in both cases to act with honor to the republican arms and to the glory of the nation. While the enemy was evacuating the city, an unpleasant incident disturbed the order of proceedings: The three hundred men that were to occupy the garrison, on defiling in front of the fort, began to shout *viva la republica*, and were fired upon by the enemy. The result of this disturbance was four killed in the fort, and one on our side, a young lieutenant named Juan Nepomuceno Suro, belonging to my staff, who had advanced to restore order.

On account of that grievous occurrence, only General Chacon and a few of his officers were allowed to leave. I then deemed it my duty to escort them as far as Lagos, as I had agreed to do; and now the legitimate authority of the republican government is re established in the state.

On that occasion 932 men remained in my power. I found 263 muskets in the garrison, nine field pieces and one siege gun, and all the provisions and war material given below.

In my operations for circumvallating the fortified line of the city, I must mention the following losses: Citizen José Diaz Vivar, second captain of artillery, killed; Crescencio Aguilar, ensign; citizen Juan Ortiz, corporal; and three soldiers—Nicolas Escamilla, Rafael Munguia, and Ignacio Benancio. My wounded were citizens Enrique Aragon and José Maria Rodrigues, both artillery lieutenants; ensign citizen Rafael Villaseñor; citizens Vicente Rivera, Manuel Gusman, and Ines Gonzales, second sergeants; corporal of cornets, citizen Dolores Hernandez, and citizen soldiers Geronimo Garcia, Juan Bueno, Francisco Guizar, Antonio Lopez, and Celso Vazquez. All the citizens, chiefs, and officers belonging to the army that I have the honor to command, and who took part in the operations I have just detailed, did their duty.

Please have the kindness, citizen minister, to communicate this report to the President of the republic, and congratulate him in the name of the army of the west and its general-in-chief on the victory in this city yesterday, gained by the national arms, thus closing the war against the foreign invaders of this state, which they compelled us to prosecute.

Independence and liberty! Headquarters in Colima, February 2, 1867.

RAMON CORONA.

The Citizen MINISTER OF WAR AND MARINE, at San Luis Potosi.

No. 1.

Citizen GENERAL: In respect to humanity, I address you the following: All resistance on your part, since I have reached the city gates, would only increase the number of victims, already too many, that have been sacrificed in the most unjust of causes.

Reflect upon it well, and accept the liberty I give you to choose either a foreign pass for yourself and all your chiefs and officers, or a safe conduct, with an escort, to present yourself to the citizen President of the republic. Life is guaranteed to the troops up to the rank of sergeant.

It is now 7 o'clock in the morning, and I will suspend hostilities till noon, to await your answer.

Independence and liberty! Camp near the principal entrance, February 1, 1867.

RAMON CORONA.

General FELIPE CHACON, Colima.

No. 2.

FOURTH MILITARY DIVISION, GENERAL-IN-CHIEF,
Colima, February 1, 1867.

GENERAL: In reply to your note of this date, I agree with you that it is best not to increase the number of victims in this war that divides the country, and I propose an armistice till commissioners may arrange terms of capitulation, assuring you all I ask is respect to the military honor of this garrison. As a proof of my honorable intentions, I send two copies of proposals for an amicable arrangement.

FELIPE N. CHACON,
*General-in-Chief.*General RAMON CORONA, *Colima.*

No. 3.

I have just received your despatch of to-day, and a copy of one addressed to me at Gaudalajara, on the 21st ultimo. I send Lieutenant Colonel Bibiano Hernandez and Mr. Augustin Caravantes to treat with you about the first.

I have ordered hostilities to cease on the line of communication with the city, expecting you to do the same along your entire fortified line.

Independence and liberty! Headquarters in Colima, 1st of February, 1867.

RAMON CORONA.

General FELIPE N. CHACON, *Colima.*

No. 4.

FOURTH MILITARY DIVISION, GENERAL-IN-CHIEF,
Two and three-quarters in the afternoon.

GENERAL: Instructed by your despatch of to-day of the deference you have paid to mine of the same date, I learn that, to treat of the affair to which the said note refers, you have named on your part Lieutenant Colonel Bibiano Hernandez and Licenciado Augustin Caravantes; in virtue whereof, and considering that you have ordered firing to cease till I on my part fix the hour for suspension, I must say to you that it will be at 4 o'clock this evening, expecting you will do the same, according to the laws of war, and suspend at the same time all work upon the line, as well as prevent any advance of your troops from their present positions, and I will do the same.

FELIPE N. CHACON,
*General-in-Chief.*COLIMA, *February 1, 1867.*General RAMON CORONA, *Present.*

No. 5.

GENERAL: I acknowledge the receipt of your despatch of to-day, written at three-quarters after two o'clock this afternoon.

The same citizen commissioners return near you from these headquarters to treat with you, and citizen Ignacio M. Escudero, the quartermaster in the army under my command, accompanies them. The present serves as a credential that accredits the official character of all, and authorizes them to fix the terms of the surrender of the troops that you have under your command, for which they carry instructions serving for a basis of the conditions laid down in my first communication of this morning, reserving to myself the right to approve what is agreed upon.

I have already given the command necessary for the complete suspension of firing along the entire line of circumvallation.

Independence and liberty! Headquarters in Colima, February 2, 1867.

General FELIPE N. CHACON, *Present.*

No. 6.

CONVENTIONS OF COLIMA.

The progress of political events in the country have reached such a point in this city that the forces of the army of the west, under the command of the citizen General Ramon Corona, find themselves in front of the garrison troops of the fourth territorial military division, under the command of citizen General Felipe N. Chacon.

Both parties being in hostile positions, and firing beginning, the first mentioned general addressed a communication to the fort, proposing a convention to avoid the effusion of blood. The proposal was accepted, an armistice ordered, and the following commissioners appointed: On the part of General Ramon Corona, citizen Colonel Ignacio Maria Escudero, quartermaster of the western army, Lieutenant Colonel Bibiano Hernandez, and Licenciado Augustin Caravantes, auditor of war in the same army; and on the part of General Chacon, citizens General Antonio Alvarez, major general in the division in the place, and Colonel Ignacio Esparza.

Said commissioners, after a reasonable discussion, agreed upon the following:

1. The city of Colima shall be evacuated by the forces that garrison it, and shall remain at the disposal of citizen General Corona.
2. The troops shall march out with drums beating and colors flying, provided with two rounds for each man and his necessary baggage.
3. The number of men to march out shall be 300, selected at the will of General Chacon, and all the chiefs and officers of his division.
4. These troops shall take up their line of march on the road chosen by both generals, till they are out of the state of Jalisco, towards the interior, in which march they shall not be harassed by the forces under the command of the citizen General Corona.
5. If, during the march of these troops, news comes that Miramon has been defeated, Chacon shall give up the arms of his 300 men, and continue only with his chiefs, officers, and unarmed men, who shall have an escort in that case as far as the state line of Jalisco, which is the town of Lagos.
6. The evacuation of the city shall take place at noon to-morrow, after the adverse troops have been withdrawn from their lines of occupation, and the appointed commissioners, named for that purpose on the part of General Corona, shall have taken formal possession of the place, with all that it contains.
7. At the hour specified the troops that the citizen General Corona shall designate for the occupation of the city shall march into the public square, and the troops that are to evacuate shall take up their line of march as already specified.
8. The commissioners that are to receive the place shall enter upon the discharge of their duties as soon as they make their appearance.
9. The commissary of the army of the west shall furnish the chief officers and men with provisions for their journey to the city of Lagos, and till they leave that place.
10. The foregoing articles, signed by said commissioners, shall have full effect as soon as they shall be ratified by both generals-in-chief.

Colima, the first day of February, eighteen hundred and sixty-seven.

IGNACIO M. ESCUDERO,
A. E. DE B. Y. CARAVANTES,
BIBIANO HERNANDEZ,

Commissioners of General Chacon, Antonio Alvarez, and Ignacio Esparza.

I ratify these conventions. Headquarters in Colima, on the first of February, one thousand eight hundred and sixty-seven.

FELIPE N. CHACON,
General-in-Chief.

I ratify these conventions. Headquarters in Colima, on the first of February, one thousand eight hundred and sixty-seven.

RAMON CORONA.

INVENTORY OF ORDNANCE AND ACCOUTREMENTS FOUND IN THE PLACE.

One eight-inch field-piece, with its complete sets of implements: 9 mounted mountain howitzers; 9 swords; 9 levers; 9 rammers; 7 charges of canister shot; 1 sight-screw and 2 hooks of sets of arms are wanting; 28 half used pack-saddles, wanting several traces and sweat cloths; 1 complete harness, only wanting one saddle and a girth; 8 haversacks; 7 provision bags; 7 punches; 4 flagstuffs; 4 halyards for same; 4 books; 5 trace lines.

INVENTORY OF MUNITIONS IN STORE.

Eleven charges of canister shot; 4 haversacks; 3 provision bags; 3 cartridge boxes; 2 trace lines; 4 traces; 2 punches; 2 casks for making powder, one yard long and eighteen

inches diameter; 1 cask three-fourths of a yard long and eighteen inches diameter; 1 cask two-thirds of a yard long and eighteen inches through; 1 barrel made for the same use as the casks; 2 trays of three yards in circumference, with nitre; 1 tray of the same size, containing cannon powder; 1 tray containing three pounds of sulphur; 2 kettles containing seventy-five pounds of gunpowder; 2 tin sieves; 1 scale; 2 willow baskets; 1 kettle containing gum for glazing; 99 muskets; 56 rifles; 1 pair of measures; 25 lances; 500 empty shells of twenty-four inches; 762 common eight-inch cannon balls; 308 empty hand grenades of twenty-four inches; 86 empty hand grenades of thirty-six inches; 50 hand grenades, loaded, of twelve inches; 129 loads of grape shot, twelve pounds; 29 common shot of eight pounds; 3 tons of loose grape shot; 48 balls for rifled cannon, in boxes; 1 howitzer, by Vergaza, twelve-pounder, a new invention; 4 machine wheels for grinding metallic ores; 3 swords; 42 pounds of gunpowder, in bulk; 40 gun covers; 3 boxes of empty cartridges; 1 box of powder; 8 loads of grape shot, twelve-pounders; 18 six-pound balls; 14 six-pound balls, with sabots; 36 signal lights; 2 jars of powder; 1 cask of caps; 4 loads of twelve-pound grape shot; 12 punches; 3 cartridge boxes; 1 empty box; 1 box three feet square, containing percussion caps for guns; 10 empty boxes; 1 box containing one hundred and seventy-five pounds of half-ounce rifle balls; 35 cannon primers; 1 Turkish bullet mould; 73,000 one-ounce cartridges, in sixty-three boxes; 900 projectiles for twelve-pound howitzers and eight-pound cannons.

NOTE.—There was no port-fire in the magazine. There are several planks and empty boxes of different sizes, several leather thongs, many ropes, and small pieces of machinery.
EPIFANIO GARCIA.

COLIMA, *February 2, 1867.*

Memorandum.

WASHINGTON, *March 28, 1867.*

Mr. Romero said that he read with attention the memorandum of the Examiner of Claims of the department, handed to him by Mr. Seward; that Mr. Romero thinks it very reasonable, so far as it admits that a government has the right to impress the money of the residents, when in extreme need of it, just as it can impress horses, ships, &c., this right being one of eminent domain; that Mr. Romero has no instructions from his government to begin or enter into negotiations with the government of the United States for the purpose contemplated in said memorandum; but that he will submit that paper to the Mexican government, and will ask for instructions on the subject, and that, in the meanwhile, the negotiation may be considered as commenced.

FORCED LOANS IN MEXICO.

BUREAU OF CLAIMS, *March 27, 1867.*

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

If this be so, then our citizens are protected from such impositions, because Mexico guaranteed to British subjects, by the 10th article of her treaty with Great Britain of December 26, 1826, (3 Hertslet, 252), that "no forced loans shall be levied upon them."

It seems to me, however, not wise, if it can be avoided, to allow the right of our citizens

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

"The citizens of the United States residing in the Argentine Confederation, and the citizens of the Argentine Confederation residing in the United States, shall be exempt from all compulsory military service whatsoever, whether by sea or by land, and from all forced loans, requisitions, and military exactions; and they shall not be compelled, under any pretext whatever, to pay any ordinary charges, requisitions, or taxes greater than those that are paid by native citizens of the contracting parties respectively."

The British treaty with Honduras of August 27, 1856, (10 Hertslet, 875,) contains, in article XV, a provision identical with the preceding, except a transposition which makes the exemption from "all forced loans or *military* exactions or requisitions;" and the insertion of words so as to make the exemption from paying "any ordinary or *extraordinary* charges, requisitions, or taxes, *other* or higher than those that may be paid by native subjects or citizens." This is a little more careful expression of the sense of the Argentine treaty, and may well be adopted as the model for an article to be proposed to Mexico.

E. PESHINE SMITH.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, April 4, 1867.

The Secretary of State has the honor to transmit for the information of Señor Romero a copy of a despatch which has been received from the consul general of the United States at Tampico, containing a letter addressed to him by General Manuel M. Cuesta, of the liberal army of Mexico.

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

Mr. Chase to Mr. Hunter.

UNITED STATES CONSULATE GENERAL,

Tampico, March 6, 1867.

SIR: I have the honor to enclose herewith a copy of a letter addressed to this consulate from General Manuel M. Cuesta, of the liberal army, and political chief of the southern district of Tamaulipas, by which you will be pleased to perceive that he appeals to Lieutenant General Sherman for auxiliary aid in the defence of this port against an expected attack by the imperial gunboats now under the orders of Maximilian.

Not knowing in what part of the United States General Sherman may be at the present time, I have thought it most prudent to send the above-mentioned copy direct to your department for such action as it may deem proper.

I will merely add that the authorities here are much alarmed for the safety of this place, which they cannot hold for any length of time against the attack of two small gunboats.

I have the honor to be, sir, with great esteem and respect, your most obedient servant,

FRANKLIN CHASE.

Hon. WILLIAM HUNTER,

Second Assistant Secretary of State, Washington.

POLITICAL HEADQUARTERS AND MILITARY COMMANDANCY OF THE SOUTHERN DISTRICT OF TAMAULIPAS.

From a paragraph in the New York Herald of the 5th instant, we learn that an iron-clad vessel is about to leave England for Vera Cruz to serve Maximilian; and as recent news from

Mexico says he is still at the head of the traitor party, and will have gunboats left to take this port and Matamoras after the French-Austrian army leaves, I have thought proper to remind General Sherman—which I now do through you—of his promise to me to station American gunboats outside of the bar of this port to prevent the entrance of the enemy, or to give me the assistance I solicited for that purpose in my note of the 8th instant to you.

I am pleased to renew the assurances of my esteem and consideration.

Country and liberty! Tampico, February 22, 1867.

MANUEL M. CUESTA.

Mr. FRANKLIN CHASE,
United States Consul General in this port, Present.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,

Washington, April 4, 1867.

The minister of the Mexican republic has had the honor to receive the note, of this day's date, which the honorable Secretary of State of the United States of America has pleased to address to him, enclosing a copy of a communication from the consul general of the United States at Tampico, dated the 6th of May last, with which he sends a despatch that General M. Cuesta, political chief of the southern district of Tamaulipas, on the 22d of February previous, addressed to him, asking aid from the United States to defend that port against invasion by rebels to the Mexican government.

The expedition which, in February last, was about to move on Tampico did not take effect, and the rebels were, on the other hand, in such condition that it would not be possible for them to undertake it. Besides, even if the Mexican government might think it convenient to solicit, in any manner, the aid of the United States, it would certainly do so of itself and through persons specially authorized, because, in accordance to the constitution of Mexico, it belongs exclusively to the federal government to have understandings with foreign nations.

The minister of Mexico will transmit to his government the memorandum from the honorable Secretary of State and the documents annexed to it.

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

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION OF THE UNITED STATES OF AMERICA,

Washington, April 13, 1867.

Mr. SECRETARY: Referring to the note which I had the honor to address to you on the 27th of March last, relative to the enlistments that were being made in the island of Cuba of Spanish soldiers whose time had expired, for the service of the rebels of Mexico shut up in Vera Cruz, I remit to you to-day the copy of a communication which I have received from the commercial agent of the Mexican republic in Havana, dated the 5th instant, and of the documents annexed to it, all relating to the affair referred to.

At the same time I have seen in the New York papers of yesterday the news of the arrival at Vera Cruz of the Spaniards that left Havana in the steamer Paris; the most of them bring artillerymen, recruited to manage the cannon that keep that city in the power of the rebels. (No. 6.)

Wishing to keep the government of the United States informed of these events, I take the liberty to remit to you the above-mentioned documents.

I take advantage of this opportunity to renew to you, Mr. Secretary, the assurances of my very distinguished consideration.

M. ROMERO.

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

No. 1.

No. 5.]

COMMERCIAL AGENCY OF THE MEXICAN REPUBLIC,

Havana, April 5, 1867.

CITIZEN MINISTER: Enclosed I have the honor to send you an open package for the citizen minister of foreign relations of the republic, which I entreat you to have the kindness to transmit to its place of destination, after having informed yourself of its contents. I allow myself to call your attention respecting the affair of which I treat in it, on the enlistment of people in the so-called consulate of the empire, so that you may be able to proceed in the most proper manner, so as to avoid, as far as possible, the said act of open hostility on the part of the superior government of the island, as it has been proved to me that the captain general approves of it and protects it.

* * * * *
Be pleased to accept, Mr. Minister, the assurances of my particular consideration.

A. HOFFMANN Y URQUIA.

Citizen Minister ROMERO,
*Envoy Extraordinary and Minister Plenipotentiary
of the Mexican Republic in Washington.*

No. 2.

No. 6.]

COMMERCIAL AGENCY OF THE MEXICAN REPUBLIC,

Havana, April 5, 1867.

CITIZEN MINISTER: On the 16th of March last, as you must be aware, the national territory was definitely evacuated by the French army. When the French left Vera Cruz they gave up the custom-house to the traitors, as well as all the war material to be found in that place; a certain Antonio Robledo acting as political prefect, and a man named Perez Gomez doing the duty of military commander. There are 1,200 men garrisoned in the city. The government forces, amounting to about 2,000 men, under the command of General Benavides, held the city strongly besieged, so that no fresh provisions could come in, and had already begun to throw grenades; but I learn that General Benavides is sadly in want of heavy artillery, so he can effect nothing decisive. The strictest vigilance is exercised in the city; nobody dares to speak, and incarceration and exile is the order of the day. On the 2d day of March 20 persons were immediately imprisoned, or banished to Yucatan; among them were Ramon V. Vila, Juan Pastorisa, Ramon Laine, Eduardo Herrera, Rafael Zamora, Manuel Diaz Miron, Lorenzo Portilla, and another, who were embarked in a schooner. Those individuals, on getting out to the open sea, bound the captain, and obliged him to put into Alvarado, where they are now to be found.

Many other persons are now in this city, who have emigrated for fear of the persecution to which all republicans are now subject there.

The recent news here is that Puebla is besieged, and had been several times assaulted, half of the town being held by General Porfirio Diaz. There is absolutely no news from the interior, and more than a month has passed since letters were received from the capital.

I have a very important piece of news to communicate to you from this place. As soon as the siege of Vera Cruz was known here the so-called consul of the Archduke Maximilian opened a recruiting office at his place of business, to enlist armed men and send them to Vera Cruz to sustain the pretended empire. As soon as I learned the fact I endeavored to investigate the affair, and found out it was true beyond a doubt, when I immediately repaired to the consul general of the United States in this city, with the annexed communication, marked No. 1. I had an interview the next day with that gentleman, who told me he had seen the captain general on the subject, and he told him he had no knowledge of the facts, but would send and find out about it, and if it were true he would take measures to have it stopped; yet, after all this, the recruiting has continued publicly, so that everybody knows of it, and in fact two lots of men, 50 in number each, have already been shipped to Vera Cruz; and I learn from various sources that the captain general, far from trying to prevent it, actually approves of it. In view of this I have procured undoubted proof, which I send

you, marked number 2, as well that the supreme government of the nation may have an exact knowledge of the fact, so as to know how to act, as that the United States consul general may be convinced of the truth of my assertion. I had another interview with the same consul yesterday, showed him my evidence, and begged him to see the captain general once more upon the subject, which he promised to do to-day, telling me to come back in the evening to hear what the captain general should say. At the same time I requested him to inform his government of the fact, so that the government of the United States might demand of Spain a rigorous observance of strict neutrality. All of this I equally place in the knowledge of the citizen minister plenipotentiary of Mexico in Washington.

I must also inform you, that you may communicate it to the citizen President, of the animosity that the captain general of the island entertains towards our government, and to do this I enclose to you, marked No. 3, various documents, calling your particular attention to the letters of Mr. Fernandez de Coca.

Having nothing more to impart at present, I beg you to place this communication in the knowledge of the citizen President, and I supplicate you, Mr. Citizen Minister, to accept the assurances of my very distinguished consideration.

A. HOFFMANN Y URQUIA.

Citizen SEBASTIAN LERDO DE TEJADA,
Minister of Foreign Relations of the Mexican Republic.

No. 3.

HAVANA, March 31, 1867.

SIR: Understanding that proof is required of the fact that recruiting is now going on in the house of Mr. Carvallo, agent of the government of the Mexican empire, I see no impropriety in telling you that I went one day this month to that house to enlist as a soldier, and the conditions proposed were to give me \$20 on embarking, and a dollar a day for a year, in favor of the service of the government of the empire and against the government of the republic, they paying the passage—that is, the imperial agents—to which I did not consent. And that is all I can truthfully say on the subject.

Yours, &c.,

PEDRO BELTRAN.

Señor Don ANTONIO HOFFMANN Y URQUIA,
Commercial Agent of the Government of the Republic of Mexico in Havana.

On this date Don Pedro Beltran presented himself at this commercial agency, at the request of the subscriber, to swear to his signature, which he does in the presence of the undersigned witnesses.

A. HOFFMANN Y URQUIA,
Commercial Agent of the Mexican Republic.
PEDRO BELTRAN.

Then comes a seal with the following inscription:
Commercial agency of the Mexican republic, Havana.

Witnesses:

G. M. ISLAS,
JOSÉ VALENTE BAZ.

No. 4.

HAVANA, April 2, 1867.

SIR: I inform you that Mr. Carvallo, consul of the Mexican imperial government in this city, has opened a register to recruit persons of all sorts who are willing to enlist in the service of the empire against the republic. This is a public and notorious fact, and I this day give my testimony to corroborate it by stating that I went to enlist myself at that person's office.

The conditions proposed were these: Engagement as a soldier in the service of the empire, to fight against the republic for one year, for the sum of \$20 on embarking, and \$1 per day for the space of one year, to which I answered it did not suit me, and retired. And this is all I know about it, and I communicate to you accordingly.

Yours, &c.,

PRUDENCIO DE LA CRUZ VALDEZ ALVAREZ.

Señor Don ANTONIO HOFFMANN Y URQUIA,
Commercial Agent of the Government of the Republic of Mexico in Havana.

HAVANA, April 3, 1867.

On this day appeared Don Prudencio de la Cruz Valdez Alvarez in this commercial agency, on petition of the undersigned, to attest his handwriting, which he does in the presence of the subscribing witnesses.

A. HOFFMANN Y URQUIA,
Commercial Agent of the Mexican Republic.
PRUDENCIO DE LA CRUZ VALDEZ ALVAREZ.

Then follows the seal:
Commercial agency of the Mexican republic, Havana.

Attest:
G. M. ISLAS,
JOSÉ VALENTE BAZ.

No. 5.

HAVANA, April 3, 1867.

SIR: In reply to the interrogatories you were pleased to make, I say: It is true that in the house where the imperial Mexican consulate of this city is established, recruiting has been going on for some days, to engage men to go to Vera Cruz to serve in arms in Maximilian's army. That I know this from various individuals who enlisted for that purpose, who told me they had received \$20, with the promise of a free passage to Vera Cruz, and the pay of \$1 per day, from the time they land in Mexico; and I also know certainly that two lots of men thus recruited have left this port for Vera Cruz, one in the steamer Paris and the other in the steamer Solent, all of which is public and well known in this city, and many persons can testify to it.

Yours, &c.,

R. DE ZAYAS.

Señor Don ANTONIO HOFFMANN,
Commercial Agent of Mexico, Present.

HAVANA, April 3, 1867.

On this day appeared Don Rafael de Zayas in this commercial agency, at the request of the undersigned, for the purpose of attesting his signature, which he does in the presence of the undersigned witnesses.

A. HOFFMANN Y URQUIA,
Commercial Agent of the Mexican Republic.
R. DE ZAYAS.

Then follows a seal which says:
Commercial agency of the Mexican republic, Havana.

Attest:
G. M. ISLAS,
JOSÉ VALENTE BAZ.

No. 6.

[From the New York Herald, April 12, 1867.]

VERA CRUZ, March 27, 1867.

The siege of Vera Cruz is still in progress, and we are getting anxious for some determinative action on the part of the contending forces.

* * * * *

The Spanish steamer, which arrived from Havana to-day, brought 30 artillerists, who have been placed at the guns upon the walls of the city and in the forts. It is stated that they came as passengers, but well understood that they were recruited in Havana for service here in the imperial army, under such inducements as are usually offered in similar cases. Seventy or more are expected by the English steamer from Havana, now due. This will make a valuable addition to the garrison, especially as their own people cannot be trusted, and the officers well know it. Only a night since 45 men, with arms and ammunition, deserted and went to the liberal forces, by slipping over the wall, and the most stringent regulations are in force to prevent too frequent repetitions.

* * * * *

VERA CRUZ, *March 30, 1867.*

Affairs here remain unchanged. The siege of Vera Cruz is still in progress, with but little prospect of its speedy termination.

Those who are not interested here in the empire are anxious to know what view the United States will take of the enlistment of men for the empire in Havana. As stated in a previous letter, the first instalment has arrived, and the English steamer from Havana, now due, is expected to bring more. Spain cannot protest if the United States allow enlistments for the liberal army, or the fitting out of privateers under the same flag, for the capture of the imperial gunboat Tabasco.

Mr. Diaz to Mr. Romero.

(With compliments of Matias Romero.)

NEW ORLEANS, *April 30, 1867.*

Mr. M. ROMERO, *Mexican Minister, Washington, D. C.:*

Miramón dead; imperial forces disbanded; Marquez defeated; Queretaro taken; Maximilian hidden.

RAMON S. DIAZ,
Mexican Consul.

Memorandum.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, May 20, 1867.

Mr. Romero called on Mr. Seward to-day to inform him that he received a communication yesterday from his government, enclosing a copy of Mr. Lerdo de Tejada's reply of the 22d of April last, to Mr. Campbell's letter to him from New Orleans on the 6th of the same month, in accordance with instructions from the Department of State, to intercede for the ex-Archduke Ferdinand Maximilian and his partisans in Mexico. A Spanish copy of said reply is appended to this memorandum.

Fearing that the government of the United States might be misinformed in regard to what had occurred in Mexico concerning the shooting of certain persons, Mr. Romero said he was instructed to inform Mr. Seward of the antecedents, of the war, of all that had occurred during its existence, and what might be considered the duties of the Mexican government; that although Mr. Romero was satisfied that the government of the United States was aware of all, as he had taken particular care to communicate events in writing, even to minuteness, he thought proper, in fulfilment of his instructions, to make the following explanations:

The government of Mexico has not adopted the system of shooting the prisoners it takes from its enemies. Laying aside the question of the right to shoot them under peculiar and aggravating circumstances, such as have occurred during this war, and especially after the departure of the French, up to the present time, they have not been shot from the mere fact that they are fighting against Mexico.

While the French carried on the war, they shot most all the prisoners they captured, either by court-martial, by executing them secretly, or in virtue of the so-called decree of the usurper Maximilian of the 3d of October, 1865. The government of Mexico never desired to make reprisals; on the contrary, it often

expressed its willingness to accept a system of exchange, to be extended to all prisoners captured on both sides. The French would never agree to this, and only when they wished to exchange a particular person, would they make application for a partial exchange, which was never refused by the Mexican generals. In the correspondence which Mr. Romero has sent to the Department of State are several cases where the Mexican government treated its prisoners of war with great lenity, particularly French and Belgians.

Mr. Romero has no knowledge of the execution of prisoners of war, except those at San Jacinto, and a few chiefs and officers at Puebla. In regard to the first it is known that the number of prisoners taken at San Jacinto was five or six times as many as were executed, and of course the majority were not executed, and those that were killed were not killed merely because they were making war against Mexico, but because they had committed crimes of all kinds in Zacatecas during the three days they remained there.

In regard to the executions at Puebla, although Mr. Romero has received no official information to confirm them, supposing them to be true, he believes, taking into consideration the well-known integrity of General Diaz, they were visited upon military chieftains who deserved the penalty by the laws of war, as for instance, if, belonging to the army of the republic, they betrayed their flag and carried their forces over to the enemy. When persons of that sort are captured by the forces they desert, it is not strange they are treated with all the severity of military law common to all nations.

Mr. Lerdo de Tejada to Mr. Campbell.

SAN LUIS POTOSI, MEXICO, April 22, 1867.

SIR: Yesterday I had the honor to receive your communication of the 6th from New Orleans.

In it you gave the reasons why you were prevented from presenting your credentials as envoy extraordinary and minister plenipotentiary of the United States of America to the President of the republic of Mexico, and why you remained in New Orleans since December last. The government of the republic regrets that those reasons prevented you from presenting your credentials and commencing official relations, for it would be very agreeable to the government to receive you in your character as representative of the United States.

You also informed me that the satisfaction of the government of the United States at the withdrawal of the French forces from Mexico, and the advance of the government army towards the capital, was disturbed by the report of cruelty to the prisoners of war taken at San Jacinto. You also expressed the desire of the government of the United States, in case the Archduke Maximilian and his partisans were captured, that they would be treated humanely as prisoners of war.

The enemies of the republic, wishing to injure it as much as possible, were eager to exaggerate facts, and circulate untruthful reports concerning the prisoners in San Jacinto. The greater portion of them were pardoned, and those that were executed by the chiefs of the republican forces were not shot as prisoners of war, but as guilty by the law of nations and by the laws of the republic. They had given themselves up to untold crimes in the city of Zacatecas, because they were fighting as rangers without country or flag, as mercenaries hired to shed the blood of Mexicans who were defending their liberty and their institutions.

No small number of these foreigners taken in San Jacinto were carried to Zacatecas and there treated with as much benevolence as those taken in Jalisco, who were not near so guilty.

It has been the constant practice of the government of the republic, and the commanders of its forces, to respect life and treat the French prisoners with great consideration, while they, by supreme command, assassinated the prisoners taken from the republican forces. French prisoners were often set at liberty without being exchanged.

Many of the principal French chiefs had entire towns burned. Inhabitants were murdered by courts-martial, and often unarmed persons were executed from mere suspicion, without form of trial. Boys and old men, unable to bear arms, were ruthlessly butchered; yet the government of the republic and its chiefs did not resort to reprisals, though sufficient provocation was offered, but have always observed a humane conduct, with examples of the greatest generosity. For that reason the republican cause of Mexico has excited the sympathy of all civilized nations.

After the withdrawal of the French forces, the Archduke Maximilian persisted in his use-

less attempt to shed more Mexican blood. With the exception of two or three cities which he holds by force, he has seen the whole republic rise up against him. Notwithstanding this, he wants to continue his work of ruin and desolation by an aimless war, surrounded by men well known for their robberies and assassinations, and the deepest dyed in crime of any in the republic. When such persons are captured it is not reasonable to suppose they could be considered as simple prisoners of war, for they are responsible to the law of nations and amenable to the laws of the republic.

The government, which has given numerous proofs of its humanitarian principles and of its sentiments of generosity, has also the obligation to consider, according to the circumstances of the cases, what is required by the principles of justice and its duties to the Mexican people.

The government of the republic hopes that, by the justification of its acts, it will preserve the sympathies of the people and government of the United States, that have always had the greatest esteem for the people and government of Mexico.

I have the honor to be your most respectful and obedient servant,

LERDO DE TEJADA.

His Excellency Hon. LEWIS D. CAMPBELL,

Envoy Extraordinary and Minister Plenipotentiary from the

U. S. of America to the U. S. of Mexico, New Orleans, Louisiana.

SAN LUIS POTOSI, April 22, 1867.

A true copy:

JUAN VALDES, *First Official.*

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, May 27, 1867.

SIR: I have the honor to inform you that the enclosed* telegram has been received this morning from Mr. Plumb, at New Orleans.

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

WILLIAM H. SEWARD.

Señor DON MATIAS ROMERO, &c., &c., &c.

Mr. Romero to Mr. Seward.

[Translation.—Unofficial.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,

Washington, May 28, 1867.

MY DEAR SIR: I have the honor to remit you a translation in English of various fragments of a letter from General Diaz, chief of the eastern military division of the Mexican republic, dated in Guadalupe Hidalgo, the 3d instant, containing various important details of the recent events that have occurred in Mexico.

In reference to the treatment of the Mexican forces to the prisoners they take from the enemy, I think proper to inform you that in one of the copies of the Boletin de Oriente, which I received with the letter of General Diaz, dated in Guadalupe Hidalgo, on the 29th of April last, I saw an account of the operations of that general, which, in speaking of the prisoners which he captured in Puebla, it is said as follows:

The general-in-chief ordered all those taken at Miahuatlan and Carbonera, those at the surrender of Oaxaca, and in the assault on Puebla, and those at the forts of Guadalupe and Loreto, to be set at liberty. Among them were more than 600 Europeans, of various nations. But this release did not imply a pardon, only the leave to reside where they pleased till the supreme government should definitely decide what was to be done with them.

I am, sir, your very respectful and obedient servant,

M. ROMERO.

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

* For enclosure see correspondence with United States minister to Mexico, May 27, 1867.

GUADALUPE HIDALGO, *May 3, 1867.*

MY DEAR FRIEND: When I was besieging Puebla I learned that Marquez was marching upon me with 5,000 men from the city of Mexico. I must candidly confess that at first I hesitated as to the course I should pursue; whether to raise the siege and march to meet Marquez, or await his arrival, or assault the city immediately. I decided on the latter alternative. Success favored the impetuosity of our troops, which, without the necessary training, but moved by their great courage, stormed the fortifications and carried their lines successfully, regardless of the galling fire of their musketry and murderous hand grenades, showered upon us from the balconies and housetops. When the trenches had been carried the defenders of the houses, fearing they might be cut off or attacked in the rear, abandoned them and were made prisoners. The heights in the vicinity were still held by the enemy, but their garrison surrendered on the 4th. I was then free to go and encounter Marquez, which I immediately did on the 5th. The cavalry division harassed him much, barring him the road to Vera Cruz, in which direction it seemed he desired to proceed; but he counter-marched when about three leagues distant from Huamantla, and declining battle, which I offered him on the heights of the San Diego mill, he took the road leading to Mexico. I continued the pursuit of Marquez, though I deemed it difficult to overtake him, as he had the advantage of one day's march over me. General Escobedo, however, had detached General Guadarrama with a division of cavalry in pursuit, to which other forces operating in the valley of Mexico were added, and I sent him orders to cut off Marquez's retreat to Mexico, which he did so successfully that Marquez was compelled to seek shelter at the hacienda De San Lorenzo. When everything had been prepared to attack him he fled by the road leading from Calpulabpam to Texcoco, and he was completely routed.

The defeat of Marquez occurred on the 10th of April, the fourth anniversary of the Austrian's acceptance of the crown. I was determined to attack Mexico at once, and marched upon it, intending to establish my headquarters at Tacubaya; but General Escobedo having recalled the Guadarrama division, I was obliged to change my plan and come to this place. Soon after my arrival Father Fischer, Maximilian's confessor, came to make me some unacceptable propositions, which I at once rejected. Then the Prussian Princess Salm-Salm, the wife of one of Maximilian's aides-de-camp, came to see me to solicit a safe conduct to get into Queretaro, saying she would explain to Maximilian the situation of Mexico, and she had no doubt he would surrender Queretaro. I also rejected this proposition; for, in truth, I have no confidence in such proposals.

Before my arrival in front of the city of Mexico, Portilla, who styles himself the minister of war, offered to surrender the city to me if I would give him personal guarantees; and O'Horan sent me the same proposal, adding that he would deliver Marquez to me provided I spared his own life and gave him a passport to go abroad. The villains are treacherous, even towards each other.

We have now all our batteries planted, which protect the approaches to our works, say some 200 metres from the enemy's fortifications, and we continue our advances in such a manner that the capital of the republic will shortly be in our possession, either by direct assault or capitulation. Within the city there is no violence or extortion that is not resorted to by Marquez in order to raise money and increase his forces. The foreign merchants have all closed their establishments, and are now under the protection of their respective ministers, who have entered their protests against the acts of Marquez; and the newspapers of yesterday state that he was about to issue a severe order against them. The diplomatic corps, it seems, is desirous of leaving the city and going to Tacubaya. As a matter of course I shall not recognize them in their official character, but as private individuals. I will not prevent them doing so.

Our present situation is an excellent one, since only three places—Mexico, Queretaro, and Vera Cruz, are left the Austrian, and these are all closely besieged. Within this month I expect all will be decided in favor of the republic. Distrust and dismay are rife among the traitors; no encounter or skirmish takes place in which they are not worsted, even when they have the advantage of numbers. This increases the *morale* of our soldiers, inspiring them with confidence in every battle, in which our half-naked and destitute recruits have vanquished the well-trained and better provided troops of the Austrian.

General Bazaine, through a third party, offered to surrender to me the cities which they occupied, and also deliver Maximilian, Marquez, Miramon, &c., into my hands, provided I would accede to a proposal which he made to me, and which I rejected, as I deemed it not very honorable. Another proposition was also made me, by authority of Bazaine, for the purchase of 6,000 muskets and 4,000,000 percussion caps; and if I had desired it he would have sold me both guns and powder, but I declined to accept it. The intervention and its results have opened our eyes, and hereafter we shall be more cautious in treating with foreign powers; particularly with those of Europe, but especially so with France.

PORFIRIO DIAZ.

HON. MATIAS ROMERO, &c., &c., *Washington.*

Mr. Romero to Mr. Seward.

[Memorandum.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, May 29, 1867.

This morning Mr. Romero received a note from Mr. Seward, requesting him to call at the Department of State as soon as convenient. Mr. Romero called at once, and Mr. Seward asked him what news he had received about the last events in Mexico. Mr. Romero answered Mr. Seward that none besides such as Mr. Seward had communicated to him the day before yesterday, and those which have been published afterwards in the newspapers; but that to-morrow, or the day after, Mr. Romero expected his correspondence from San Luis Potosi; perhaps up to the date of the 15th. Mr. Seward then asked Mr. Romero several questions about the way in which the news from Mexico would come, when some later, to the 15th, could be received; whether they would come sooner by Acapulco and San Francisco, and several others. In conclusion, Mr. Seward requested Mr. Romero, in the most special manner, that as soon as he might receive some correspondence from Mexico he would communicate to Mr. Seward the news he might have.

The cause for his anxiety for such news was, as Mr. Seward stated, that the Austrian minister had called on him to-day at an early hour and showed him a telegram he had just received, in which he was recommended to again solicit, with the speed required by the case, the earnest interposition of this government in favor of Maximilian. Mr. Seward told Mr. Romero he feared very much that a hasty mediation might produce, in the present condition of affairs, some results contrary to those wished for, and that he consequently thought more prudent to wait until some events posterior to the capture of Queretaro would transpire; that, besides, possibly at this time events might have matured, and that the Mexican government might see things in the same light as Mr. Seward, and that it was useless to intervene; that on this account he wished to know as soon as possible what might have occurred, to take, accordingly, the action he would deem advisable. Mr. Romero offered to communicate to Mr. Seward the news he may have as soon as received.

* * * * *

The foregoing memorandum is taken from a despatch addressed by Mr. Romero to the secretary of foreign affairs of the republic of Mexico, on the 29th of May, 1867, No. 220, mailed in Washington on the 1st of June following.

M. ROMERO.

WASHINGTON, July 12, 1867.

Mr. Romero to Mr. Seward.

[Unofficial.]

WASHINGTON, May 30, 1867.

MY DEAR SIR: In compliance with your request of yesterday, I enclose to you copy of a telegram from General Escobedo to General Diaz, confirming the capture of Queretaro and Maximilian, which I have just received by the way of Havana.

Most truly yours,

M. ROMERO.

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

[Enclosure No. 1.—Forwarded from Guadalupe Hidalgo, May 16, 1867.—Received at Vera Cruz (Casa Mata) May 16, 1867.]

General BENAVIDES:

General Escobedo telegraphed to me yesterday as follows from Queretaro:

REPUBLIC OF MEXICO, ARMY OF OPERATIONS,
Headquarters of the Commander-in-chief.

General DIAZ:

I have just received at this 7½ p. m. the report which I have the honor to transmit to you. Fort La Cruz was surprised and carried this morning at 3 a. m. The enemy was thrown in great disorder, but reformed on the heights of La Campana, our artillery playing upon them during their retreat and increasing their confusion. The entire garrison, with all its material of war, has been captured. Maximilian has surrendered at discretion with his generals, Castillo and Mejia. Be pleased to communicate this glorious event to all the governors within the line of your command, with my most cordial felicitations.

Independence and liberty! In front of Queretaro, May 16, 1867, at 11 a. m.

M. ESCOBEDO.

And I transmit it to you for your information.

PORFIRIO DIAZ.

Forwarded:

RAFAEL BENAVIDES,
Brigadier General in command.

Mr. Romero to Mr. Seward.

[Unofficial.]

WASHINGTON, June 4, 1867.

MY DEAR MR. SEWARD: In accordance with our conversation of this morning, I enclose to you a copy, taken from my private letter-book, of a letter addressed by me to Mr. Hiram Barney, on the 31st ultimo, and which was published in yesterday's New York Evening Post.

I am, my dear sir, most truly yours,

M. ROMERO.

Hon. F. W. SEWARD, &c., &c., &c.

[Enclosure No. 1.]

WASHINGTON, May 31, 1867.

MY DEAR SIR: I have been favored with your esteemed letters of the 22d and 29th instant. I am very glad to hear that you returned safely and well from your long trip southwards.

Please accept my heartfelt thanks for your kind congratulations on our success in Mexico. It has been, indeed, most complete and gratifying to us. We have accepted no humiliating terms from the French; we are not embarrassed by treaty stipulations with any foreign power which would be likely to give us trouble; all our leading enemies are conquered and in our hands; we will have, so to say, a new start in life. We have achieved our victory with our scanty means, without any material assistance (physical aid) from any foreign nation, and having, on the contrary, against us the moral influence of all Europe and the material strength of France and other continental powers. To this gigantic combination we have only been able to oppose the endurance and patriotism of our people, and the steadfast sympathy of the people of the United States.

The remembrance of that enlightened sympathy will be everlasting in Mexico. I will try to do full justice to it in a memorandum of my sojourn in the United States during the war, which I intend to write at some future day, as a contribution to the history of that eventful period.

I have perused with interest your remarks about the way in which we ought to treat the enemies of Mexico. I do not know what disposition President Juarez will make of Maximilian, but I am afraid that if he is allowed to go back to Europe with impunity, he will be a constant menace to the peace of Mexico. He will keep on styling himself, to our shame, *emperor of Mexico*. All dissatisfied Mexicans will keep up an active correspondence with him about his supposed popularity there, and even may induce him to return at some future time, as they did with Iturbide; such of them as can afford it will go over to Austria and

form a Mexican court for Maximilian at Miramar, and he will have enough of them to organize a legitimate *Mexican government* there, as the ex-king of the Two Sicilies did at Rome, after he was expelled from Naples; some European powers will keep recognizing him as the *emperor of Mexico*, as Spain did with the ex-king of the Two Sicilies; whenever we may be likely to have complications with any European nation, the first step taken by the interested party will be to intrigue with Maximilian, and threaten us with giving *aid to the lawful sovereign to recover his authority from the hands of the usurpers*, if we decline to accept their terms.

Besides, if Maximilian is pardoned and allowed to go home, nobody in Europe, I am sure, will give us credit for magnanimity, as weak nations are not supposed to be magnanimous; but, on the contrary, it will be said that we did so through fear of public opinion in Europe, and because we would not dare to treat harshly *our sovereign*.

I do not mean by this to say that Maximilian must necessarily be shot; what I mean is that his power to do any further mischief in Mexico must be utterly destroyed before he is allowed to depart.

The United States are a great country and a perfectly well organized power, and therefore they can afford to do what would not be prudent for a country like Mexico.

I have full faith in President Juarez's ability to treat Maximilian in the way most convenient to the interests of Mexico.

We have sacred duties to fulfil towards our own country, and their discharge should be the first consideration that we should have in view in attempting to resolve any question.

In great haste, I am, my dear friend, most truly yours,

M. ROMERO.

Hon. HIRAM BARNEY, &c., *New York City*.

Mr. Romero to Mr. Seward.

[Translation.—Extra official.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,

Washington, June 4, 1867.

MY DEAR SIR: I have the pleasure of transcribing for your information a copy of a circular which I address to-day to the governors of the States of the Mexican republic, remitting to them collections of the documents on the affairs of Mexico, published by the government of the United States while our war with France was going on.

I am your very obedient and faithful servant,

M. ROMERO.

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

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,

Washington, June 4, 1867.

From the time when our war with France began, the Congress of the United States has asked the President, at each term of its session, for the official correspondence and other information relating to our affairs, and almost always, in a special manner, for that addressed by this legation to the Department of State at Washington. The President has sent in on all these occasions the correspondence which was asked for, which has been printed by order of Congress. In this manner every year, since 1862, there has appeared a volume, of more or less bulk, of the official correspondence on the affairs of Mexico, composed for the most part of the notes and their annexes sent by this legation to the Department of State; that from the department to the legation of the United States in Mexico; that of some consulates of the United States in the republic; that of the legations of the United States in Europe, in so far as the Secretary of State has thought fit to give them to light, and that which has been exchanged upon the same business between this government and the French legation resident in this city.

When European intervention in Mexico appeared imminent, I thought it my duty to transmit to the government of the United States every document of any importance that came into my hands having relation to our affairs. Sure that justice was on our side, and that whatever document should be offered to the examination of this government, and through it to the consideration of the people of the United States and the judgment of the civilized world, could no less than render obvious the bad faith and the groundlessness of the protestations of our invaders, I thought by this course we would gain much without exposing ourselves to any loss. The weight of these considerations increased very considerably when France threw off the mask with which she had commenced the war, and openly declared her

object was to uproot the national government of Mexico, to substitute for it a European monarchy, imposed by force, and with the ulterior view, although not confessed, that if the plan should have good result it would reduce our country into a French colony.

The military successes which the invaders gained in the third and fourth years of the war came very efficiently in aid of the efforts of the French government to mislead public opinion respecting the true state of the question, with the object of creating the impression that all was concluded, and that the entire nation had humbly submitted to the adventurer sent by Napoleon as his manager. Our position abroad became worse as that of the French improved, and then there remained for us no choice than to present, in an authorized and efficacious manner, to the whole impartial world our side of the question through the government of the United States.

Having, therefore, these objects in view, I endeavored to submit to this government not only the official reports of the battles fought by our generals, and which showed that the war of independence was actively prosecuted at the very time when Napoleon, on solemn occasions, had declared it had ended, but also all other data which threw some light on the feeling of our people, or the reasons for which it was not possible for us to make more vigorous resistance, and all other incidents of the war, including, as may be supposed, the numerous intercepted correspondences of our enemies.

Among those documents are many of a private nature which, until now, have not met the public eye in Mexico, and the knowledge of which is indispensable to form an accurate opinion of the events of the last six years. My desire to deposit in the Department of State of the United States whatever documents might have relation to our affairs led to the extreme of sending to it many of those emanating from our enemies, all those published by foreign governments which came into my hands, and, besides, the discussions had in the legislative body and senate of France, on the same question. The result of all this has been, that in the six volumes which form the collection of these documents there are most important data that cannot elsewhere be found, and the knowledge of which is indispensable to a just appreciation of events, not merely in what relates to negotiations entered upon by foreign nations about our affairs, as for example between the United States and the French government, but even about the events which were happening in the republic during the war.

Believing that I exaggerate in nothing the importance of these documents, it has, then, seemed to me that it would be proper at least that in the archives of the governments of each of our States, or in the public library that may be therein, there should exist a collection of the said documents, as well that the persons who in future may devote themselves to writing the history of this epoch of trial may, without great difficulty, obtain the data without which their labors would be incomplete, as that the young may profit by the severe lesson which they teach us, and may see how far the moral aid of the United States has contributed to our triumph.

Making, therefore, a great effort to acquire a sufficient number of collections, for there is a great scarcity of the volumes printed in the three first years of the war, I have succeeded in collecting at last what were wanting, and of which I have the honor to send you one, intended for your State. If there should be a public library in it I should think it preferable that you should please to send it there, because thus it would be in the reach of a greater number of persons, and will produce the results the most desirable.

I avail of this occasion to renew to you the assurances of my most distinguished consideration.

M. ROMERO.

The GOVERNOR of the State of ———.

Memorandum.

JUNE 8, 1867.

Mr. Romero called at the department this morning at the request of the Acting Secretary, who desired to consult him in regard to the best route for Mr. Campbell to take in order to reach his post.

Mr. Romero advised that if there was no government vessel which could take Mr. Campbell to Vera Cruz, then that his best course would be to go to Havana and there take the English or French steamer for Vera Cruz. If the city should be found to be occupied by the republican forces, land there; if not, then go to any United States naval vessel there and ask the captain to land him at Casa Mata, headquarters of General Benavides, and then he will probably have no difficulty in going from there to the city of Mexico.

Mr. Romero also left a copy of the despatch he had just received from President Juarez, dated San Luis Potosi, May 15, announcing the fall of Queretaro and the surrender of Maximilian.

Memorandum.

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, D. C., June 10, 1867.

Mr. Romero called to-day on Mr. Seward. * * *

Mr. Seward asked Mr. Romero when he thought of going home; to which Mr. Romero answered that he expected he could do so some time next month. Mr. Seward asked Mr. Romero, too, when Mrs. Juarez thought of returning home; and he then said that he would try to place at her disposal a United States man-of-war, which will take her from New Orleans to Vera Cruz or Matamoros, or from New York if this was possible. Mr. Romero thanked Mr. Seward for his good disposition, and promised him to communicate this to Mrs. Juarez.

The foregoing memorandum is taken from a despatch addressed by Mr. Romero to the secretary of foreign affairs of the republic of Mexico, on the 10th of June, 1867, No. 238, mailed in Washington on the 15th of the same month.

M. ROMERO.

WASHINGTON, *July 12, 1867.*

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, June 11, 1867.

DEAR SIR: I have the honor to acknowledge the receipt of your favor of the 4th instant, marked extra official, enclosing a copy of the circular addressed by you to the several governors of the Mexican States at the time of transmission to them of "the collection of documents on Mexican affairs during the late war with France, published by order of the government of the United States," for which be pleased to accept my thanks. I am gratified to see that you have so disposed of the collection that it may come to the knowledge of the Mexican people and furnish interesting materials of history.

I am, my dear sir, your obedient servant,

WILLIAM H. SEWARD.

SEÑOR DON MATIAS ROMERO, &c., &c., &c.

Mr Seward to Mr. Romero.

DEPARTMENT OF STATE,
June 14, 1867.

Mr. Seward presents his compliments to Mr. Romero, and has the honor to enclose a copy of a telegram of the 8th instant from the United States consul at Vera Cruz.

Mr. Saulnier to Mr. Seward.

[Telegram, via Pensacola, June 13, 1867.—Received at Department of State, June 14, 1867.]

CONSULATE OF THE UNITED STATES OF AMERICA,
Vera Cruz, June 8, 1867.

Hon. WILLIAM H. SEWARD:

SIR: General Santa Anna and staff—four officers—arrived here on the 3d instant from New York. Santa Anna landed in the castle San Juan de Ulloa the same evening. On the 5th instant he was forcibly placed on board the Virginia again. This day he leaves here on board the Virginia. Letters per mail.

E. H. SAULNIER,
United States Consul.

Mr. Romero to Mr. Seward.

MEXICAN LEGATION,

Washington, June 14, 1867.

Mr. Romero presents his compliments to Mr. Seward, and has the honor to enclose a translation of a letter from General Diaz, dated at Tacubaya, on the 26th ultimo, containing information in regard to military operations in the city of Mexico.

General Diaz to Mr. Romero.

TACUBAYA, *May 26, 1867.*

MY MUCH ESTEEMED FRIEND: Since my last letter to you the division of General Riva Palacio and a brigade from Puebla, which was attached to the army of the east during the siege of Queretaro, have been incorporated to the army of operations against the city of Mexico; also the army of the west under the command of General Corona, and two divisions of the army of the north under that of General Francisco Alatorre; we thus number in all some 35,000 men, and within a few days Mexico shall be ours.

I could have taken it with the forces of the eastern army alone, but I had not sufficient cavalry to cover all the outlets, through which the principal guilty parties would have escaped us; but now, with 9,000 cavalry, all the avenues will be well guarded, and the same thing will happen as at Queretaro—none will escape us. I have full faith and great confidence in the result.

Within the city of Mexico, its press still endeavors to deceive the people by denying the fall of Queretaro and imprisonment of Maximilian; but both the people and the army have heard of it. I consider the occupation of Mexico a matter of very few hours, and I do not believe that Vera Cruz will attempt to hold out afterwards. In conclusion, when you shall have received this letter, the soil of Mexico will have been already cleared of traitors.

Without time to say more, I repeat myself your sincere friend,

PORFIRIO DIAZ.

Señor Don MATIAS ROMERO,

Mexican Minister, Washington.

Mr. Romero to Mr. Seward.

MEXICAN LEGATION,

Washington, June 15, 1867.

Mr. Romero presents his compliments to Mr. Seward, and has the honor of sending to him, unofficially and confidentially, a copy of extracts of a letter dated Paris, May 28th, 1867, addressed to Mr. Romero, to which he referred in the conversation he had with Mr. Seward this afternoon at the Department of State.

[Translation.]

PARIS, *May 28, 1867.*

There is here a crowd of rabid Mexicans; one Blancarte was telling me last evening the atrocities committed by the French, what they have gathered together, and beyond all Bazaine. There is good reason for the belief that the traitors are at work to get the United States to draw from Juarez guarantees for the safety of their lives and property. In this sense it is said that Almonte is laboring in London, availing himself of the influence of the English and American ministers in Paris that he may realize such thought. Almonte has written to several noted persons from the United States, and obtained from them letters of recommendation from as many personages as he could. Haro went suddenly to London. It is probable that he may there join Almonte for the purpose intimated. The said priest thinks that the protection of the United States is his only rock of salvation. As for me, I have for some time thought this project was meditated, and the propositions made in the Congress of the United States prove that they have promoted it.

Memorandum.

DEPARTMENT OF STATE,

Washington, June 15, 1867.

Mr. Seward said that he had asked an interview with Mr. Romero for the purpose of saying what follows:

Mexican public journals of both the republican and the intervention parties seem to dwell with great pleasure upon any incident or circumstance that can be perverted into a proof that the government of the United States seeks, or is willing to obtain, some undue advantage in Mexico, or some undue influence over the administration there. These expressions do not surprise Mr. Seward, although they are entirely without reason or color of reason. They are an inevitable form of partisan warfare in Mexico.

Mr. Seward is desirous that the administration of President Juarez should know that, besides the Emperor of Austria, the Emperor of France and the Queen of England have severally, and in a confidential manner, appealed to the United States to use any legitimate good offices within their power to avert the execution of the Prince Maximilian. The United States have already expressed themselves on that subject with frankness and profound respect to the government of President Juarez. To reiterate its opinions and wishes in a formal manner, in compliance with the wishes expressed by the sovereigns of France and Great Britain, would, perhaps, embarrass the government of President Juarez, and might tend to defeat the humane purposes entertained. At the same time Mr. Seward, assuming that the question may still remain an open one, is desirous that President Juarez should be informed of the interest in the person of the Prince Maximilian thus expressed by the last-named European powers.

Mr. Seward also thinks it proper to say that he apprehends no possible contingency in which any European power will attempt either invasion or intervention hereafter in Mexico, or in any other republican nation on the American continent. For this reason he does not think that Mexico has to apprehend any attempt at retaliation by European powers as a consequence of whatsoever extreme decision the Mexican government may make; but at the same time Mr. Seward also thinks that a universal sentiment, favorable, conciliatory, and friendly, towards the republic of Mexico and the other American republics would be likely to follow from such an exercise of clemency and magnanimity as the United States have thought proper to recommend.

Mr. Seward requests Mr. Romero, if compatible with his convictions of duty, to make these sentiments known in a private and confidential manner to the republic of Mexico.

Mrs. Juarez to Mr. Seward.

MEXICAN LEGATION,

Washington, June 17, 1867.

MY DEAR MR. SEWARD: Mr. Romero duly informed me of the kind offer you had the goodness of making to him on the 10th instant, expressing your disposition to have a United States steamer at my disposal to carry me and my family to Mexico. I would prefer to take the ordinary way for passengers, with a view to avoid giving you any trouble, were it possible to do so. But the present circumstances are such that I do not think I could conveniently go to Vera Cruz, which is the shortest and most pleasant way, should I not avail myself of your very kind offer.

I beg you will allow me to express my sincere thanks for your delicate atten-

tion in facilitating my return home, and to inform you that I will be ready to sail, either from New York or New Orleans, whenever it may be convenient to have the steamer ready. All the time I shall need will only be the necessary days to reach with my family the place from which we should start.

While renewing to you my thanks for this favor, I remain, my dear Mr. Seward, most truly yours,

MAGARITA MUZA DE JUAREZ.

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

Mr. Romero to Mr. Seward.

WASHINGTON, June 19, 1867.

M. Romero presents his compliments to Mr. Seward, and has the honor to enclose to him translations of extracts from a letter dated at Casa Mata, on the 7th instant, containing information about the trial of Maximilian.

[Translation.]

CASA MATA, June 7, 1867.

MY DEAR SIR:

From the interior we hear that the government ordered a suspension on Maximilian's trial, with a view to give time to Baron Magnus and Maximilian's counsel, Don Mariano Riva Palacio, Don Rafael Martinez de la Torre, and Don Eulalio Ortega, who had already left Mexico, to reach Queretaro.

From Tacubaya we hear that the campaign in Mexico should end during this week.

Yours, respectfully

R. LAINE.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,

June 21, 1867.

MY DEAR MR. ROMERO: I am authorized to inform President Juarez that the Emperor of Austria will at once re-establish Prince Maximilian in all his rights of succession as Archduke of Austria, upon Maximilian's release and renouncing forever all projects in Mexico.

Will you oblige me by conveying this message by telegraph to President Juarez for his information, with my request that if compatible he will communicate the same to Prince Maximilian for his information?

I am, sir, very respectfully, your obedient servant,

WILLIAM H. SEWARD.

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

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, June 21, 1867.

MY DEAR MR. SEWARD: I have had the honor to receive your esteemed letter of this date, in which you communicate to me that you are authorized to inform President Juarez that the Emperor of Austria will reinstate Prince Maximilian

in all his rights to succession as Archduke of Austria, as soon as Maximilian should be set at liberty, and should renounce forever all his projects in Mexico, and you besides request me to transmit this message by telegraph to President Juarez for his information, together with your recommendation that unless there should be some objection, it should be made known to Maximilian.

I have the honor to say to you in response, that this very day I transmitted the letter mentioned from you to the department of foreign relations of the Mexican republic, my communication having gone by telegraph to New Orleans, where it would reach in time to go on to-morrow by the steamer which plies weekly to Matamoros.

In the same manner I sent on the 15th instant your memorandum of that date, in which you make known to me that the Emperor of the French and the Queen of England had addressed the government of the United States requesting it to interpose its kind offices in favor of Maximilian.

I am, very respectfully, your obedient servant,

M. ROMERO.

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

Mr. F. W. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, June 22, 1867.

SIR: This department has this day received authentic information that the imperial family of Austria consents to the eventual reintegration of Prince Maximilian. You will oblige me by communicating this to your government, in the same way that similar information was recently communicated.

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

F. W. SEWARD,

Assistant Secretary.

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

Mr. Romero to Mr. F. W. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,

Washington, June 22, 1867.

MR. ASSISTANT SECRETARY OF STATE: I have the honor to acknowledge the reception of your note of this date, informing me that your department has received authentic information that the imperial family of Austria consents to the eventual reintegration of Prince Maximilian, and requesting me to communicate the fact to my government in the same way that I transmitted recent similar information. In reply, I have the honor to inform you that I sent a translation of your note this day to my government, by telegraph as far as New Orleans, in time for the steamer leaving that port to-day for Matamoros.

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

M. ROMERO.

Hon. F. W. SEWARD, Esq., &c., &c., &c.

Mr. F. W. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, June 24, 1867.

SIR: I have the honor to enclose, for your information, copy of a communication received at this department from the Hon. Hugh McCulloch, Secretary of the Treasury, in relation to furnishing passage on board the revenue cutter Wilderness to the wife of President Juarez, of Mexico, from New Orleans to Vera Cruz.

I avail myself of this opportunity to renew the assurances of my very distinguished consideration.

F. W. SEWARD,

Assistant Secretary.

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

Mr. McCulloch to Mr. Seward.

TREASURY DEPARTMENT, *June 22, 1867.*

SIR: I have the honor to acknowledge the receipt of your letter of 20th instant, requesting that the wife of President Juarez of Mexico, be provided with a passage from New Orleans to Vera Cruz on board the revenue cutter Wilderness, and to inform you that this department will be gratified to acquiesce in your wishes, whenever the time shall be indicated at which Madam Juarez shall reach New Orleans and be prepared to embark. The necessary instructions will be given Collector Kellogg, at New Orleans, to have the Wilderness put in readiness.

I am, very respectfully,

HUGH McCULLOCH,

Secretary of the Treasury.

Hon. W. H. SEWARD, *Secretary of State.*

Mr. Romero to Mr. Seward.

[Translated.]

WASHINGTON, *June 24, 1867.*

MY DEAR MR. SEWARD: I send you a copy of the *Imparcialidad*, of Vera Cruz, of the 9th instant, in which is published the action of the junta which, on the 3d instant, the principal officers of the garrison held at that place, on occasion of the arrival in the steamer Virginia of Don Antonio Lopez de Santa Anna.

From this document it appears that Mr. Santa Anna stated that he was going to Mexico under the protection of the United States, and had with him North American soldiers and abundant supplies of munitions of war.

The proposals made by Mr. Santa Anna for the purpose of inciting another rebellion in Mexico, which would inaugurate a fresh civil war, having been taken into consideration, the junta resolved unanimously to reject them, notwithstanding all the persons who composed it are Mexicans who have gone astray and had joined the army invading the country, and are still striving to sustain an order of things which no longer has existence in Mexico.

The importance of this document has decided me to send it to you without delay. I also enclose a translation of it.

I am your very respectful and obedient servant,

M. ROMERO.

Hon. F. W. SEWARD, Esq., &c., &c., &c.

[Translated from *La Imparcialidad*, Vera Cruz, June 9, 1867.]

Acta or minutes of the council of war at Vera Cruz on Santa Anna's proposals.

At the invitation of his excellency the imperial commissary the following persons having met in the city hall of the heroic city of Vera Cruz, at 10 o'clock p. m. of June 3, 1867, viz: the civil prefect of the department, the generals, officers of the line, corps commanders, and the general of artillery, Don Santiago Cuevas, a junta was formed, and Lieutenant Colonel Don Angel J. Arzamendi, of the municipal guard, chosen secretary.

The imperial commissary stated that the object of the meeting was to learn the opinion of the officers present on certain grave events. * * * General Antonio Lopez de Santa Anna, now in this harbor, had addressed him a letter inviting him to be present at a conference on board the steamer *Virginia*, which he accepted, and went aboard of said vessel in company with the general-in-chief, Don Antonio Taboada. According to information which he had, the capture of Queretaro was a fact, and that the city of Mexico would probably soon be captured by Don Porfirio Diaz. The idea put forth by said General Santa Anna was to set up the republic in place of the empire, and he (the commissary) wished to know if the officers present were willing to consent to such a change, and if so, to resign their positions, as it was not possible for him, as imperial commissary, to sanction an act contrary to his announced principles.

General Antonio Taboada said that, besides what his excellency the imperial commissary had just announced, it became necessary to inform the officers of the garrison of the different phases now presented by the general situation of the country, and especially the position of this place, (Vera Cruz,) whose destiny was confided to their loyalty and patriotism; that his duty as a soldier of the empire—his sacred obligation—was to defend the imperial government even to the shedding of the last drop of his blood; and that he would never consent to sign any kind of agreement with an enemy of the empire; that he was sure all his worthy companions and subalterns thought and would act as he did, and would not shrink before any opposition. Nevertheless, they considered it a duty to inform the valiant defenders of the place of the necessity there was for the two leading authorities to conciliate the interests of humanity as well as the exigencies of a hostile population who had borne a siege of nearly three months, accompanied by a scarcity of resources, isolation from the rest of the country, complete ignorance of the real state of affairs in the interior, and a heterogeneous mass of elements on which reliance was placed for a prolongation of the struggle. It was necessary to take into account the fact that the foreigners in the service of the empire were not accustomed to the heroic sacrifices and the sufferings incident to our difficult position, and he believed they would not have the same patriotic stimulus to keep their self-sacrifice up to the level of that shown by our tried Mexican soldiers in resisting hunger, misery, and all kinds of privations. Should the moment come when their money would give out and they should have no means to pay the garrison, it might become necessary to have recourse to the violent and odious measure of forced loans, which for the greater part would fall on foreign houses, and from this might grow an international conflict. Moreover, the arrival of Santa Anna in the harbor of Vera Cruz, bringing with him the necessary means, foreign soldiers, and under American protection, (as he states,) had aggravated the situation of Vera Cruz. All of these reasons, together with others which he made known, had forced the imperial commissary and himself to call together the officers of the garrison to lay said reasons before them and submit them to their consideration. Should the decision of the garrison be to adhere to General Santa Anna's proposals, he (Taboada) would resign his command and go abroad.

General Don José D. Herran, second in command at Vera Cruz, said that his decision also was to resign; that whatever might be the reply of the corps commanders it should be made with the certainty that their men would support it; that the scarcity of resources alluded to by his excellency the imperial commissary should be kept in mind, and that there were among the garrison foreigners who could not bear as much suffering as the Mexican soldier, and that with them the latter would have to succumb.

Don Miguel Salledo, chief of police of Cordova, said that he was a patriot, and would uphold whatever his chiefs would agree to.

Don Juan Jimenez, captain of the Cordova dragoons, said that as a soldier and a patriot he would uphold the same to the last.

Don Pedro Martos, commander of militia, said that his opinion was in favor of defending the empire to the last extremity; that, personally, he esteemed General Santa Anna, but he could not uphold the principle which the general proclaimed.

Don Manuel Linarte, commander of the Orizaba dragoons, said that he would obey his superiors, but he would never compromise in favor of the principles proclaimed by an enemy.

Lieutenant Colonel Don Lorenzo Joji said that if their resources were so scant he would submit to the decision of the majority.

Don Miguel Benavides, lieutenant colonel of the civil guard of Orizaba, said he awaited the decision of the superior officers present.

Don Angel J. Arzamendi, lieutenant colonel of the city guard of Vera Cruz, said that the people of Vera Cruz were republicans, and that on taking up arms at the invitation of his

excellency the imperial commissary, it had been because the emperor Maximilian had shown in all his actions that his government was not despotic, but a moderate democracy; and that when the imperial commissary resigned his office his own command ceased.

Don Eduardo Soudriet, lieutenant colonel of the city guards, said that so soon as Santa Anna should land at the head of American soldiers his command was at an end.

Don Jorge Murcia, lieutenant colonel of the Vera Cruz auxiliaries, said that the sovereign had intrusted the place to the garrison to be defended, and he was resolved to do so; that General Santa Anna held the hearts of the garrison as a leader in the war of independence, but that he (Murcia) could not agree to his bringing American soldiers there.

Don Eduardo Figuerero, colonel of the Vera Cruz cavalry, said he wished to-know if there was any positive news of the destination of the imperial army, and the imperial commissary replied that he knew nothing positive. Señor Figuerero then stated that he highly esteemed General Santa Anna, but he rejected the idea that he should fight against the empire with soldiers brought from the United States.

Don Manuel Lorente, colonel of the civil guard, Vera Cruz, said as long as nothing is known positively as to the emperor's fate he was bound to support the empire.

Don Mariano Camacho, colonel of the 11th. I have a solemn engagement with the imperial commissary. If he relieve me of it I will take whatever course shall seem fit. But I will not accept General Santa Anna as my chieftain.

General Don Manuel Sanches, commander of first and second districts. If we are not sure of pecuniary resources I fear bad results among the garrison.

General Don Juan De Dios Arzamen, commander of the third and fourth districts. If the army no longer exists and the emperor is a prisoner, our engagement to support the empire has ceased.

General Don Santiago de Cuevas, of artillery. As this is a council of war I cannot give my opinion; but as it has been stated that I belong to the army, and as I am with the garrison, I must reply that General Santa Anna should not be allowed to enter the place, since he is backed by American soldiers and sustained by the American government. Our country has already felt one foreign intervention, and it should be spared any more. The scarcity of means should not frighten us, for Mexican soldiers are long-suffering and accustomed to bear up under all kinds of privations. Señor Soudriet, being a foreigner, gave an example that should be adopted, so as to prevent any more intervention.

Colonel Manuel Lorente. The conduct of Señor Soudriet is very praiseworthy.

Don Antonio M. Robledo, civil prefect of the department. As a representative of the government I am bound to stand by the last soldier of the empire. The patience of the Mexican soldier is proverbial: but as we have foreigners in the garrison I wish to know from Señor Soudriet how many days his men could hold out without relief.

Señor Soudriet. I think they can hold out as long as five days.

General Don Tomas Marin, in command of the naval division for Vera Cruz, Tuxpan, and Tehuantepec. If we have no pecuniary relief to fall back on I fear a capitulation with the enemy. If the republican party proclaim Juarez as its master I shall go abroad. I am totally disgusted with General Santa Anna on account of his abandoning the country in 1855, but I would rather fall into his hands than into those of demagogues, although I distrust his good faith on account of the protection given him by the American government.

Lieutenant Colonel Miguel Benavides. I have listened to the opinions of the other commanders, and my resolve is to sustain the empire. I would rather leave the country than compromise with the enemy.

As the majority were in favor of the negative—that General Antonio Lopez Santa Anna be not allowed to enter Vera Cruz—the imperial commissary declared the meeting over, and these minutes were signed by him and the other officers composing the meeting.

DOMINGO BUREAU,

Imperial Commissary.

A. TABOADA,

General Commanding at Vera Cruz.

J. D. HERRAN, *Second in Command.*

A. M. ROBLEDO, *Civil Prefect.*

T. MARIN, *Chief Naval Officer.*

J. D. ARZAMENDI,

General in Command of First and Second Districts, &c.

General Don Santiago Cuevas refused to sign the above minutes on the ground that they were not accurate, and has published the following card:

“MEXICAN IMPERIAL ARMY,

“Vera Cruz, June 9, 1867.

“I stated at once in the junta my surprise that questions of so grave and paramount importance should be submitted to the deliberation of a council of war. In the course of the discussion I stated, in substance, that, as it was to be inferred from what General Taboada

had said, as well as from General Santa Anna's proclamation, that the latter came forward as the agent and emissary of the Washington government, it seemed to me that his proposals should be rejected and that he should not be allowed to land; that the line of conduct which the garrison should follow was very simple, as it was reduced to this, to fulfil their duty by supporting the emperor Maximilian, until it became authentically and officially known that he had abdicated. Nor should the scarcity of means make them swerve from duty, for the history of our country abounds in examples of long-suffering and brave garrisons fighting hand to hand with the enemy and heroically confronting at the same time all the horrors of hunger and privation. I concluded by exhorting my comrades not to cast a stain on the history of their past career by joining in any disloyal conduct, or deserting their cause and thus deepening the abyss of evils from which our unfortunate country was now struggling to relieve herself. Her whole misfortune is owing to her having just begun to enjoy the fruits of her independence, at a time when she had for a neighbor a powerful nation that covered her territory, and has undermined her political existence from the very beginning through the Yorkite masonic lodges and other disreputable means.

"SANTIAGO CUEVAS, *General of Brigade.*"

Mr. Romero to Mr. F. W. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,

Washington, June 25, 1867.

MR. ASSISTANT SECRETARY OF STATE: I have the honor to acknowledge the receipt of the note which you were pleased to address to me, of yesterday's date, enclosing a copy of a communication from Hon. Hugh McCulloch, Secretary of the Treasury, of the 22d, in relation to the steamer which has been placed at the disposal of the wife of President Juarez, for the purpose of conveying her from New Orleans to Vera Cruz.

I have this day communicated your note, referred to, to Mrs. Juarez, and the document annexed thereto, and she requests me to express her thanks to you for the attention which you have shown in transmitting to her the letter of the Secretary of the Treasury, and to inform you that in the course of the week she expects to set off for New Orleans.

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

M. ROMERO.

Hon. F. W. SEWARD, &c., &c., &c.

Mr. Romero to Mr. F. W. Seward.

[Translation.]

WASHINGTON, *June 26, 1867.*

MY DEAR MR. SEWARD: I have the honor to inform you that Mrs. Juarez came back last night to this city with the rest of her family, and wishes to leave for New Orleans to-morrow, going by way of the Mississippi.

I enclose to you a list of the persons who form the family and suite of Mrs. Juarez.

I am, very sincerely, your obedient servant,

M. ROMERO.

Hon. F. W. SEWARD, &c., &c., &c.

Mrs. Juarez; Mr. and Mrs. Santacilia and child; Miss Juarez; Miss Felicitas Juarez; Miss Soledad Juarez; two girls, Mrs. Juarez's daughters, fourteen years old; Master Benito Juarez; Mr. Rafael Zayas; Mr. José Romero; Juana Arce, servant; Maria Rivas, servant; Jebronio Arce, servant.

Mr. Romero to Mr. F. W. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, June 27, 1867.

MR. ASSISTANT SECRETARY OF STATE: I received the note you have pleased to address to me to-day, enclosing to me copy of communication from the Treasury Department of this date, and of the telegram which accompanies it, in relation to the passage of La Señora Juarez and family, from New Orleans to Vera Cruz, on board the revenue cutter Wilderness.

I have communicated these documents to La Señora Juarez, who requests me to repeat to you the assurance of the gratitude with which she regards the efforts of the department to make her voyage convenient and pleasant.

Señora Juarez has determined to set off to-morrow from this city, for Cincinnati, whence she will go by water to New Orleans. She does not think she can reach that point before the 6th of July next.

This opportunity is very satisfactory to me for renewing to you, sir, the assurances of my distinguished consideration.

M. ROMERO.

Hon. F. W. SEWARD, &c., &c., &c.

Mr. F. W. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, June 27, 1867.

SIR: I have the honor to acknowledge the receipt of your note of the 26th instant, accompanied by a list of the persons who propose to embark for Mexico in the revenue cutter Wilderness, at New Orleans. That list was at once communicated to the Secretary of the Treasury, who telegraphed the collector of customs at New Orleans on the subject. A copy of a letter from Mr. McCulloch, with the collector's answer, is herewith transmitted.

It is believed that the party may be made comfortable. No efforts for that purpose will be spared.

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

F. W. SEWARD,
Assistant Secretary.

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

Mr. McCulloch to Mr. Seward.

TREASURY DEPARTMENT, June 27, 1867.

SIR: In accordance with the verbal request of yesterday, I transmit herewith copy of despatch just received from Collector Kellogg at New Orleans. Señor Romero was at the office on yesterday, and desired to be informed of the result of despatch sent yesterday from this department to New Orleans. Should it be deemed necessary, I will thank you to cause a copy to be furnished that gentleman.

I am, very respectfully,

H. McCULLOCH,
Secretary of the Treasury.

Hon. F. W. SEWARD,
Acting Secretary of State.

[Telegram.]

NEW ORLEANS, June 26, 1867.

Hon. H. McCULLOCH:

Wilderness at Southwest Pass. If desired, get her ready for Vera Cruz by morning; only difficulty seems accommodations for so large a party. General Steedman just in; has despatches for Mexico. Wishes to send the same by cutter, if going. Please answer.

W. P. KELLOGG, *Collector.**Mr. Romero to Mr. Seward.*

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, July 3, 1867.

Mr. Romero received, at 5 o'clock on the evening of this day, the verbal note which the Secretary of State of the United States addressed to him, acknowledging the receipt of the memorandum which Mr. Romero transmitted to him yesterday, and requesting him to send to the Department of State copies of the orders issued by the government of Mexico respecting the persons captured in Queretaro, to which he referred in the said memorandum, and furthermore that he should call and see the Secretary of State at his department.

Mr. Romero takes pleasure in acceding to the wishes of Mr. Seward, by enclosing him copies of the documents referred to, and informing him that he will call to-morrow at the Department of State to have the pleasure of seeing him.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.**Documents from the ministry of war.*

No. 1.

[Telegram from the camp to San Luis Potosi, received on the 15th of May, 1867, at 4 o'clock in the evening.]

To the Citizen Minister of War:

At three o'clock of the morning of this day La Cruz was captured by our forces, which surprised the enemy at that point. Shortly afterwards the garrison of the town was made prisoner, the city occupied by our forces, while the enemy with part of his forces fell back upon the hill of Campana, being successfully beaten by our artillery and thrown into disorder; and finally Maximilian and his generals, Castillo and Mejia, surrendered at discretion, at the said hill, at about 8 o'clock this morning.

Be pleased to offer my congratulations to the citizen President on account of this important victory of the national arms.

M. ESCOBEDO.

No. 2.

DEPARTMENT OF WAR AND NAVY,
San Luis Potosi, May 15, 1867.

To the Citizen General MARIANO ESCOBEDO:

I have received and submitted to the citizen President of the republic your report of this day, communicated through the telegraph, and in which you report the capture of the position of La Cruz by our forces, and subsequently the complete occupation of Queretaro.

The citizen President of the republic directs me to make known to you, that you may also communicate it to the army under your command, the satisfaction with which he has heard of this important victory, which is due to the valor and sacrifices of the troops of your command, and upon which he congratulates you through me.

MEJIA.

No. 3.

[Telegram to San Luis Potosi, received May 17, 1867, at 7.30 p. m.]

To the Citizen Minister of War :

When Maximilian was made prisoner yesterday, he requested me to grant him what is embraced in the following points :

1. I have sent in my abdication in the month of March, during the first half of the month. Among the archives captured from me at La Cluz there exists a copy of it, certified and countersigned by the minister. The original was sent to the president of the council of state, José Maria Lacunza, with the order that it should be published when I should be lawfully made prisoner.

2. That if a victim be necessary, that it be visited on my person.

3. That my suite and attendants be well treated for the loyalty with which they have accompanied me through dangers and vicissitudes.

He has also told me that he desires nothing more than to get out of Mexico, and that in consequence he hopes that the necessary escort will be given him to the place of embarkation. I have replied to him that I can grant him nothing, and that what I can do is to report this to the supreme government, as I now do, so that it may determine what is proper.

M. ESCOBEDO.

No. 4.

[Telegram from Queretaro to San Luis Potosi, received May 30, 1867, at 9 p. m.]

The Citizen Minister of War :

I have already had the honor to inform the citizen President of the republic, through the worthy channel of your department, that 8,000 men of the rank and file were held as prisoners of war, and subject to the disposition of the supreme government. These I ordered should be incorporated in the corps of the army under my command. There are also 15 generals, 20 colonels, and 357 persons of the rank of lieutenant colonels down to that of sub-lieutenants, held as prisoners.

Not having up to this moment received an answer upon this subject, the imperious necessity which requires that I should march at once to co-operate in the operations which have already been commenced against the capital of the republic by the citizen General Diaz, under whose orders I have placed myself, and the short distance at which the supreme government is now established from this place, have caused me to decide that Maximilian and the principal leaders and traitors should be sent to-day, under a strong guard, to San Luis Potosi.

Immediately after the occupation of the city of Queretaro, I received pressing requests from every direction urging me to act against the guilty parties. You may rest assured that I would have done so, under the powers granted to me by the ordinance, had I not previously placed them at the disposal of the supreme government. The outrages and cruelties of every kind committed by the foreigners and the traitors, causing through them the ruin of thousands of families, who still groan under orphanage and the most frightful misery, demand the prompt and exemplary punishment of the ill-starred men who have sacrificed everything to their ambitions and caprices.

As the result of the occupation of the city of Queretaro, all the people think that their welfare and repose have been secured, and they hope that the supreme government will inaugurate an epoch of peace and prosperity for the republic by making effective the law to the guilty.

ESCOBEDO.

No. 5.

[Telegram.]

SAN LUIS POTOSI, May 30, 1867.

To the Citizen General M. ESCOBEDO, Queretaro :

In view of your telegraphic despatch of this day's date, communicating the fact that you had ordered Maximilian and the principal leaders, both foreign and traitors, to be brought to this city, the citizen President of the republic has directed that they remain at Queretaro, should they not already have left that city, and that if they have left it that you immediately order their return there, sending the order to that effect by an express courier. He has also ordered that you give the order for the return of the last troops to Queretaro, which you

informed me left there for Mexico; that is to say, the second division of infantry and the first of cavalry of the army corps of the north, in order that the number of troops to remain in Queretaro shall not be less than 4,000 to 5,000 men; and that you be pleased to await the instructions of the supreme government by remaining in Queretaro, agreeably to what you communicated verbally through a commissioner, who is already on his return to that same city.

Be pleased to inform me of the receipt of this despatch by the telegraph.

MEJIA.

No. 6.

DEPARTMENT OF WAR AND NAVY—SECTION FIRST.

The city of Queretaro having been occupied by force of arms, you have informed the government that 8,000 men and more than 400 chiefs and officers of the enemy have been captured, among them Ferdinand Maximilian of Hapsburg, who hitherto has styled himself the emperor of Mexico.

Before dictating any resolution relative to the prisoners, the government has desired to deliberate with the calmness and forbearance which are befitting to the seriousness of the circumstances. It has set aside the resentments which a prolonged war might inspire, desiring only to listen to the voice of its high duties towards the Mexican people. It has considered, not only on the justice with which the laws might be applied, but on the necessity there may be of carrying them out. It has considered to what extent mercy and magnanimity may be exercised, and what limit justice and the imperative necessity of securing the peace, protecting the legitimate interests, and securing the rights and all the future of the republic will not permit it to trespass. After Mexico had suffered all the evils of a civil war of 50 years' duration; when the people had succeeded finally in causing the laws and the constitution of the country to be respected; when they had repressed and conquered certain classes which, to satisfy their private interests, sacrificed all interests and all social rights; when peace and tranquillity once more dawned upon the country, in view of the general will of the people and the impotency of those who had desired to subjugate them, then the most reckless of the remnant of the classes which had been put down appealed to the foreigner, hoping with his assistance to gratify their cupidity and revenge. They went abroad to arouse the ambition and turpitude of a foreign monarch, and they came back to the republic having for their only associates foreign intervention and treason.

The Archduke Ferdinand Maximilian of Hapsburg consented to become the principal instrument to carry out this work of iniquity, which has weighed upon the republic for five years, attended by every species of crime and by every kind of calamity. He came to oppress a people; attempted to destroy their constitution and their laws, without any authority than that of a few votes destitute of all weight, and forcibly obtained through the presence and force of foreign bayonets. He came, voluntarily, to assume the most serious responsibilities, which are condemned by the laws of all nations, and which were provided for in several pre-existing laws of the republic, the last of them being that of January 25, 1862, sanctioned, in order to define the offences against the independence and security of the nation, against the law of nations, against the individual guarantees, and against the public peace and order. The flagrant acts in the conduct of Maximilian embrace the greater number of responsibilities specified in that law.

He not only lent himself to serve as the instrument of a foreign intervention, but also to carry on of himself a war of filibusters. He brought other foreigners, Austrians and Belgians, the subjects of nations not at war with the republic. He endeavored to subvert forever the political institutions and the government which the nation had freely given to itself, by assuming to arrogate to himself the supreme power, without other authority than that of the votes of a few persons appointed and delegated by the foreign invader, or who were compelled thereto by the presence and threats of the foreign force.

He disposed of the lives, the rights, and the interests of Mexicans, only through the violence of force, and without any lawful authority therefor. He promulgated a decree containing barbarous proscriptions, in order to murder the Mexicans who defended, or who even did not betray those who defended, the independence and institutions of their country.

He caused a very large number of bloody executions to be perpetrated under that barbarous decree, and its application to be visited upon distinguished Mexican patriots, even before it could be presumed that they had heard of its promulgation.

He ordered that his own soldiers, or consented, under the false title of chief of the nation, that the soldiers of the foreign invader should set fire to or destroy many and entire towns throughout the whole extent of the Mexican territory, and particularly in the states of Michoacan, Sinaloa, Chihuahua, Coahuila, and Nuevo Leon.

He ordered his own agents, or consented that the agents of the foreigner, should murder many thousands of Mexicans, who were charged with crime for defending their country. And when the armies of the foreign power withdrew, and he saw that the whole republic had risen against him, he still sought to surround himself with some of the most guilty men of

the civil war, availing himself of every means of violence and depredation, of death and desolation, to uphold to the last moment his false title, of which he has not attempted to divest himself until he found himself obliged to abandon it, not of his own will, but through force. Among the men who have desired to sustain him to the last moment, thus consummating all the consequences of treason to their country, appear as some of the principal leaders the so-called Generals Don Miguel Miramon and Don Tomas Mejia, who have figured prominently in Queretaro as generals-in-chief to the corps d'armée of Maximilian. Against both of these a grave responsibility was already pending for their having sustained the civil war for many years, without stopping at the most guilty acts, and being always an obstacle and a constant threat against the peace and consolidation of the institutions of the republic.

Article 28 of the law referred to provides that the pains imposed in it be applied to the criminals caught in the very act of committing the crime, (*in flagrante delicto*,) or during any action of war, the identification alone of the persons being required. Both of these circumstances being embraced in the present case, the public knowledge of the facts would suffice to authorize you to proceed agreeably to that article of the law. Nevertheless, the government, desiring to make use of its ample faculties, with the view that there may be the fullest justification for the proceeding in this case, has resolved that with reference to it the trial be proceeded with, which the same law provides for in other cases, so that, in this manner, the defences which the accused may wish to make may be heard in this one, and that the judgment be pronounced called for in justice. In virtue whereof, the citizen President of the republic has determined that you adopt the measures for proceeding to the trial of Ferdinand Maximilian, of Hapsburg, and of his so-called generals, Don Miguel Miramon and Don Tomas Mejia, proceeding in the trial with entire accordance to the articles, from the sixth to the eleventh, inclusive, of the law of the 25th of January, 1862, which are those relating to the form of the judicial proceeding.

Respecting the other chiefs and officers or functionaries apprehended in Queretaro, you will be pleased to send lists of them to the government, specifying the classes or occupations which they held among the enemy, in order to be enabled to determine what it is proper to do agreeably to the circumstances of the cases.

Independence and liberty! San Luis Potosi, May 21, 1867.

MEJIA.

The Citizen General of Division MARIANO ESCOBEDO,
Commander-in-chief of the Army Corps of the North, Queretaro.

No. 7.

[Telegram from Queretaro to San Luis Potosi.]

To the Citizen Minister of War :

In order to try Ferdinand Maximilian and Mejia, the appointment of a military assessor becomes necessary, which must be appointed by the supreme government. I therefore hope you will be pleased to inform me what person must act in that character during the trial, or otherwise authorize me especially to appoint one.

ESCOBEDO.

No. 8.

[Telegram from San Luis Potosi, May 25, 1867.]

To the Citizen General MARIANO ESCOBEDO, *Queretaro :*

The citizen President of the republic has, after consultation in cabinet, directed me to say to you in reply to your telegram to that effect of this day, that as there is not at these headquarters, at this time, the assessor provided for in the law, you may, in the exercise of the faculties which the government has conferred upon you, appoint him.

MEJIA.

No. 9.

[Telegram from Queretaro to San Luis Potosi, received May 27, 1867, at 4 o'clock and 45 minutes in the evening.]

To the Citizen President of the Republic :

A courier has already left with lists of the prisoners.

The attorney who is to conduct the case of Maximilian has permitted him to write to you. The attorney has a doubt. As you know there are three persons to be prosecuted, and in order to effect the reference which is preparing for the defence, only twenty-four hours are allowed. The doubt is, whether this period is to be allowed to each one of the parties defending, or for the defence of the three.

ESCOBEDO.

No. 10.

[Telegram from Queretaro for San Luis Potosi, received May 27, 1867, at 4 o'clock and 45 minutes in the evening.]

CITIZEN PRESIDENT: I have sent a telegram to Mexico, with the authority and permission of the citizen General Escobedo, requesting the presence here of Baron Magnus, with two lawyers to take charge of my defence.

The Señor General Diaz has replied, by telegram of yesterday, that he cannot permit the entrance into the city of Mexico of my request without the order of the supreme government.

I desire Mr. President, that you will be pleased to issue that order, to the end that the persons whom I call for may come, and who are indispensable to my defence, adding to them the representatives of Austria and Belgium, or in their default, those of England and Italy, as it is indispensable to me to arrange with them family matters of an international character, which should have been settled some two months ago.

Let this be transmitted.

MAXIMILIAN.

Let it pass.

DORIA, *Secretary.*

ASPIROZ.

No. 11.

[Telegram from Queretaro for San Luis Potosi, received May 27, 1867, at 5 o'clock and 5 minutes in the evening.]

Mr. PRESIDENT: I desire to speak personally with you, upon matters grave and very important to the country. As you are a decided lover of it, I hope that you will not deny me an interview. I am ready to start for your city, notwithstanding the molestations of my infirmities.

MAXIMILIAN.

No. 12.

[Telegram from San Luis Potosi, May 27, 1867.]

To the Citizen General MARIANO ESCOBEDO :

The citizen President of the republic has taken cognizance of the request which Maximilian makes, that General Diaz may permit the departure from the city of Mexico—now occupied by the enemy, and closely besieged by the said General Diaz—of Baron Magnus, with two lawyers, in order that they may take charge of his defence, and also of those who have been near Maximilian, the ministers of Austria and Belgium, or in their defect, those of England and Italy, in order to arrange with them family affairs.

With reference to the request referred to, the citizen President has been pleased to resolve in cabinet, that if the persons solicited by Maximilian can come to Queretaro in time to meet his wish, without interrupting the proceedings of the trial, and the terms which the law prefixes for its termination, you will not place any embarrassment whatever to them, and to that end you will transmit this despatch to the citizen General Porfirio Diaz, in that which relates to it.

In case that the persons sent for cannot come in due time, the trial will be proceeded with, and the accused will have authority to avail himself of the services of other persons who may be entitled to defend him.

With reference to the other petition of Maximilian, relative to an interview with the citizen President, as this cannot be realized in consequence of the distance which separates them, and the peremptoriness of the terms of the trial, he will be notified that during the cause which will be instituted against him he will be enabled to bring in evidence everything that may be convenient to him.

With reference to the question propounded by the attorney, as to whether the period of twenty-four hours is intended for the defence of each one of the accused, or for all of them in common, the citizen President has been pleased to determine that the said term be of twenty-four hours for the defence of each one of the accused.

I communicate this to you for the proper ends, and in reply to the two despatches from yourself and Maximilian relative to the subjects referred to, received this evening at 5 o'clock

MEJIA.

No. 13.

QUERETARO, May 25, 1867.

SIR: Not knowing the Spanish language sufficiently in its legal sense, I desire that in case my defenders should arrive a little too late, the time necessary be conceded to me for my defence and the settlement of my private affairs.

MAXIMILIAN.

No. 14.

[Telegram.]

SAN LUIS POTOSI, May 28, 1867.

General MARIANO ESCOBEDO :

SIR: The citizen President of the republic has received a letter to-day from Maximilian, dated the 25th of this month, manifesting that he does not sufficiently know the Spanish language in its legal sense, and he asks that, in case the defenders whom he has sent for do not arrive in time, the time necessary for his defence and the settlement of his private affairs be granted to him.

In view of said letter, the citizen President has decided in cabinet meeting that, if the defenders sent for by Maximilian should not arrive within the term which the law provides for the defence, or should arrive at its conclusion, or near the conclusion of that term, you can concede that, in any one of these three cases, the term which the law provides for the defence may commence to be counted over again and immediately; and that the two other persons indicted also may have the benefit of this extension.

Be pleased to make known this determination to Maximilian, as an answer to his letter.

MEJIA.

No. 15.

[Telegram from Queretaro to San Luis Potosi.—Received May 29, 1867, at 11 o'clock at night.]

The Citizen Minister of War :

I have at this moment, at 6 o'clock this evening, received your message, in which you are pleased to say to me that the citizen President has decided in cabinet meeting "that, if the defenders named by Maximilian should not arrive within the term which the law provides for the defence, or should arrive at the conclusion of its term, or near its conclusion, there may be granted, in any one of the three cases, that the term which the law provides for the defence may commence immediately to be counted over again; and that the two other persons indicated may also have the benefit of this extension."

Be pleased to inform me if this be the decision of the citizen President in cabinet meeting, and, in that case, to make some explanations which you may judge in every respect proper.

ESCOBEDO.

No. 16.

[Telegram.]

SAN LUIS POTOSI, May 28, 1867.

The Citizen General ESCOBEDO :

To the question which you put to me in your message of this night, which is confined to asking me whether the decision in cabinet meeting which I have communicated to you, in order that, in the cases indicated to you, you may cause the term provided for the defence to be counted over again, I reply to you, that it is the decision in cabinet meeting of the citizen President, as it is stated in the same message. The terms of said message are clear, but if there occurs to you any doubt as to its meaning, do you state what that doubt is, so that what is proper may be determined upon.

MEJIA.

No. 17.

SAN LUIS POTOSI, May 31, 1867.

The citizen President having been informed through a letter which you addressed to him under date of the 29th instant, that the telegraphic line has not been able to transmit the

question proposed which you made respecting the manner in which you are to grant the extension, for which authority was given you by the supreme government in behalf of the parties indicted, who are now being tried in Queretaro, has been pleased to direct that I make to you the following explanation:

If the defenders should present themselves at the conclusion, or near the conclusion, of the term fixed by the law for their defence, you can concede that the term commence to run from that moment; but if the defender should not present himself at the first term granted, then you can only grant the extension of 24 hours more, during which you will not take into consideration whether the defenders arrive or not, and which (24 hours) cannot be extended, even should they arrive while the second term is transpiring; but this will serve the indicted parties as a grace conceded, in order that they may overcome the difficulty by intrusting their defence to the person who may be prepared to render them this service, or undertake it themselves. In case they do not avail themselves of any of the means of defence referred to, it must be understood that they reject this benefit, the said term being then considered as ended, and not to be extended.

Independence and liberty!

MEJIA.

The Citizen General MARIANO ESCOBEDO,
Commander-in-Chief of the Army of the North, Queretaro.

No. 18.

[Telegram.]

SAN LUIS POTOSI, June 5, 1867—7 o'clock p. m.

The Citizen MARIANO ESCOBEDO:

In view of the petition which the citizen Mariano Riva Palacio has made in the name of the defenders of Maximilian, to the effect that the term for their defence be extended, the citizen President of the republic has determined, in cabinet meeting, that, in addition to the extension previously granted, three more days be conceded, counting from the conclusion of the extension previously conceded. These three days are conceded as a term common to Maximilian and to the other two parties indicted, in order that they may be enabled to avail themselves of it also in their defence, with the understanding that no other extension will be conceded, as this is the second time the government has granted an extension, in order to give to the defence the utmost extension as far as it has deemed it compatible with reason and the spirit of the law.

Be pleased to direct that this determination be made known to the three parties indicted.

MEJIA.

No. 19.

[Telegram from Queretaro to San Luis Potosi, June 5, 1867 at 8.45 p. m.]

The Citizen Minister of War:

I have received your message of this day, and the decision of the citizen President in relation to the extension of three days, which he has been pleased to grant to them for their defence, has been made known to the criminals, Maximilian, Miramon, and Mejia.

ESCOBEDO.

No. 20.

MINISTRY OF WAR AND NAVY—SECTION FIRST.

The persons apprehended on the occupation of the city of Queretaro by force of arms, respecting whom no determination has yet been taken, besides the responsibility of all their previous acts, have incurred in an especial manner that of having desired still to continue the shedding of more Mexican blood, and to cause the country to suffer incalculable evils, without either the probability or the hope of sustaining the mock government which the foreign intervention attempted to impose on the nation, for the purpose of destroying republican institutions, by means of the gallows, incendiarism, and pillage. Agreeably to the express provisions of the law of the 25th of January, 1862, each one of the two circumstances thus attaching to those captured at Queretaro—that is, the fact of their having been apprehended in the act of transgressing said law and engaged in an act of war—would suffice in order that the penalty of death should be inflicted upon them on the mere identification of their persons. However, after having taken this matter into deliberate consideration, the citizen President of the republic has deemed it proper to make use of his ample faculties in

order to reconcile, as far as possible, the sentiments of clemency and mercy to the requirements of justice and the very important measure of securing the peace and tranquillity of the nation.

To this end he has thought that a distinction should be made in the degrees of criminality of those more or less guilty. Some of those prisoners, owing to the importance of the civil and military positions which they have filled, the greater influence which their character has given them, and the grave offences which they have committed, or which they have authorized, may be considered the more liable to the penalty of the law. Others are in the same situation who, by former or recent acts, the perpetration of numerous crimes or an excess of refined cruelty, have made themselves as highwaymen and robbers, and deserve no consideration, whatever may have been the class or station they have held.

With reference to both, notwithstanding that they appear to be deserving of the strict construction of the law in this regard, on the mere identification of their persons, the citizen President, in use of his ample powers, has determined, in order that the defences which they may have to make may be heard, that, agreeably to the provisions of the law cited relating thereto, the following trials be held:

1. Those will be tried by one and the same process of law who appear on the special list of prisoners made at Queretaro, as generals of brigade, including Colonels Don Mariano Monterdo, Don Mariano Reyes, and Don Juan Ottou, because they have held important commands or have figured with antecedents involving a special responsibility.

2. Shall be tried on another indictment the so-called Colonel Don Francisco Redoné Jesus, *alias* Bueyes Pintos, and the so-called Lieutenant Colonels Don José Almanza and Don Emeterio Maldonado, together with the other persons, whatever may be their class or condition, whom you may be enabled immediately to designate in consequence of their having antecedents which distinguish them by their former or recent acts as highwaymen or robbers, or for their refined cruelty.

3. Shall be tried on another indictment Don Manuel García Aquirre, who held the position of minister to Maximilian; Don Manuel Domínguez, who acted as prefect of Queretaro; and Don Domingo Paros, who acted as commissary.

With reference to the other prisoners made at Queretaro, the number of which is large, although they should be equally subject, agreeably to the provisions of the law, to suffer the penalty of death upon the mere identification of their persons, because of the two circumstances of their having been apprehended in the act of transgressing said law and engaged in an act of war also attach to them; nevertheless, the citizen President, making use of his ample faculties, and desirous, in the name of the people and as their representative, of showing an act of clemency and mercy, has decided in council to grant them an exemption from the penalty of death, commuting it in the following manner:

1. Those who appear in the list referred to as colonels shall suffer the punishment of imprisonment for six years in a castle or place which the government may designate; lieutenant colonels for five years, commanders for four years, and captains for two years.

2. The lieutenants and sub-lieutenants of Mexican birth shall be subject for two years to the vigilance of the authorities of the places which they may elect as their residence, so long as they do not give cause by their bad conduct to their being placed in close confinement within that period. They shall at once be furnished with a pass to enable them to proceed to the place of residence which they may elect, where they will report to the authority of the same. They shall be permitted to change their residence, when convenient to them to do so, on previously giving notice thereof to the authority of the place in which they are, in order that it may give them a pass with which to present themselves to the authority of the new residence which they may elect, in order to remain there in the same manner under its vigilance.

3. Those who appear on the list as lieutenants and sub-lieutenants, of foreign birth, shall remain prisoners until the government, after due examination of their antecedents, shall determine whether they shall remain prisoners for two years, like the captains, or whether it shall issue passports to them to quit the territory of the republic.

4. To those of the class of troops of foreign birth, already sent by you to this city, the government will direct here that passports be issued them to quit the territory of the republic. This same order is given separately, with reference to the rank and file, and even with reference to the chiefs and officers of foreign birth, captured in former battles, who are now in Zacatecas, Guadalajara, Puebla, and other places.

5. Among the prisoners who appear in the list as civil employéés, Samuel Bache, who figures as private physician to Maximilian, will be at once set at liberty, and with regard to Joaquin Martínez, Luis P. Blasio, Manuel Castillo y Cos, and Demetrio Ortiz, they shall remain in the manner provided for the lieutenants and sub-lieutenants of foreign birth, subject for two years to the vigilance of the authorities of the places wherein they may desire to reside, unless you may possess antecedents respecting any one or any of them involving circumstances of aggravating crimes, in which case you will be pleased immediately to give notice thereof to the government, that it may determine what is proper to be done.

6. All those embraced in the foregoing classes, after the conclusion of their terms of imprisonment, or of the time they are to remain subject to the vigilance of the authorities, shall be deprived of the rights of Mexican citizens until they obtain express rehabilitation (reconstruction) from the general government.

Agreeably to these instructions, you will be pleased to issue the proper orders for their fulfilment.

Independence and liberty! San Luis Potosi, June 6, 1867.

MEJIA.

The Citizen GENERAL OF DIVISION,
Commanding in Chief the Army of the North, Queretaro.

No. 21.

No. 1.]

[Telegram.—From Queretaro to San Luis Potosi, June 2, 1867, at 8.55 p. m.]

To the Citizen Minister SEBASTIAN LERDO DE TEJADA :

General Diaz recommends that as soon as an answer is received from the supreme government to the petition of Baron Magnus, you forward it to San Juan del Rio by express, that it may be transmitted to him.

The term for the defence of Maximilian will begin to run at 4 or 5 this evening ; so the attorney has informed me.

ESCOBEDO.

No. 22.

No. 2.]

[Telegram.—From Queretaro to San Luis Potosi, June 2, 1867, at 9.10 p. m.]

To the Citizen Minister SEBASTIAN LERDO DE TEJADA :

I have received the telegram that General Porfirio Diaz sent me, dated in Queretaro, May 25, and I beg you to thank his excellency for his kindness in affording me an opportunity to hasten to the call of a prince in distress.

The Mexican authorities have unfortunately detained me, and I could not leave the city till to-day with the lawyers for the defence. That the defence may be complete I will thank you to request his excellency to suspend judgment for a sufficient time for the lawyers to arrive and fulfil their mission.

A. V. MAGNUS.

No. 23.

No. 3.]

[Telegram.—From San Luis Potosi, June 2, 1867, at 10.45 p. m.]

To General MARIANO ESCOBEDO :

About 10 to-night I received a telegraphic despatch from you with the recommendation of General Diaz to notify him of what is done in relation to the petition of Baron Magnus. The President being indisposed has retired, so I cannot consult him till to-morrow, when I will give you an answer.

S. LERDO DE TEJADA.

No. 24.

No. 4.]

[Telegram.—From San Luis Potosi, June 3, 1867, at 10.15 p. m.]

To General MARIANO ESCOBEDO :

In order to decide upon the messages received last night in relation to Baron Magnus, the President wishes to know if the message of the baron was sent yesterday or before, and from what place. Do you know if he is waiting for the answer, or is he on the road, and where is he to be found at present? and if the term for Maximilian's defence, which you said would begin to run at 4 or 5 in the afternoon, is the first term allowed by the law, or is it a second term by virtue of a legal extension?

I will wait for your answer, so that the President may decide.

S. LERDO DE TEJADA.

No. 25.

No. 5.]

[Telegram from Queretaro to San Luis Potosi, June 3, 1867, at 5.15 p. m.]

To the Chief Minister LERDO DE TEJADA :

I received a message to-day from M. Magnus, forwarded at 7 last night from Tepaji, in which he tells me he is continuing his journey; and Mr. Riva Palacio, in another sent to a person in this city, assures him that to-morrow he will be here with Mr. Magnus and other persons who are accompanying him.

The term of Maximilian's defence, which ends at 6 this evening, is the first granted by the law. I say this in reply to your telegram of to-day.

ESCOBEDO.

Additional.—The term for Mejia's defence ended yesterday. Maximilian's will begin and end at 6 to-day, and then Miramon's will come on. Extension has not been granted to any of them.

ESCOBEDO.

No. 26.

No. 6.]

[Telegram from San Luis Potosi, June 3, 1867, at 9.15 p. m.]

To General MARIANO ESCOBEDO :

I have received your message of this evening, informing me that you have notice that Baron Magnus and the lawyers accompanying him will reach this city to-morrow; that the term granted by law for the defence of the Archduke Maximilian will finish this evening, and then the term for the defence of Miramon will begin. You were informed by the minister of war, on the 28th of May, that if Maximilian's defenders did not arrive within the time granted by law for the defence, you could grant him a new term, in accordance with his petition, to begin to run anew from the term fixed by law, so that he might make a defence. Conformably to that resolution the citizen President of the republic instructs me to say to you that, as the term for the defence of Miguel Miramon will continue through to-morrow, and as he is one of the parties on trial, and Baron Magnus and the persons with him are expected to-morrow, on the conclusion of the term for the defence of Miramon you may grant a new term for Maximilian's defence, to begin to run anew from the conclusion of the term allowed by law; and in such case this new term shall be common to the other parties, that they may profit by it for their defence.

Communicate this to Baron Magnus in reply to his message, which I received last night.
LERDO DE TEJADA.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, July 4, 1867.

MR. SECRETARY: Accepting your suggestion, at our interview this morning, that I had better transmit you a copy of the communication I showed you of General Martin Cepeda Peraza, governor of the State of Yucatan, dated in Merida the 21st of June last, in relation to the arrest in the port of Sisal of Don Antonio Lopez de Santa Anna, I have the honor to remit you a copy of that communication and of various documents relating to it, which are given in the accompanying index.

I think proper to call your attention to the following facts, clearly made known by the said documents :

1. That Don Antonio Lopez de Santa Anna went to Mexico for the purpose of promoting an insurrection, which, by proclaiming him chief of the country, would occasion a new civil war in that republic.

2. For that reason the Mexican authorities had not only the right to arrest

him, but it was their duty to do it, in order to prevent the disturbances he sought to excite.

3. That Don Antonio Lopez de Santa Anna disembarked at Sisal, by invitation of the captain of the port, without resorting to violence of any kind.

4. That, as soon as he landed, General Cepeda gave orders to have him arrested as a conspirator against order and public peace and sent to Campeche, to the disposal of the President of the republic, and he remains there yet.

I have already informed your department that when Don Antonio Lopez de Santa Anna set out for Vera Cruz he said it was with the sanction and support of the United States government, and that he had plenty of men and abundant resources from this country destined to support his pretensions; and now I must inform you that it seems true, from the annexed documents in the testimony of Commander Roe, of the United States steamer Tacony, and in the testimony of Mr. Santa Anna himself, (No. 7.)

I am pleased to have this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

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

List of documents sent by the Mexican legation to the Department of State of the United States, with the note of the 4th of July, 1867, in relation to the arrest of Don Antonio Lopez de Santa Anna, at Sisal.

- No. 1, June 21, 1867; the governor of Yucatan to Mr. Romero.
- No. 2, June 12, 1867; the same to the governor of Campeche.
- No. 3, June 15, 1867; the governor of Campeche to the governor of Yucatan.
- No. 4, June 15, 1867; Mr. Santa Anna to General Peraza.
- No. 5, June 15, 1867; Mr. Santa Anna to the citizens of Yucatan.
- No. 6, June 8, 1867.
- No. 7, June 8, 1867.
- No. 8, June 8, 1867; Mr. Vidal y Rivas to Don Antonio Taboada, commander of the imperial garrison in Vera Cruz.
- No. 9, June 11, 1867; the same to a chief in Vera Cruz.
- No. 10, June 12; Mr. Santa Anna to General Peraza.

IGNO. MARISCAL, *Secretary.*

WASHINGTON, July 4, 1867.

[Translation.

No. 1.—MEXICAN REPUBLIC.—GOVERNMENT AND MILITARY COMMANDANCY OF THE FREE AND SOVEREIGN STATE OF YUCATAN.

On this day I communicate to the citizen minister of relations of the republic what is here copied:

“On the 11th of the present month, the American merchant steamer Virginia, Captain John Deaken, anchored at Sisal, with the object, as it seemed, of taking in cargo and proceeding to Havana; but the fact of ex-General Don Antonio Lopez de Santa Anna being aboard attracted the attention of the authorities of the port and caused some alarm, as was natural.

“This man’s precedents, and his late stay in the United States, could only tend to stir up discord among Mexicans; his former constant passion, shown at various times in his existence to provoke disturbances, seize on the command and use it to his profit, were recollections too alarming not to arouse suspicion, and his sudden appearance on the coast of Yucatan was calculated to cause fear.

“Suspicion became fact when Lieutenant Colonel Don Hilario Mendez, who came a passenger in the Virginia, presented himself to the captain of the port of Sisal, and gave him a package from Santa Anna. The package contained documents of such a nature as to leave no doubt about his designs in coming to Vera Cruz in the Virginia, and then going to Sisal; they were evidently to disturb the condition of things in the republic and create embarrassment for the President in his attempt to obtain a prompt and complete triumph of the liberal principle. In consideration of such proof, the captain of the port of Sisal thought proper to station several of the small boats of the squadron anchored in the bay

around the Virginia, merely to watch operations and without hostile intentions. He then went on board, accompanied by citizen Manuel Mendiola as interpreter, and invited Santa Anna to come ashore. Captain Deaken objected, and threatened to steam away with all on board, notwithstanding the general said the Americans had mistreated him at Vera Cruz, and he was treated no better on the Virginia. The invitation was repeated and the general went ashore voluntarily. Learning what had happened, and aware of the meaning of Don Antonio Lopez de Santa Anna's arrival in Sisal, I ordered him to be arrested, taken to the neighboring state of Campeche, placed at the disposal of the President of the republic and recommended to the governor, citizen Pablo Garcia. I did this because that place had more conveniences and greater security, and I was too busy with the siege of the capital to attend to anything else. After this, it is somewhat singular that Captain Deaken put to sea without doing any business at Sisal, for which he said he had come, or making any protest before the vice-consul of his nation, or any other authority.

"It is not strange that Captain Deaken did not protest against Santa Anna's arrest, because it was done peaceably, without violence, while he was on shore, nor was it in the legitimate sense of the word an extradition; but it is strange he proposed to take no cargo, when he said he had come purposely for it. In my opinion, this shows, either that the Virginia was chartered by Santa Anna, and he agreed that the steamer should leave; or that Captain Deaken left of his own accord, as he could not deny the purpose of the ex-dictator of Mexico, and renounced the right of demanding respect to a neutral and friendly flag.

"The certificate signed by Captain Deaken and the officers of the Virginia in favor of Santa Anna, on account of what happened between him and the English and American commodores in the waters of Vera Cruz, is an explanation of his strange conduct in Sisal.

"I enclose, citizen minister, a series of documents, numbered from 1 to 7 inclusive, which I hope you will communicate to the citizen President of the republic, so he may decide what is to be done with the prisoner, who remains in the fort of Campeche, at your disposal.

"I embrace this opportunity, citizen minister, to repeat to you the assurances of my attentive consideration and respect."

And I have the honor to transmit this to you, for your information, that you may know what happened to ex-General Santa Anna in Sisal, and may be able to give, in case of necessity, the proper explanations to the cabinet in Washington.

In conclusion, I protest to you the assurances of my high regard.
Independence and liberty! Merida, 21 June, 1867.

M. CEPEDA.

E. ANCONA, *Secretary.*

Citizen MATIAS ROMERO,

Minister of the Mexican Republic in Washington.

No. 2.—MEXICAN REPUBLIC.—GOVERNMENT AND MILITARY COMMANDANCY OF THE FREE AND SOVEREIGN STATE OF YUCATAN.

At this moment, 7 o'clock in the evening, I have just received an official communication from the military commander of Sisal, informing me that ex-General Antonio Lopez de Santa Anna and his father-in-law, L. G. Vidal y Rivas, had been captured on board the American steamer Virginia. I have official documents in my possession, of which I will send you copies, proving in an undoubted manner that Santa Anna, after his many crimes, attempted a political movement against the legitimate government of the republic; and as the present condition of this state does not offer a secure place of imprisonment for those two individuals, I send them to you in charge of Commander Luis I. Gomez, who receives them in the war canoes Hidalgo and Republicana, that you may confine them in your fortress till the supreme government of the nation disposes of them. I report the event to the government that it may act in the case as may seem most expedient. I hope your patriotism will induce you to lend this service to the nation with zeal and pleasure.

Independence and liberty! Merida, June 12, 1867.

M. CEPEDA.

Citizen GOVERNOR AND MILITARY COMMANDER

of the State of Campeche.

No. 3.—MEXICAN REPUBLIC.—GOVERNMENT AND MILITARY COMMANDANCY OF THE STATE OF CAMPECHE.

The persons of ex-General Santa Anna and his secretary, L. G. de Vidal y Rivas, were captured in the port of Sisal, on board the American steamer Virginia, and as there is no

safe prison for them in this state, they were delivered yesterday to citizen Luis I. Gomez, commanding the canoe Hidalgo, who brought them here and placed them in safe custody till the supreme government of the republic shall decide what is to be done with them, as he states in his despatch of the 12th instant.

Independence and liberty! Campeche, June 15, 1867.

P. GARCIA.

FRANCISCO CARVAJAL, *Secretary.*

The GOVERNOR AND MILITARY COMMANDER
of the State of Yucatan, in Merida.

No. 4.—MEXICAN REPUBLIC.—GOVERNMENT OFFICE OF THE FREE AND SOVEREIGN STATE OF YUCATAN.

[Document No. 1.]

ON BOARD THE STEAMER VIRGINIA, OFF SISAL,
June 11, 1867.

MY WORTHY COMPATRIOT AND OLD FRIEND: Taking advantage of Lieutenant Colonel Hilario Mendez's visit to your city, I have the pleasure to address you, after so long a time, to remind you I have not forgotten you and esteem you as much as ever.

Mr. Mendez knows what happened to me in front of Vera Cruz, and he will tell you all about it. I send you the sworn declaration of the captain of the steamer Virginia, and other persons present, in reference to the outrage perpetrated upon my person, on the evening of the 7th of this present month. I also enclose a copy of the conversation that took place between me and the commander of the American war steamer Tacony, on board that vessel, so that you may have the interesting documents printed for circulation here, while I have them printed and circulated in Havana and the United States. I hope you will join me in my indignation against Commander Roe for his insults and indignities to me under his cannons; for, after all, you are a good Mexican, and cannot remain indifferent to the insults and outrages that insolent foreigners heap upon us, taking advantage of our continued internal dissensions.

If I do not get back to Vera Cruz soon, in a war steamer or merchant vessel, I shall remain some time in Havana, and whether I am in that city or Vera Cruz, I shall be at your service.

Your grateful and affectionate friend and servant, who wishes you everlasting happiness,
A. L. DE SANTA ANNA.

General MARTIN PAREZA.

POSTSCRIPT.—I also enclose a copy of the address I thought proper to make to the Yucatan, when I was in front of Sisal, lest the copies I sent you at the time may not have reached you. If you are pleased with it, be so kind as to have it published and circulated. Adieu.

No. 5.—MEXICAN REPUBLIC.—OFFICE OF THE STATE GOVERNMENT OF THE FREE AND SOVEREIGN STATE OF YUCATAN.

[Document No. 2.]

Antonio Lopez de Santa Anna, general of division of the national armies, well-merited of his country, &c., &c., to his fellow-citizens.

YUCATECOS! Finding myself so near you, on my way to my native land, I anxiously greet you with profound emotion, grieved to behold the immense contrast between our situations then and our conditions at the present time.

You will remember that in the years 1824 and 1825 I had the honor to hold the highest civil and military office in this peninsula, and to receive friendly demonstrations from you that will never be forgotten.

One year ago I went to the United States, with the patriotic intentions of seeking aid for our brothers struggling so gallantly against an invading force that has succeeded in getting a foothold on our lovely land in a most inexplicable manner. This is not the time to explain my trials and unexpected difficulties in the efforts to succeed in my noble and patriotic enterprise. Now the French have disappeared from the scene there is a new perspective, and other troubles and conflicts are coming on the stage to try us Mexicans.

I will remember you when I get to Vera Cruz. I will address our nation from that point. In the mean time I hope you will receive my friendly suggestions in the benevolence of former days. Put off the hostile attitude of brother against brother. We are all Mexicans, and it is better for us to agree. Let not evil passions overcome us. My mission among you,

my brothers, is one of peace and friendship. At the last moment I come to mediate among the discordant members of the family. Fellow-countrymen, I pray you help my inspirations with your patriotic efforts; my aims are truly Mexican. Let us practice self-denial; let us make some small sacrifices, and I am sure we will succeed in restoring our cherished country to its former position of honor and glory, and give it new days of prosperity and progress.

A. L. DE SANTA ANNA.

ON BOARD THE STEAMER VIRGINIA,
In the waters of Sisal, June 21, 1867.

NO. 6.—MEXICAN REPUBLIC.—OFFICE OF THE GOVERNMENT OF THE FREE AND SOVEREIGN
STATE OF YUCATAN.

[Document No. 3.]

Sworn declaration of the captain of the steamer Virginia, of the United States of the north, and of persons present, and witnesses of the outrage perpetrated upon the person of his excellency General Antonio Lopez de Santa Anna, who was on board the Virginia, anchored in the roads of Vera Cruz, near the castle of San Juan de Ulúa, and alongside the Mexican war steamer Tabasco.

On Friday, the 7th instant, at half-past three in the afternoon, a boat from the English war steamer Jason suddenly came alongside the steamer Virginia. The Jason was moored near Sacrificios island; its commander was Mr. Murray Aynsly, and its crew consisted of thirteen seamen and two officers. The commander of the United States war steamer was Mr. F. A. Roe.

Commander Roe asked Captain Deaken, of the Virginia, for Santa Anna. The captain replied: "Here is General Santa Anna," who was seated on the quarter-deck. Mr. Roe asked if there was an interpreter present, when the purser of the vessel, Mr. Edward E. Austin, immediately came up. Commander Roe then said to General Santa Anna, through the interpreter, that he was invited on board the vessel anchored at Sacrificios.

The general was surprised at this invitation from an uncouth stranger whom he had never before seen, and asked him why he wanted him to go on board of his vessel. Roe rudely replied: "If you won't go voluntarily, we will take you by force." The general politely replied he did not see what right Mr. Roe had to use violence towards him, as he was not in his jurisdiction, and was preparing to land on his native shore, where his countrymen were expecting him.

A dispute ensued, and Roe was so angry the English commander, Aynsley, advised him to be more moderate in his language to the general.

General Santa Anna had offered the gentlemen seats when they came aboard, but as they continued to stand, he took a seat and asked an explanation of their singular conduct. Commander Roe replied, in a haughty tone, that he had no explanations to make; it was an order, and if not voluntarily obeyed, he would be taken by force. It was no time for compliments, and he wanted none. In fact, two sailors then advanced towards the general in a menacing manner. Some of his retinue interfered, and told the general what the men intended to do. With the energy and dignity peculiar to him, the general protested against these acts of violence and tyranny in his own country, in a Mexican port, in view of his flag, and in presence of Mexican authorities. As the Jason's men were still in a threatening attitude, the commander of the Nostite, one of the general's aids, came up and said in a low tone: "I think it most prudent, general, for you to take my arm and get into the boat, rather than let those men put their hands upon you." The general did not object, and got into the British boat, accompanied by his interpreter, Edward Gottlieb, and his body-servant, and was taken on board the war steamer Tacony, at Sacrificios.

Before leaving, General Santa Anna charged one of his aids to inform his secretary, Colonel de Vidal y Ruiz, who was then in the city of Vera Cruz, of all that had happened. As soon as he heard of it, he went to see the commissary, Don Domingo Bureau, and told him of all that had happened, depicting in a vivid manner the great disrespect shown to the authorities in sight of the town, and in presence of Mexican officials. The commissary said he could do nothing, lest the two steamers might bombard the city. Mr. Vidal y Rivas then went to see Mr. Saulnier, the United States consul, to make a formal protest before him against the outrage. But the consul only replied that what had taken place had been done without his knowledge, and, moreover, he had just been assured that General Santa Anna would be released the next day.

The captain of the Virginia was ordered to weigh anchor and quit Vera Cruz the next day, after coming to Sacrificios to take the general on board. This was done at noon the next day, and at one we left Sacrificios, followed by the United States steamer Tacony. The whole country around Vera Cruz, as well as the city garrison, and the forts, were profoundly indignant at this event, considering it an insult to the dignity of the place, and a grave offence against a person so popular as Santa Anna is there, and just at a time when it was

rumored that the authorities were preparing to receive him as a distinguished leader of independence, respected without distinction of parties, and which reception was prevented by seizing him, and carrying him away from the country. It was for that very purpose that General Santa Anna was waiting on board the Virginia till public acts should proclaim the republic, and thus the good old government of the nation be restored, and peace established without shedding a drop of blood. The authorities had frequently been on board to visit him, and satisfaction and confidence were depicted in the countenances of everybody.

Each one of the persons who sign this is responsible with his name for what he witnessed. Signed on board the steamer Virginia, en route for Sisal, the 8th of June, 1867.

JOHN DEDKE,

EDWARD E. AUSTIN, *Purser.*

GEORGE SLOAN, *First Mate.*

THOMAS M. DEAKEN, *Second Mate.*

G. G. WILSON, *First Engineer.*

L. G. VIDAL Y RIVAS, *His Excellency's Sec'y.*

J. B. DE NOSLLZ, *Commander of E. M.*

L. LUTTWITZ, *Captain.*

EDWARD SATTIEL, *Interpreter.*

No. 7.—MEXICAN REPUBLIC.—GOVERNMENT OFFICE OF THE FREE AND SOVEREIGN STATE OF YUCATAN.

[Document No. 4.]

Dialogue between Commander F. A. Roe, of the steamer of war Tacony, and General Santa Anna, on board said steamer, through the interpreter, Edward Gottlieb.

COMMANDER ROE. General, here you have my room, where you will be comfortable, and can ask for what you want.

GENERAL SANTA ANNA. Thank you, commander; but I wish to know, first, why you took me forcibly from the Virginia, and prevented me from going ashore, as I intended. Without being at war, why have you taken me prisoner?

COMMANDER. No, general, you are not a prisoner. I wished to spare the shedding of blood in Vera Cruz, when enough has been shed in the country already.

GENERAL. But by what authority and right do you thus proceed against my person, when I am a Mexican returning to my country after a long absence, with the intention of serving it, as I have always done, and now as a mediator for the restoration of peace?

COMMANDER. It has been said in the city that the general was sent by my government—referring to a conversation of the general with the American consul, in presence of the English consul—and it is my duty to prove the contrary, having an understanding with General Benavides.

GENERAL. It is not true that I said I was sent, for the government at Washington could not employ me, nor would I obey the commands of a government not my own. I heard that the American consul prevaricated for the purpose of preventing me from landing, and I thought proper to satisfy him, and dispose him to a neutrality he ought to observe; for that purpose I said to him, substantially, that my mission was one of entire peace, and that his President was not ignorant of my journey, nor of my intentions.

COMMANDER. Well, but your presence prevented the surrender of the city to General Benavides, who was besieging it, after Commissioner Bureau had agreed to it.

GENERAL. And what is it to you whether the city is held by this or that Mexican, when you have no right to interfere in Mexican affairs? I doubt if your government will approve of your conduct; and, besides, what is the reason of your insult to my person, this evening? As long as I am compelled to remain in this ship I will consider myself a prisoner.

COMMANDER. I have acted as I thought proper, (said the commander, angrily;) I have no more explanations to make, (and he got up.)

GENERAL. Will you use force against me? I have no rifled cannons, and consequently you have me completely in your power.

COMMANDER. Good-night, general; you have my room to rest in, and you can call for what you want, (and taking off his cap, he bowed politely.)

General Santa Anna spent most of the night in a chair, and took nothing that was offered him. At ten o'clock next day an officer told him that he could now get on board the Virginia, that had come to Sacrificios for him; but he could not go to Vera Cruz, however much he might wish it; he might go to Sisal, to Havana, or to the United States, and of course the vessel could go to any of those places.

The general again angrily protested against the violence used toward him, and declared he would inform the government at Washington of the outrage to him, and would demand satisfaction, and publish an account of the disgraceful acts; and he then went on board the Virginia, that had brought him to this city.

On board the steamer Virginia, this 8th day June, 1867.

The interpreter of his excellency General Santa Anna,

EDWARD GOTTLIEB.

No. 3.—MEXICAN REPUBLIC.—GOVERNMENT OFFICE OF THE FREE AND SOVEREIGN STATE OF YUCATAN.

[Document No. 5.]

ON BOARD THE STEAMER VIRGINIA,
In front of Sisal, June 11, 1867.

VERY DEAR SIR AND ESTEEMED FRIEND: The passengers that embarked in this vessel have expressed to us the general dissatisfaction of the inhabitants of that place; and I myself, on quitting the wharf, was grieved to see tears shed by old soldiers, annoyed at the flagrant disrespect, feloniously executed. The garrison, as well as the inhabitants of that city, must be in despair from anxious expectation and uncertainty, easy to understand when we have witnessed their spontaneous sensations of enthusiasm and sympathy.

On the other hand, while I consider your decided intention, and that of the other friends we have in your city, and on reflecting that the affairs of Mexico can have no other favorable solution, and no other guarantee than that which we propose to give by means of our leader, with the influence of his name and his gift of command, I am persuaded to write to you, to ask you to tell us frankly, without the loss of a moment, if the situation can be commanded till our return; and if that can be done, whether we may expect better success in the realization of our undertaking. I think it indispensable, very necessary, to remind them that you do not permit them to be delivered up to their enemies, bearing in mind that they do not know how to pardon nor to keep their promises, and that you will surely be sacrificed as soon as you are disarmed. The safest way, in fact the only way, is that pointed out to you by the general. His intention is to return to your port without delay, in a war steamer or merchant steamer. Let this notice serve as a guide to you in the management of affairs.

Why were we not assisted by you in the night of the 8th and 9th, as we expected to have been? As Mr. Bureau recommended us to do everything through you, we did so; but our good desires were also frustrated that time. I hope you will write to me by the bearer of this, who will give you further particulars of our affairs. We shall have reason to rejoice that we have done much more than was expected of us by any one. And it is because we see the dark prospects in the future, and are trying to anticipate and prevent coming ills.

It is with pleasure that I sign myself your devoted friend and servant, who wishes you all happiness,

L. G. DE VIDAL y RIVAS.

Give my respects to all my friends, not forgetting General Perez Gomez, General Herran, &c. &c.

The general, who cannot write, from a slight indisposition caused by a bilious attack, sends his regards to all, and to you in particular. Adieu.

His Excellency General ANTONIO TOBOADA.

No. 9.—MEXICAN REPUBLIC.—GOVERNMENT OFFICE OF THE FREE AND SOVEREIGN STATE OF YUCATAN.

[Document No. 6.]

ON BOARD THE STEAMER VIRGINIA,
In front of Sisal, June 11, 1867.

VERY DEAR AND MUCH ESTEEMED SIR: The favorable reception you were pleased to accord us in the execution of our labors, and the deference with which you thought proper to grant me your confidence, induce me to write to you, if only to express my gratitude and to beg you to favor me with an answer, keeping us informed of the tenor of events and letting us know if we can yet do anything in favor of our unfortunate country.

This letter will go by the Spanish mail steamer that touches at this port, and I must say to you that our intention is to proceed to Havana to see what kind of aid, direct or moral, the captain general will furnish us. General Manzano is an old friend of mine, and ought to comprehend the urgency of the case. I hope you will avail yourself of that medium to communicate with me, to avoid miscarriage of letters. Excuse the card I enclose to you; it is one I made use of in the United States; I send it because I have no other at hand.

The chief intent of this is to ask you to deliver the enclosed and receive the answer; to request you to explore the ground and to tell us frankly what you think of affairs, and how the situation appears to you; to investigate the minds and even the dispositions of those who are capable of aiding us. If they are ready, if they can do any good, we will soon return to the front of your city; but if the case is contrary, if appearances are against us, I beg you to speak without circumlocution or subterfuge. All must have known that our arrival at your city was not only opportune and efficacious, but necessary and even indispensable. Would to God there was some other person capable of saving the situation! I would willingly aid him by every means in my power; but, unfortunately, I do not discover that person.

I may obtain permission for the general to remain in Cuba for a month; if not, he will be obliged to go back to Saint Thomas. At all events, you must understand there that we are ready to save Vera Cruz, and raise the siege by gaining Benavides over to our party, and thus prevent much bloodshed in the city, and then go to the aid of the brave men who are struggling for their lives in the capital. Alas for Vera Cruz! Woe to Mexico, if unfortunately we are not understood!

Our present fears are, that a vessel we are expecting from the United States to your city, not finding us there, may fall into the hands of some United States agents, and suffer all the indignities that nation is heaping upon us. We are taking all the precautions here, and are cruising about, but as we have had two stormy nights, we may have passed each other without discovery. In such an event, if the vessel has arrived, and the troops wish to land, put the Irish battalion in the castle, and the riflemen in the city, till our return, when we can march them into the country to shun the endemic and pernicious maladies peculiar to our coast. In that expedition we would not only lose the cost, which is over \$200,000, but the opportunity of aid, without reckoning the difficulties that we have had to overcome in organizing it. I must tell you, for your information, that I sent a trusty person ashore the day we left with letters for you, but he did not find you in your house. Two other persons went to consult their friends and arrange for our return. We complied with our offer.

On the night of the 8th and 9th we were more than two hours behind the castle, from midnight till after two, with the lights and signals agreed on, upon the Galleguilla shoals. The noise made by blowing off steam and our movements must have been heard at the castle; the sea was calm and the weather cloudy. Why did you not come to the place agreed on? We did everything we could. After two o'clock we put to sea.

Do me the favor not to let this go out of your hands, though I have not put your name to it for fear of risking the loss of your situation. I have the honor to subscribe myself your devoted and obedient servant, who wishes you much happiness,

L. G. DE VIDAL Y RIVAS.

The above communication bore the following address: "Mr. Charles Raman, her Catholic Majesty's consul in Vera Cruz."

No. 10.—MEXICAN REPUBLIC.—GOVERNMENT OFFICE OF THE FREE AND SOVEREIGN STATE OF YUCATAN.

[Document No. 7.]

SISAA, June 12, 1867.

MY ESTEEMED COUNTRYMAN AND FRIEND: I wrote to you yesterday from the Virginia by Lieutenant Colonel Mendez, and I presume my letter is now in your hands, with the documents it contained. I was awaiting your answer, when Colonel Medina, the military commander of this port, presented himself to me on board, and informed me that you invited me to land. I immediately began to get ready to accept your invitation, and commenced by shaving myself. The captain of the vessel informed me I could not land, as his orders from the commander of the American war steamer were, that I might land on neutral ground, but could have no pretext to set foot on Mexican territory. This caused an altercation between Colonel Medina and the captain of the Virginia, in which threats passed, &c. Finally the captain yielded, and I was allowed to disembark, not without protests, however.

Now I am at your disposal; but I hope I shall soon see you, as this commander has promised me I could. I wish my good intentions may give a happy result; and I do not think Mr. Salazar Ilaregui will be so timid as to reject my generous mediation for the complete re-establishment of peace in this State; but if he persists in an obstinate resistance, an old veteran places himself under your orders, to be sent wherever you think he can be of the greatest service to the nation. In the mean time, I hope to have the pleasure of seeing you and embracing you; till then, I wish you excellent health, and sign myself your affectionate and faithful friend and servant,

ANTONIO LOPEZ DE SANTA ANNA.

General MATIAS PERAZA, *Merida*.

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, July 7, 1867.

Mr. Romero respectfully salutes Mr. Seward, and has the honor to state to him that, according to the recommendations he made to him on the 4th instant,

that he should send to the Department of State the rest of the documents he should receive respecting the persons captured at Queretaro, he transmits to-day a copy of No. 48 of the newspaper *La Sombra de Zaragoza*, published at San Luis Potosi the 19th June last past, which he has just received, in which are comprehended the documents that the government of Mexico has thought proper to publish at this time respecting the trial of three of those persons. These documents include several of those which Mr. Romero sent to Mr. Seward with his informal note of 3d instant. In a private letter, dated at San Luis Potosi, the 21st June aforesaid, it is said to Mr. Romero that very soon the government of the republic would publish a volume which would contain, besides the documents referred to, the record of the proceedings instituted against those who have been tried, the defences, and other documents and proceedings having relation with the same business.

From the documents published up to this time the fact stands out in relief that the government of Mexico determined with all the clemency that was possible to it, in respect of the fate of the great number of persons captured at Queretaro.

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

TRIAL OF MAXIMILIAN.

Documents about the trial of the Archduke Maximilian, of Don Miguel Miramon, and of Don Tomas Mejia, and the execution which took place at Queretaro this day, 19th June, at 7 o'clock in the morning.

[Translation.]

[Enclosure No. 1.—From the *Sombra de Zaragoza*, the official paper, of June 19. 1867.]

MEXICAN REPUBLIC—HEADQUARTERS ARMY OF OPERATIONS.

In reply to the note from your department of the 21st instant, I have the honor to say to you that in conformity with the direction of the citizen President of the republic, the trial of Ferdinand Maximilian of Hapsburg and his so-called generals, Don Miguel Miramon and Don Tomas Mejia, was forthwith proceeded on, observing in the judicial proceedings what is provided in the law of January 25, 1862, in articles No. 6 to No. 11, inclusive; sending to your department the list of chiefs and officers, prisoners, as directed at these headquarters. Independence and liberty! Headquarters at Queretaro, May 27, 1867.

M. ESCOBEDO.

Citizen MINISTER OF WAR AND MARINE

Of the Republic of Mexico, San Luis Potosi.

[Enclosure No. 2.—Mexican Republic—Headquarters of the eastern army—Section of government.]

CITIZEN MINISTER: The telegrams from San Juan del Rio have been received at these headquarters, addressed by General Escobedo, which, by numbers 1, 2, 3, and 4, I have the honor to send in copy, as well as the answer which I gave to them:

[Enclosure No. 3.—No. 1. Sent from San Juan del Rio, May 25, 1867.—Received at Guadalupe at 10 minutes past 9 o'clock in the morning.]

General of Division PORFIRIO DIAZ:

At half-past 8 I received by express the following telegram, which I have the honor to transmit, from the general-in-chief, Mariano Escobedo, and that of Maximilian.

A. ALCERRECA.

[Enclosure No. 4.—No. 2. Remitted from San Juan del Rio, May 25, 1867.—Received at Guadalupe Hidalgo at 12 minutes after 9 in the morning.]

The Emperor Maximilian to Baron de Magnus, Minister of Prussia in Mexico:

Have the kindness to come and see me as soon as possible, with the advocates Don Mariano Riva Palacio and Rafael Martinez de la Torre, or other you may think well of, to defend my cause; but I desire that it be done immediately, for I have no time to lose. Don't forget the necessary documents.

MAXIMILIAN.

[Enclosure No. 5.—No. 3. Sent from San Juan del Rio, May 25, 1867.—Received at Guadalupe Hidalgo at 18 minutes past 9 in the morning.]

General of Division Don PORFIRIO DIAZ;

The general-in-chief charges me to say to you that you will please to communicate to him seasonably whatever may occur, and principally respecting the message from Maximilian.

A. ALCERRECA.

[Enclosure No. 6.—No. 4. Sent from San Juan del Rio, May 25, 1867.—Received at Guadalupe Hidalgo at 4 minutes past 1 o'clock, afternoon.]

General Don PORFIRIO DIAZ:

I send you the following message:

GENERAL DIAZ: If there is no obstacle to Marquez receiving the former message communicated from Maximilian, it is hoped you will permit it.

A. ALCERRECA.

[Enclosure No. 7.]

Citizen MINISTER OF WAR AND MARINE, *St. Luis Potosi*:

Telegraph citizen A. Alcerreca:

Please transmit to General Escobedo the adjoined telegram.

P. DIAZ.

I received the telegram from Maximilian which you sent me, in which he shows that if there is no obstacle it might be sent to Mexico, and in reply I have the honor to say to you that I dare not do so without express order from the supreme government, it being too serious a matter.

General of Division D. M. ESCOBEDO.

PORFIRIO DIAZ.

Which I submit to your superior judgment, that the supreme government may determine what it thinks best.

Independence and the republic! Tacubaya, May 25, 1867.

PORFIRIO DIAZ.

[Enclosure No. 8.]

DEPARTMENT OF STATE, FOR WAR AND MARINE.

The President of the republic has informed himself of your despatch dated 26th of last past, in which are various telegrams, referring to the coming to Queretaro of the defenders Maximilian has directed to be called in. By the telegram which I addressed to General Escobedo, on the 28th of last month, advising him to send it to the proper direction, you will be aware that the government approved that those individuals should come, if they could arrive at Queretaro in good season.

Independence and liberty! San Luis Potosi, June 4, 1867.

MEJIA.

General PORFIRIO DIAZ,

*Chief of the Army Corps of the Eastern Army and of Forces
operating against Mexico, Tacubaya, (or where he may be.)*

[Enclosure No. 9.—Telegram deposited at Queretaro for San Luis Potosi, June 2, 1867.—Received at 10 minutes past 8 in the evening.]

Citizen Minister SEBASTIAN LERDO DE TEJADA:

I have received the telegrams directed to me by General Porfirio Diaz, dated at Queretaro, 25th May, and ask you to give my thanks to his excellency for the kindness with which he has facilitated to me the means of meeting the application made to me by a prince under misfortune. Unhappily, the authorities in Mexico caused me a delay, and only to-day have I been able to leave the capital, with the advocates for the defence. That the defence may be complete, I will be very much obliged by obtaining from your excellency the suspension of the trial for a time sufficient for the defending counsel to be able to arrive for the fulfilment of their mission.

A. V. MAGNUS.

[Enclosure No. 10.—Telegram from Queretaro to San Luis Potosi, June 2, 1867.—Received at 55 minutes past 8 in the evening.]

Minister SEBASTIANO LERDO DE TEJADA:

General Diaz recommends that as soon as the answer of the supreme government to the application of Baron de Magnus is received, it be ordered to San Juan del Rio by express, that it may be transmitted to him. The period for the defence of Maximilian will begin to run at 4 or 5 o'clock this afternoon, as the government attorney has told me.

ESCOBEDO.

[Enclosure No. 11.—Telegram to San Luis Potosi, June 2, 1867, 5 minutes past 10 o'clock at night.]

General Don MARIANO ESCOBEDO, *Queretaro*:

About 10 at night I received your telegraphic message, with the recommendation of General Diaz to advise what is to be done about the petition of Baron de Magnus. The President has already gone home to his dwelling, having been somewhat indisposed. Therefore, I shall not be able to consult him till morning, and will then reply to you.

S. LERDO DE TEJADA.

[Enclosure No. 12.—Telegram to San Luis Potosi, June 3 1867, 45 minutes past 10 o'clock, morning.]

General MARIANO ESCOBEDO, *Queretaro*:

To determine upon the messages received last night, relative to Baron de Magnus, the President desires to be informed on the following points: Whether the message from Mr. Magnus is of yesterday or of earlier date, and from what place he sent it? whether you know that he is awaiting reply or has set forth on the journey, and where he may now be found? and whether the term for the defence of Maximilian, which you told me could begin to run from 4 or 5 o'clock yesterday afternoon, is the first term allowed by law or is already a second term, in virtue of an extension having been granted to him? I await your answer, that the President may determine.

S. LERDO DE TEJADA.

[Enclosure No. 13.—Telegram from Queretaro to San Luis Potosi.—Received at 15 minutes past 11 at night, of 3d June, 1867.]

Minister LERDO DE TEJADA:

I have to-day received a message from Mr. Magnus, sent last night at 7 o'clock from Tepeje, in which he tells me he is continuing his journey to-day; and Mr. Riva Palacio, in another addressed to an individual at this place, assures him that to-morrow he will be here with Mr. Magnus and other persons who accompany him. The term for the defence of Maximilian, which ends this day at 6 o'clock in the afternoon, is the first which the law allows. I say this in reply to your telegram of to-day.

ESCOBEDO.

ADDITIONAL.—Yesterday finished the term for defence of Mejia, that of Maximilian beginning, which concludes to-day at 6, and that of Miramon beginning to-day. No extension has been granted to any one of them.

ESCOBEDO.

[Enclosure No. 14.—Telegram to San Luis Potosi, June 3, 1867, 15 minutes past 9 at night.]

General Don MARIANO ESCOBEDO, *Queretaro*:

I have received the message from you of this evening, communicating to me that you have notice that Baron de Magnus, and the advocates who accompany him, arrived yesterday at your city; that this evening finishes the term which the law grants for the defence of the Archduke Maximilian; and that thereupon the term for the defence of Don Miguel Miramon will begin to run. On the 28th of May you were informed by the department of war that if, within the term allowed by law for the defence, the counsel for defence called by Maximilian should not have arrived, you might grant him, as he requested, that from that time should begin to run anew the term indicated by law, in order that he should be able to make his defence. In conformity with that resolution, the President of the republic has concluded that I should say to you that as the term is running to-morrow for the defence of Don Miguel Miramon, who is one of the parties under prosecution, and as Baron de Magnus and the per-

sons accompanying him will also arrive to-morrow, you may concede that on the conclusion of the term for the defence of Don Miguel Miramon, the term which the law indicates for the defence of Maximilian shall begin to run anew; this new term being in such case common to the others who are under prosecution, that they may avail thereof in their defence. Please to communicate this to Baron Magnus, in reply to his message which I received last evening.

S. LERDO DE TEJADA.

[Enclosure No. 15.—Telegram from Queretaro to Potosi, June 5, 1867, at 16 minutes past 3 o'clock, afternoon.

To the Minister SEBASTIAN LERDO DE TEJADA, at *San Luis Potosi* :

Last night, at half past 11, we arrived here, I and other defenders of Maximilian, and the determination to try him being assumed, his trial will be on all parts read and scrutinized with strict attention. In this trial the fate of Maximilian is involved, but you know how much it concerns the honor of the country that the defence should be real in substance, and not merely in appearance. Can such be made in 24 hours, when double that time is not sufficient to look over the documents which this evening are going to be delivered to us by Maximilian? A term so peremptory would make defence impossible, and we and the country could not answer anything satisfactory on the fact of leaving undefended a man who thinks he possesses in those documents one of the main supports of his defence. To prepare this a few days are necessary, which we beg the President to grant, permitting me to go and talk with him on the indications made; but for this journey I must know that my companions can reckon upon the time required to do their work.

If you, as I beg of you, accede to my wishes, on receiving your answer I will immediately take the stage.

M. RIVA PALACIO.

[Enclosure No. 16.—Telegram.

SAN LUIS POTOSI, June 5, 1867—7 in the evening.

MARIANO RIVA PALACIO, *Queretaro* :

The President of the republic has taken into consideration the message you addressed me to-day, received at half past 3 this afternoon, and I already communicate by telegraph to the secretary of war such extension of the term for defence as the government deems possible.

LERDO DE TEJADA.

[Enclosure No. 17.—Telegram from Queretaro to San Luis Potosi, June 6, 1867.—Received at 15 minutes past 2 in the afternoon.]

The MINISTER OF WAR :

At this moment, which is half past 12 at noon, I have received the following :

“TELEGRAPHIC LINES OF THE INTERIOR,
“ *Received from Tacubaya June 5, 1867, at 9 o'clock at night.*

“To General ESCOBEDO :

“It is necessary that you should send me two brigades of infantry, with forces ready for an assault.

“P. DIAZ.”

I send this to you, remarking, that to go from this with the force I can possibly muster, it is necessary that General Treviño should come and take command of what is to remain in this city.

M. ESCOBEDO.

[Enclosure No. 18.—Telegram.]

SAN LUIS POTOSI, June 8, 1867,
Twenty minutes past 8 o'clock, evening.

To General MARIANO ESCOBEDO, *Queretaro* :

In view of the telegram you sent me this evening, enclosing another from General Diaz, the President of the republic has concluded that you may answer General Diaz that at present none of the forces that are at Queretaro can go thence, because it is necessary that they should remain there.

MEJIA.

[Enclosure No. 19.]

DEPARTMENT OF STATE, FOR WAR AND MARINE—SECTION FIRST.

In view of the application made the day before yesterday, which you presented yesterday evening, asking that if Ferdinand Maximilian, of Hapsburg, should be condemned to capital punishment by the court to which he is subjected, the favor of pardon may be extended to him, the President of the republic has determined to make known to you that it is not possible to decide upon the question of pardon before knowing whether the person under trial has been condemned by the court; and that in case of condemnation, if the matter should then be submitted in season to the decision of the government, to resolve whether it would or not concede the favor of pardon in such case, amid all the considerations of the case which would have weight with the government, the statement made by you in your application will be kept in view.

Independence and liberty! San Luis Potosi, June 14, 1867.

MEJIA.

M. RIVA PALACIO and Lic. RAFAEL MARTINEZ DE LA TORRE, *Present.*

[Enclosure No. 20.—Telegram from Queretaro to San Luis Potosi, June 14, 1867, 49 minutes past 8 o'clock, evening.]

MINISTER OF RELATIONS:

Yesterday, at 8 in the morning, the council of war opened, and up to this moment, half past 7, has not finished its labors. I think that within two hours, at the furthest, I shall be able to communicate the result.

To-day I have sent from this city the Princess of Salm and various foreigners, because they were at work very recklessly, and their labors were very dangerous.

ESCOBEDO.

[Enclosure No. 21.—Telegram from Queretaro to San Luis Potosi, June 14, 1867, at 10 minutes past 12 at night.]

The MINISTER OF RELATIONS:

The council has condemned to death, unanimously, the three persons under trial. The cause is passed over to the assessor.

ESCOBEDO.

[Enclosure No. 22.—Telegram.]

SAN LUIS POTOSI, June 14, 1867,

*Twenty minutes past 12 o'clock at night.*To General D. MARIANO ESCOBEDO, *Queretaro*:

The President is in possession of the two messages you have addressed to me to-night.

LERDO DE TEJADA.

[Enclosure No. 23.]

DEPARTMENT OF STATE, FOR WAR AND MARINE,

San Luis Potosi, June 15, 1867.

You have stated in your new application, dated this day, that having notice that the council of war assembled at Queretaro had condemned Ferdinand Maximilian of Hapsburg to the extremest penalty, you sought, as his defenders, that the government would grant to him the favor of pardon, or that, if it could not yet decide that point, would meantime resolve to suspend the effect of the sentence.

The President of the republic, being made aware of this new application, has directed me to say to you that, as I stated to you in my despatch yesterday, it was impossible to pass upon an application for pardon before knowing what was the judgment of the court, there then being no condemnation from which such effect might result, until the finding of the council should be confirmed by the military chief in accordance with the ordinance and laws respecting the matter; and for the rest, that I also should say to you, as noted in my despatch yesterday, that the government not altering the provisions of the law, in case that the finding of the council be confirmed, it then may be submitted in proper season to the decision of the government to resolve whether to concede or not the favor of pardon. In such

case, among all the considerations which the government must weigh, it will keep in view what is set forth by you in your two applications.

Independence and liberty!

MARIANO RIVA PALACIO, and
Lic. RAFAEL MARTINEZ DE LA TORRE, *Present.*

MEJIA.

[Enclosure No. 34.]

DEPARTMENT OF STATE, FOR WAR AND MARINE,
San Luis Potosi, June 16, 1867.

The application presented by you of this day's date to the President of the republic, soliciting the favor of pardon to be granted to Ferdinand Maximilian of Hapsburg, who has been sentenced at Queretaro by the council of war which tried him to suffer the extreme penalty has been met by the following decision:

"This application for pardon, and others presented with the like object, having been examined with all the deliberation which the gravity of the case requires, the President of the republic has been pleased to determine that he cannot accede to them, because the weightiest reasons of justice, and the necessity of assuring the peace of the nation, are opposed thereto."

I communicate this for your information, and as the result of the application referred to.

MEJIA.

MARIANO RIVA PALACIO and
Lic. RAFAEL MARTINEZ DE LA TORRE, *Present.*

[Enclosure No. 25.—Telegram from Queretaro to Potosi.—Received 16th June, 1867, at 15 minutes past 1 o'clock, afternoon.]

CITIZEN PRESIDENT: The sentence which the council pronounced on the 14th instant having been confirmed at these headquarters, at ten o'clock this morning notice was given to the guilty, and at three in the afternoon they will be put to death.

ESCOBEDO.

[Enclosure No. 26.—Telegram.]

SAN LUIS POTOSI, *June 16, 1867,*
1 o'clock in the afternoon.

General ESCOBEDO, *Queretaro:*

The defenders of Maximilian and Miramon have just applied and made known to the government that the sentence of the council of war which imposed on them and Mejia the penalty of death has been ordered to be executed this afternoon. For the three persons sentenced the favor of pardon has been sought, which the government has denied, after having held on this point the maturest deliberations. In order that those under sentence may have the time necessary for the regulation of their affairs, the President of the republic has determined that the executions of the three parties under sentence shall not take place until the morning of Wednesday, the 19th of the current month. Please to give orders in conformity with this determination, and advise me at once of the receipt of this message.

MEJIA.

[Enclosure No. 27.—Telegram from Queretaro to San Luis Potosi.—Received June 16, 1867, at 1 minute past 4, afternoon.]

To the MINISTER OF WAR:

I am informed that the President has directed that the execution of the guilty be suspended until the morning of Wednesday, the 19th. I shall carry out this final disposition.

ESCOBEDO

[Enclosure No. 28.—Memorandum.]

DEPARTMENT OF STATE, FOR WAR AND MARINE,
San Luis Potosi, June 16, 1867.

The Baron A. V. Magnus, who has exercised the functions near Maximilian as minister of Prussia, and Messrs. Mariano Riva Palacio and Don Rafael Martinez de la Torre, the three

summoned by Maximilian from Mexico for his defence, and who are now in this city, came together to see the secretary of relations and government at 12 o'clock this day. They stated that Messrs. Riva Palacio and Martínez de la Torre had received a telegram from Queretaro telling them the sentence of the council of war had been confirmed, imposing the penalty of death on the Archduke Maximilian, Don Miguel Miramon, and Don Tomas Mejia; that the sentence had been made known and the hour of three in the afternoon named for the execution. The three gentlemen named petitioned the government to communicate at once by telegraph an order for suspending the execution until action had upon the application for the favor of pardon. Besides, Mr. Magnus asked that in case of the refusal of pardon, a period should be granted, indispensable to him, to go to Queretaro and have an interview with Maximilian. He based his application on the fact that Maximilian had stated to him at Queretaro, that in case of condemnation he desired to confide to him some commissions to his family. He added that his going to Queretaro was now of more importance, because he knew that those who had exercised functions near Maximilian as the representatives of Austria and Belgium, to whom, in the absence of Mr. Magnus, he might have confided those family matters, were no longer at Queretaro, but had been marched away to Tacubaya.

Three days before the 13th Mr. Magnus had spoken as well of the grant of pardon, in case of condemnation, as on the fact that he might have time to go to Queretaro to be able to receive Maximilian's directions. On the very day (the 13th) he had been answered on the first point that the government could determine nothing about pardon while there had not been any condemnatory sentence; and upon the second point, that in the case of the pronouncement of such sentence the government could not proffer in anticipation that it would grant the time necessary for him to go to Queretaro, wherefore if Mr. Magnus thought proper he could return at once to that city. The President of the republic being informed of the petitions made to-day by Messrs. Magnus, Riva Palacio, and Martínez de La Torre, made arrangement to advise at once with his ministers about the business, resolving that it appeared impossible to grant the favor of the pardon upon the gravest considerations of justice, and the unavoidable necessity for securing the peace of the republic; and that it would not be humane to prolong much the situation of the three persons under sentence, and at the same time not humane to deny altogether the petition presented for the purpose of giving them time to regulate their affairs. In virtue whereof it was determined to communicate at once by telegraph an order to suspend the execution for two days until the morning of Wednesday, the 19th instant. This order had reference to the statement of the defenders as to the hour indicated to-day for the execution, and did not refer to the telegram of General Escobedo on the same point, because such telegram was not received until some moments after the order was sent by the telegraph. Although after Mr. Magnus was informed of the result, he indicated the wish that the execution should be deferred until Friday, the 21st. It did not appear humane, nevertheless, to prolong the time so much, and he was answered that it had already been calculated that he could without difficulty reach Queretaro on to-morrow (Monday) night, or early on Tuesday morning. He was also told that for this purpose the government would give him all the facilities he could desire, and in conformity with his intimation the minister of relations has ordered a diligence extraordinary to be placed at his disposal.

This memorandum is drawn up that the facts related may appear in the report.

MEJIA.

[Enclosure No. 9.]

FOREIGN RELATIONS, DEPARTMENT OF GOVERNMENT—SECTION FIRST.

The President of the republic has decided that you will please direct that at once a diligence extraordinary be prepared to go as speedily as possible from this city to Queretaro; said diligence to be placed under the control of Baron A. V. Magnus, with the persons he may choose to accompany him.

This I communicate to you to the end that said diligence extraordinary may be ready at the hour Baron de Magnus may appoint for this afternoon, or this day's night. Independence and liberty! San Luis Potosi, June 16, 1867.

LERDO DE TEJADA.

The ADMINISTRADOR DE DILIGENCIAS of this city.

[Enclosure No. 30.—Telegram from Queretaro to San Luis Potosi.—Received 30 minutes past 9 o'clock in the night of the 18th June, 1867.]

His Excellency SEBASTIAN LERDO DE TEJADA:

Having arrived to-day at Queretaro, I have become assured that the three persons condemned at Queretaro on the 14th died, morally, on Sunday last, and that thus the whole world may consider it, because all their preparations for death being made, they expected

every moment through an entire hour to be taken to the place where they are to be put to death, before it was possible to communicate to them by means of the telegraph the order to suspend the act. The humane practices of our day do not allow that after having suffered this horrible torment, they should die a second time to-morrow. Therefore, in the name of humanity and of Heaven, I conjure you to order not to take their life; and I again repeat to you that I am certain that my sovereign, his Majesty the King of Prussia, and all the monarchs of Europe, united by the ties of blood with the prince prisoner, to wit, his brother the Emperor of Austria, his cousin the Queen of Great Britain, his brother-in-law the King of Belgians, and also his cousin the Queen of Spain, and the Kings of Italy and Sweden, will readily come to an understanding to give to his excellency Don Benito Juarez every assurance that no one of the three prisoners shall return to tread on Mexican territory.

A. V. MAGNUS.

[Enclosure No. 31.—Telegram at 5 minutes past 10 at night.]

SAN LUIS POTOSI, June 18, 1867.

To Baron A. V. MAGNUS, &c., &c., *Queretaro*:

I regret to inform you, in answer to the telegram you have been pleased to send me this night, that, as I announced to you the day before yesterday at this city, the President of the republic deems it impossible to grant the pardon of the Archduke Maximilian, upon the gravest considerations of justice, and the necessity for securing the peace of the republic.

I am, baron, very respectfully, your obedient servant,

S. LERDO DE TEJADA.

[Enclosure No. 32.—Telegram from Queretaro to San Luis Potosi, June 19, 1867.]

The Minister of War:

On the 14th instant, at 11 at night, the council of war for the trial of Maximilian of Hapsburg, Miguel Miramon, and Tomas Mejia condemned them to suffer the penalty of death. The sentence being confirmed at these headquarters on the 15th, the 16th was appointed for its execution, which has been suspended until to-day, by direction of the supreme government. It was 7 o'clock in the morning when the said Maximilian, Miramon, and Mejia were shot to death.

Please communicate this to the President of the republic.

ESCOBEDO.

[Enclosure No. 33.—Telegram for Queretaro.]

SAN LUIS POTOSI, June 19, 1867.

General MARIANA ESCOBEDO, *Commanding the Army of the North*:

I have received the message from you of this day, in which you tell me that at seven this morning, Maximilian of Hapsburg, Miramon, and Mejia were put to death.

MEJIA.

Memorandum.

WASHINGTON, July 8, 1867.

Mr. Romero said that he received on the 4th instant an official communication from General Peraza, governor of Yucatan, dated at Merida on the 21st ultimo, stating he had sent General Santa Anna to Campeche, to be kept there subject to the disposition of the President of the republic. A copy of the communication was sent by Mr. Romero to the department.

General Peraza further states that General Santa Anna landed at Sisal on the 11th ultimo at his (General Peraza's) request, and was not taken out of the Virginia by force, as has been reported. Among the documents sent by General Peraza to Mr. Romero and transmitted by him to the department is a letter from General Santa Anna, dated Sisal, June 12th, 1867, saying that he landed at General Peraza's invitation.

It does not appear from those papers how far from the coast the Virginia was lying when she was in the port of Sisal.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, July 12, 1867.

Mr. Romero has the honor to remit to Mr. Seward a translation into English of an article from the paper "Sombra de Arteaga," published at Queretaro, the 18th June last, in which is given a succinct narrative of the trial of Don Ferdinand Maximilian of Hapsburg, Don Tomas Mejia, and Don Miguel Miramon.

This article gives a slight idea of that trial, and will serve, therefore, to calm the anxiety which is felt here to learn the details. Mr. Romero thinks it due, nevertheless, to make known to Mr. Seward that in said article the able defences of those who are at rest are brought out in high relief very specially, from which it appears that only one side of the question is presented, and therefore it may be considered as partial to the accused. In all the rest, however, the narrative appears correct.

With reserve, then, of sending to Mr. Seward the entire record of the case, or such portion as may be published, and which will contain both sides of the question, Mr. Romero hastens to transmit to him the article mentioned, which will place Mr. Seward in position to give to Congress the information it desires of the trial itself, although incomplete and partial.

[Enclosure No. 1.]

The following account of the trial of the imperialists is translated from the Mexican journal, *Sombra de Arteaga*, of Queretaro, June 18:

The three days' prorogation granted by the supreme government to the counsel of the criminals for their further defence having expired, an order from headquarters organized the court-martial, and in virtue of the orders from headquarters, the adjutant general issued his orders as follows:

[General orders of the division for the 12th and 13th of June, 1867.]

"ARMY CORPS OF THE NORTH,
Adjutant General's Office, Queretaro, Mexico.

"At 8 o'clock on the 13th court-martial will organize, and be composed of the following officers: President, Lieutenant Colonel Platon Sanchez. Members, Captain José V. Ramirez, Captain Miguel Lojero, Captain Ignacio Jurado, Captain Juan Rueda y Auza, Captain José Verastigue, Captain Lucas Villagran. This court-martial will meet at the appointed hour, at the theatre Iturbide, in conformity with article 8 and paragraph 5 of general orders of army regulations No. 37. All officers, not on duty, will attend punctually on the court-martial, at the place and time mentioned. At 6 o'clock a. m. will be formed in front of the temple of Capuchinas 50 mounted riflemen, of Galeana, with their corresponding officers, armed and equipped; and 50 men of the battalion of the guard "of the supreme powers," likewise with their arms, equipments, and officers; both of which detachments will place themselves under orders of Colonel Miguel Palacios, commanding 2d brigade.

"SIERRA.

"MEDINA."

At 8 o'clock a. m., on the 13th of June, the court-martial assembled at the theatre of Iturbide, and the audience was very large. The stage was occupied by the court, leaving the rest of the theatre to the spectators. The right of the stage was occupied by the members of the court, and on the left, and immediately opposite, were placed three stools for the criminals and seats for their counsel. The most profound emotion was depicted in the countenances of all, and the silence that reigned in the circle could almost be felt. Messrs. Miramon and Mejia were brought into the theatre at 9 o'clock in the morning, in a coach, escorted by a company of riflemen of Galeana, covering front and rear of the vehicle, flanked by a company of the "supreme powers" on one side and one company of the 4th battalion on the other. In this wise they arrived and were delivered over to the officers in charge of the court-room. The president opened the court. The members and the counsel took their seats, all being in strict uniform. The judge advocate, Lieutenant Colonel Manuel Aspiroz,

read the charges, after which was read the order from the commander-in-chief. As the trial and all the proceedings will soon be published, we will only rapidly sketch its progress, discharging our duties as historians. The previously taken declarations of the prisoners, first, Maximilian, then Miramon and Mejia, were read. Next followed the confession and charges, after which there were some slight unavoidable interruptions, such as, for example, Maximilian asked that he be permitted to call three lawyers of Mexico to defend him. He also desired Baron Magnus to be called; that he had matters of his family to arrange, and also matters of a national character touching Venice, Italy, and Austria, of the utmost importance to those countries. The general-in-chief granted the prayer of Maximilian, forwarding his despatch to General Porfirio Dias. The latter, however, would not allow the telegram to pass into that city, on account of its being besieged, stating that he must have a special permit from the supreme government of the same, which was granted. Maximilian named as his counsel Mr. Jesus Vazquez, of this city, and Eulalio Ortega, Mariano Riva Palacio, and Rafael Martinez de la Torre, of the city of Mexico. Miramon nominated Messrs. Jauregui, of San Luis Potosi, and Ambrosio Moreno, of Queretaro. Mejia nominated Mr. Prospero C. Vega, also of Queretaro.

The counsel having read their acceptance of the defence, other documents of a preliminary character were presented and read, but the rapidity of the reading and the confusion of the proceedings do not enable us at present to give a detailed account of them, according to numbers and dates or of their exact statements. We will, therefore, content ourselves only with speaking of the main ones. Among the documents regarding Maximilian, outside of the petition aforesaid, there was one protesting against the jurisdiction of the court-martial, claiming it to be an illegal proceeding against his person, inasmuch as it was based upon the law of the 25th of January, 1862, decreeing against traitors to the country; and that he, being a foreigner, could not be a traitor to the country that is not his own, and over which he exercised such high functions that he believed himself unamenable to the law. There was also a petition, directed by Maximilian to the President, asking an interview, and the answer of the President, stating that the interview could not be granted, because of the limited time allowed for his trial, but that he could address him in writing anything he chose to say. An order from headquarters also advised the judge advocate that any protest or exceptions taken by the accused shall be properly certified, and a copy of it given to those interested. Mention was also made of the certificate of illness of Maximilian, arguing in favor of the prisoner being removed to some other place, for change of air.

Next was read the protest of Miramon and Mejia against the jurisdiction of the court, which being refused, they again excepted to, because they were denied the right to appeal, there being no supreme court in the nation, and they asked only that they be furnished a certified copy of the rulings of the court. These proceedings having been gone through with, the accused, Tomas Mejia, was brought into court and was seated on a stool, guarded on each side by an escort of the "supreme powers." Mr. Prospero C. Vega commenced the defence. We have heard a great deal and have read much, but never have we heretofore felt the admiration inspired in us by the able counsel, filled with the principles of right most applicable to the case, delivered by the heart and inspired by the most liberal principles of our great code, the constitution of 1857. This masterpiece of oratory moved profoundly the entire audience. The points of defence were three: 1. The meaning of the law of January 25; 2. Its application to the defendant; 3. Its constitutionality. The counsel held that the law of January 25 is only applicable from article 6th to 11th, inclusive, because the balance conflicts with the law of nations and cannot subject the accused to the penalties of said law. In sketching the political *status* of the accused, in a brilliant biography, he reviewed his military career up to the present time, showing conclusively that he had not allied himself with the intervention. Said Mr. Vega: "Mejia offered from the sierra an armed neutrality to Doblado, which he observed until the general government abandoned the capital—behaving in such a manner that he did not disturb their transit almost immediately through his camp. The same behavior he observed toward the officers of the government and their employés, and even to the troops, who were so thoroughly demoralized in their retreat that nothing would have been easier than their destruction." He insisted that the defendant was not an interventionist of the men of Baranca-Seca; that in all his campaigns he limited himself to defence, and never to attack, remaining faithful to his flag and complying with his military duties. He especially claimed as the best point for defence that Mejia never spilt blood of prisoners; that he had very frequently in his power many of the commanders, chiefs, and officers of the liberal army; that he always treated them with humanity, to which said the counsel, Generals Escobedo and Treviño could testify. The illustrious martyr, Ortega, has also been his prisoner, as well as an innumerable number of employés and soldiers of the liberal government. He touched upon the political character of the accused, saying that Mejia, faithful to the proclamation of the government to which his political convictions adhered, he followed the different phases of the civil war. But when the intervention got into the land, Mejia ignored the true physiognomy of the war, and allowed himself to be deceived by its promises, believing that the establishment of a throne in Mexico was the voluntary will of the people. And, finally, addressing himself to the council of war, he spoke in those affecting terms which never fail to move the heart of the young and brave, calling their attention to the humane principles laid down in the constitu-

tion of 1857, which abolished capital punishment, and conjuring them not to stain the laurels of triumph with the blood spilt upon the scaffold. Mr. Vega spoke in a happy strain, and the obscure lawyer made himself famous before the bar of Mexico. The president asked the accused if he had anything to say in his defence. He answered no; that all was said by his counsel, but that if anything was forgotten the counsel would state it in proper time.

Mejia was then led out, and immediately Miguel Miramon was introduced. Messrs. Jauregui and Moreno read successively the defence of the accused, with but slight difference in the legal part of the defence, the same points being claimed as were made in the defence of Mejia, regarding the incompetency of the court, and the refusal of the right of appeal. A great many authors were read touching the case in point. But the main point of the defence went to establish the fact that the law of January 25 could not be applied to Miramon; he was accused of stubborn resistance to the constitutional government, his pronunciamiento in Puebla, his abstracting the funds of the convention, his usurpation of power, and, lastly, his last campaigns under the flag of the empire. The counsel energetically argued against the application of the law of January 25 being applied in this case of Miramon to acts committed before its passage, and for some of which acts he had already suffered legal punishment, and for which others in which he had, as an accomplice of the first magistrate of the nation (for the state policy of Comonfort) and others, followed merely in the train of events of parties in civil war. The counsel claimed that Miramon did not join the intervention, because he remained in a foreign country during its conception and consummation, without participating therein. That from a foreign soil he offered his services to Mr. Juarez; that his services were accepted, and if he failed to render the services it was because of circumstances beyond his control. But finding it impossible to any longer live outside of his native country, he returned to it, finding the empire already established; that he was then banished to Berlin by Maximilian; and, said the counsel, becoming the irreconcilable enemy of foreigners, he again returned to Mexico, at the time when General Castagny withdrew with the last of the French troops, and then it was that he took part with the partisans until made a prisoner. Messrs. Jauregui and Moreno thereby inferred that the law of January 25 is not applicable to Miramon, and that for the acts in the last period of his career he was protected by constitutional guarantees, and the law of nations regulating the right of prisoners of war. The counsel briefly touched upon the personal character of the defendant, citing his clemency to prisoners of war, mentioning some very noted instances. Mr. Jauregui particularly called attention to an instance in which he himself was indebted to Mr. Miramon for his life, upon that memorable day in Tucubaya, the 11th of April, where, among others, his brother was one of the martyrs, he being among prisoners captured by Marquez. The fatal square was formed, when Miramon saved him from the fangs of Marquez. And, finally, the counsel invoked the clemency of the liberal party, so brave in war, so noble in victory. Neither the counsel nor the accused having anything further to say, he was led out to his prison adjoining that of Mejia.

Next followed the trial of the archduke. Having been confined to his bed for some days previous, he was this day, if anything, worse. Mr. Manuel Azpiroz repaired to the prison, from whence he returned shortly, stating that it was impossible for the prisoner to appear, in consequence of which Messrs. Jesus Maria Vasquez and Eulalio Ortega alternately read the defence. The first part of the defence comprehended all the legal points applicable to the case. It was claimed that the court was incompetent to try the case, that the law could not be applied, and the unconstitutionality of the same, and they strongly argued against the irregularity of the proceedings of the court in the absence of all witnesses, documents, and of proof. The situation in which the defence finds itself is incomplete. That the case under consideration is of such magnitude, involving so many points of international law, history, and politics, that the 48 hours which were granted are insufficient for its preparation. That the prisoner should not be deprived of the proper means of defence, and more particularly in this case it is imperatively necessary, the nature of the case requires that all the legalities be complied with; that calmness and deliberation mark the proceedings, in order that the fair name of this republic should remain unimpaired before the world, which so anxiously awaits the solution of this social drama. Several authors were cited to sustain the position taken.

The court overruled the position taken, and forced the defence to trial, the counsel declaring that they could but would not keep silent, in view of the incompetency of the court and the illegality of the law, and then commenced giving the history of the prisoner. Mr. Ortega, who was then speaking, said that he would answer to the charges made against the prisoner, because he was forced to do so, not because there existed any proof to sustain the charges. He ran over the history of the accused, his arrival in Mexico, answering to the charge made against him as an usurper. He said, Maximilian being at Miramar, received a delegation of Mexicans, presented to him by a high functionary of the court of his brother, who came to offer him the crown of Mexico. Maximilian refused to accept the crown until the will of the nation should be known to him. Meanwhile the French occupied Mexico, and under the terror of bayonets the assembly of notables was convoked, who voted the creation of an empire, of which the archduke was to be the head. Under the influence of the said assembly many municipalities gave in their adhesion, and these acts of adhesion were remitted to the emperor elect. Maximilian, still hesitating, consulted the most eminent

jurists of England, and the college of London declared that he was elected by the will of the nation emperor. The jurists of London, as well as the candidate, ignored the means used in Mexico in order to obtain the unanimity of the people by triumphant parties. Maximilian accepted, not believing himself an usurper, but, on the contrary, its legitimate sovereign; and, moreover, this belief was confirmed by the reception he received on his arrival in this country, unaccompanied by troops, and none with him but his family, the ovations tendered to him in his transit from Vera Cruz to the city of Mexico, and at the places he visited afterwards in the interior of the country. Mr. Ortega denied the charge that Maximilian was there as an instrument of France; that the archduke had been in conflict with her since the agreement at Miramar; that there France asked the cession of Sonora, and he refused it, and even insisted that the article claiming this pretension should be stricken out; that he constantly opposed the demands of the French officials, and this state of affairs lasted till they quit the country. When Maximilian perceived the first symptoms of general discontent, he withdrew from the capital, and in Orizaba and Cuernavaca he called around him his ministers of state and consulted with them about the legitimacy of his election and the will of the people, and they represented to him the entire fidelity of the people. Most ably did the counsel refute the charge of cruelty charged upon the prisoner. He said the law of the 3d of October was made by Maximilian when he was cheated into the belief that President Juarez had abandoned the territory, and that one of the articles of that law was dictated by the commander-in-chief of the French. Moreover, this law was only intended as a terror, because never was a petition for pardon presented but it was conceded. He had given orders that no matter at what hour of the day or night a petition for clemency came, he should at once be informed of it; that neither his rest nor his labors should be regarded, which was strictly observed. Finally, the counsel argued the unconstitutionality of the law of 1862, it being incompatible with the spirit of the liberal party and the rights of the nation, inasmuch as the conqueror is made the judge of the conquered. The counsel closed, earnestly asking the members, in the name of civilization and the history which will judge of the terrible deeds done this day, for the defenders of the second independence of Mexico, to save the good name of this country, in the eyes of the coming generations, that they may forever applaud the crowning of the greatest of victories with the greatest of pardons. Here ended the reading of the eloquent defence.

The brief time we had to pen this narration, and the difficulty of retaining in our memory, with precision, all that was said and transpired at the court-martial, its proper order and continuation, has prevented us from rendering literally exact the words pronounced and phrases used. We were without a stenographer, and had no recourse to the documents to rectify errors. It has been the work of a memory weakened by fourteen hours of mental labor, and we ask the judge advocate and counsel to pardon us if we have not been exact in our work as historian. What we do declare is that we have especially adhered to the truth in reference to all the circumstances connected with this case. Profound are the reflections emitted by this solemn trial; but reduced to paper by the historian, in it will be found only what transpired, and we have repeated but the words said, keeping silent our own feelings. Hereafter we will disturb that silence which we this day maintain out of compassion for the tried, and in respect for the holy mission of the reporter who explains questions, defends principles and crushes crime, but salutes respectfully the fallen, if he does not raise his compassionate voice in mercy for him.

It was 9 o'clock at night when the president announced that the court stood adjourned to 8 o'clock to-morrow morning; that the defence could not longer continue, as the court desired to consult counsel in reference to some points in the case.

June 14.—At the stated hour the court-martial, having gone through the usual form, was declared in session. None of the accused were present. The president asked the counsel for the prisoners if they had anything further to advance for the defence. They answered not at present, but wished to reserve further argument until a later period in the trial. Mr. Manuel Azpiroz, the judge advocate, then read the charges against the accused, sustaining the same by certain official documents emanating from the so-called imperial government. Mr. Azpiroz united with his known ability a dignified and solemn energy which indicated no doubt as to the result of the trial on the minds of his hearers. Among the accusations against Maximilian, was found that terrible charge of having attempted to prolong the war by his celebrated decree of March 7, already laid before our readers in our last number, in which he created a regency in case of his death in any of the coming battles. To rebut the effort made by Mr. Vega to overthrow the charges by reason of the absence of any proof of the same, the judge advocate said that all the charges were founded upon the notoriety of the acts, and that notoriety was sufficient to establish the accusation; that according to article 28 of the law of January 25, it would have been sufficient to establish it as a capital offence, even previous to the identification of their persons. The absence of the records and testimony, which the counsel deem so strange, amounts to nothing. They are not needed. The prisoners were captured with arms in their hands, and their crimes are known to the entire world. He concluded by asking that capital punishment be adjudged the accused.

Messrs. Vasquez and Ortega then successively addressed the court for the defence. The first of these gentlemen carefully refuted the charges, and concluded with these memorable words, addressed to the court: "If you condemn the archduke to death, I am not uneasy.

about a coalition in Europe, or the threatening attitude that the United States may assume toward the republic. I have confidence in the liberal armies that have rooted out the French from this soil. But I fear the universal reproach that will fall upon our country, as an anathema, more than even the sentence of death, because of the nullity of the proceedings of this court." At this point Mr. Ortega proceeded. This gentleman is an orator. We have seen him, and were reminded of the beauties of Mirabeau. His audience was held spell-bound. He went into the case with that power of improvisation so remarkable in him. He protested against the irregularity of the proceedings. He called attention to the principle in right and law that the judge advocate should first read his petition before the defence commences, because the last words to be heard by the court should be those of the accused. He charged the judge advocate with having formed his petition from the answers made by the defence, in view of the proofs furnished by the defence, which is at variance with the legal practice and the rightful nature of all things. He reproached the judge advocate with having collated into his petition proof that had not been read during the trial, which, apart from proving that that officer had taken advantage of the suspension of the court during the night to perfect his accusation, but making points which were suggested to him by the defence—this being against all law in a question where life and death is concerned—had more the appearance of trying the prisoner on his own statements, than by the proofs adduced against them by the prosecution. Regarding the accusation against the archduke that he attempted to prolong the war by appointing a regency in case of his death, said the counsel, with earnestness and spirit, I declare that Maximilian's subsequent act of abdication at the Cerro de la Campana is in existence. On my honor, I can assure you, and likewise can the faultless liberal, Mariana Rivas, assure you, that in that abdication there is no evidence of a regency. Concerning the article 28, of which the judge advocate spoke in justification of the absence of evidence and documentary proofs, all the counsel for the defence answered in so many words, that the times of the inquisition had passed, in which nothing but the mere forms were all that were required for conviction. They never supposed that Mr. Azpiroz expected the honorable court, whose youthful members were the brave and noble soldiers of the republic, had assembled for the purpose of condemning, and not convicting. And, lastly, that they never believed that the honorable court would make a farce of justice, under a watchword, instead of proceeding according to the dictates of their own consciences. They (the counsel) scorned to entertain this idea of the brave chiefs composing this council. The idea is the offspring of the strange argument of the judge advocate.

One of the counsel for the defence, we believe Mr. Vega, asked the judge advocate by what right he annulled the order of the supreme government, demanding him to proceed according to articles 6 and 11 inclusive, comprised in the law of the 25th of January, omitting the balance, and among them article 28. Mr. Ortega read the order and made a note of the infraction. Mr. Jauregui having closed for the defence, Mr. Moreno presented a protest based upon three propositions, energetically protesting against the admission of evidence subsequent to the trial, inasmuch as the prosecution had been roused up and the judge advocate had ample notification of the defence. Without anything further transpiring, the court went into secret session for the purpose of passing the sentence. At near 10 o'clock at night the court-martial dissolved, and we are not at this moment officially informed of the decision.

The court-martial is over, and the republic, after having struggled until they brought their enemies to the bench of the accused, after having beaten them in a thousand fights, will this day decide their fate, either by approving their sentence or extending clemency. The city, the republic, the world, await anxiously the results of this terrible drama.

[Enclosure No. 2.]

We extract the following from the *La Sombra de Arteaga*, published at Queretaro, and *El Mexicano*, published at the city of Mexico:

"Having placed ourselves at the head of our army for a campaign which will decide not only the form in which Mexico will be governed, but the integrity of its territory, and the existence of the country as an independent nation, we have considered the case of our death, by an accident of war, as possible, and the possibility of Mexico, which we love with predilection, being headless in its government. The regency which we established in less hazardous days than these, depending in Providence and the intelligence and virtues of our august wife, the Empress Charlotte, has ceased to exist on account of her absence in Europe; it is necessary to meet that want with a medium of similar nature, the Mexican nation not having expressed its will to change the form of government; and the monarchy existing to-day, it is proper to establish a regency which can govern the state in case of vacancy of the throne. Loving the Mexicans as we do, we have determined, for the referred case of our death, to leave a regency established, serving transitory as the centre of union to the government, to save the country from horrid wrongs, and we recommend the Mexican people, who see in this measure the last testimony of our love to them, to accept it joyfully. The citizens which we have placed as regents are well known for their illustration, patriotism, and perse-

verance in the grave affairs of the state, and are consequently acceptable by their countrymen. In virtue of which, we establish a regency of three persons, and we name regents the president of the supreme tribunal of justice, D. Teodosia Larez, the president of the state council, D. José M. de Lacunza, and the general of division, D. Leonardo Marquez. We name vice-regents, in order that they may replace the proper regents in case of need, D. Tomas Murphy and D. Tomas Mejia. The regency will govern in accordance with the organic statute of the empire. The regency will convoke the congress, which definitely constitute the nation, after the termination of the war, by the triumph of the imperial army, by amnesty or any other means which will bring hostilities to a conclusion, the free and legitimate reunion of that constituting power take place. The regency will cease, and with it the power which we bestow upon it, by this letter, at the inauguration of congress. In the expressed case of our death, we name from to-day D. Leonardo Marquez, general-in-chief of the army, until the assembly of the regency. The Hon. D. Manuel Garcia Aguirre, our present minister of public instruction, is recommended to let this, my last will, be known to the nation, and to the regents whom we have named. In addition to our orders to the regents, we recommend them to punctually follow the motto which has been the seal of all our acts as sovereign, "Equity and Justice," to guard inviolably the independence of the nation, the integrity of its territory, and a politic foreign to all spirit of party, devoted only to the happiness of all the Mexicans, without distinction of opinion."

Copy taken from the original.

J. C. DORIA, *Secretary.*

QUERETARO, June 10, 1867.

[Enclosure No] 3.]

THE DECREE.

Considering that if our death was to happen, the government of the empire would be headless on account of the absence of its legitimate regent, our august wife, the Empress Carlotta; considering that to remedy this great wrong, and to secure on our part the happiness of the Mexican nation, even after our death, it is necessary to leave an established government whom the nation can recognize as the centre of union: considering that it is through the freely convoked congress which will be decided the form in which it will continue to be constituted, and substitute the present one, which is the monarchy, and for the same cause of our absence the government will be deposited in a regency, we decree:

ARTICLE 1. Our regents of the empire, in our defect in case of death, D. Teodosio Larez, D. José M. de Lacunza, and General Leonardo Marquez.

ART. 2. The regency will govern in accordance with the organic statute of the empire.

ART. 3. The regency will convoke congress, which will definitely constitute the nation after the termination of the war by the action of arms or by amnesty. The legitimate and free election can take place, and that constituted power can reassemble.

ART. 4. The regency will cease, and also the power with which we invest it in this decree, at the installation of the congress.

Our minister of public instructions is recommended to inform the regents heretofore named, when necessary.

Given at Queretaro, June 10, 1867.

J. C. DORIA, *Secretary.*

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, July 12, 1867.

MY DEAR SIR: I have the honor to transmit to you, for your information, the minutes of the French legislative assembly for the 21st and 22d of June last, containing the discussion of various questions relating to the state of the French treasury, in connection with the intervention of the Emperor of the French in the internal affairs of Mexico. I also permit myself to send you some of the articles published by the Paris press on the same subject.

I remain your very obedient servant,

M. ROMERO.

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

[From the *Moniteur Universel*, the official journal of the French empire, No. 173, June 22, 1867.—Translation.]

LEGISLATIVE BODY.

Friday, 21st June, 1867, M. Schneider presiding.

The PRESIDENT. The Chamber has decided that the debate on the supplemental credits should take place to-day. The discussion is open; M. Berryer has the floor.

M. BERRYER. My remarks to the Chamber shall be as plain and brief as possible.

The question is about a considerable financial operation, sanctioned by the bill now before the house. The negotiation made by the minister of finance is for a capital of 54,000,000 francs, remitted by Mexico to the French government, charged upon its debt, which was fixed at 270,000,000 by the treaty of Miramar. That treaty assured the revenue on the 54,000,000 to France, at the value of the bonds when they were issued.

The remission was made, and is considered by the legislative assembly as representing the capital, the interest on which was to be assured to this country. Out of those 54 millions, the sum of 40,100,000 francs has been applied to the budget of 1864, and the rest, say 13,900,000 francs, was added to the budget for 1865.

At this period, the financial report of 20th December, 1865, came in, stating that the rentes had been converted into obligations of the second series, like those of the first series, issued in May, 1865.

The minister of finance informs us that the obligations had been negotiated, and the result was a loss of more than 2,000,000 francs to the treasury; and consequently the appropriations for the budget of 1865 would have to be increased.

Such is the condition of things; and from the loss of the 2,000,000 by the Mexican negotiation, instead of 13,000,000, only 11,000,000 are put in the budget of 1865.

This is not a proper way to reckon. It is true, an entire credit was opened, but only two millions was set down as loss to the French treasury; and in the report of 1865 it is charged to arrearage; but I believe interest is never considered as payment of part of the principal of a debt. It is not correct, then, to state two millions as the entire loss on the Mexican obligations. Some explanations were made in December, 1866. In the report of that date it is stated that the appropriation of 11,000,000 from the budget of 1865 had not been applied, because the rentes and obligations had not been realized; and the grantees were excused from their contract by reason of *vis major*.

I think the excuse is scarcely reasonable. What was the contract? We are not informed. What were its conditions, its nature? From the report of 1865 we must consider it a binding engagement, and not a conditional obligation: and yet they say it could not be executed!

The operation is somewhat explained by the report we discuss to-day: the committee say: "The Mexican rentes of 54,000,000, converted into obligations, ceded to the discount bank, have been reduced to 42,257,200 francs."

The difference, then, to the treasury, is not 2,500,000 francs, as stated by the minister of finance in his report for 1865, but a loss of 11,000,000, the difference between 54,000,000 and 42,000,000, to have been paid by the concessionaires. And who are they? Nobody can discover.

Now, let us look at the result of the operation. The obligations sold were negotiated at a time when their rate was 340, and yet the company that owed the 42,000,000 to the state, what did they pay? Only 14,257,000 francs; so that the real loss to the treasury is not only 11,000,000, as we have mentioned, but several millions more. 54,000,000 were given for 42,000,000, and the purchasers at 300 francs sold for 341, doing an excellent business.

What, then, were the circumstances of *vis major* that prevented the execution of the contract? It is a loss of 25,000,000 to the treasury. And what has the treasury to show for it? Instead of 42,000,000, it has received 14,000,000, and 28,000,000 in Mexican bonds; and we all know how much Mexican bonds are worth.

We have then the right to ask who are the concessionaires? I think I am not mistaken when I say they are the persons to whom the Mexican bonds were ceded in 1865 for 300 francs; the same persons who issued the first loan of rentes and lotteries, and who made such profits; and they did not merit the preference shown them.

In May, 1865, the concessionaires of the loan received the titles at the rate of 300 francs and sold them for 340, and then the loan was closed. There was a margin of 40 francs on each bond, making 20,000,000 profit on the 500,000 bonds.

I do not say the company made a clear profit of 20,000,000, for there were the costs of negotiation; but we cannot accept the company's declarations that a second contract was impossible. The Mexican loan was converted into obligations of a second series, exactly similar to the first; and what is more, the same concessionaires proposed to take the obligations of the second series, which they received at 300 francs, for 345 francs, and they even advertised them for 345 francs.

That took place in 1865, when circumstances were favorable. Now, if these concessionaires are the same that made the contract I have mentioned, how do they cause a loss of 28,000,000 to the treasury, when their duty was to pay 42,000,000, and receive a receipt in full when they pay only 14,000,000 into the treasury? I do not see why they are so favored; it is a question that ought to be explained to this house.

I have a few more questions to ask the minister of finance on this Mexican business. What were the conditions of the contract? What circumstances gave the right to a company that had made such immense profits on two series of obligations not to pay the 42,000,000 it owed to the treasury? That ought to be explained.

It has often been said that the sole motive for the Mexican expedition was to insure an indemnity to the French residing in Mexico that suffered losses previous to the expedition; and such was the tenor of articles in the treaty of Miramar. Articles 11 and 12 stipulate that a sum of 12,000,000 shall be reserved for our countrymen who have suffered losses. This 12,000,000 was to be realized by a board, presided over by one of our well-known bank directors. And where are those 12,000,000?

In 1866 a convention was drawn up by Mr. Dano, fixing the indemnity for the French injured previous to the expedition at 40,000,000, including 12,000,000 by virtue of the treaty of Miramar; and to these 12,000,000, representing a nominal value of 16,000,000, are to be added 24,000,000 by the convention of 1866. And how much of this will the poor suffering French get?

What has become of the 12,000,000 remitted by Mexico in virtue of the treaty of Miramar, and of the 24,000,000 that were to have been remitted in virtue of the convention of 1866? This is an important question, and its solution would shorten debate in this house on the Franco-Mexican financial affairs. We would all like to know to whom said payments have been made.

There were a variety of creditors, or people who pretended to be creditors. You know it was the amount claimed for the French that caused a diversion of the English and Spanish at Soledad. Now I would like to know if some of the paid creditors were not of those privileged persons. That is my second interrogatory to the minister.

When the diplomatic documents were distributed last year, you learned it was inconvenient to publish the diplomatic documents relating to the new government in Mexico; and of course we have received no government despatches to its agents in Mexico.

After that it was decided to publish the correspondence between France and the United States on Mexican affairs; but we have had nothing from our special agents, as Mr. Saillard and General Castelnau, who went to Mexico to investigate the acts of Marshal Bazaine.

Now that all is over, when things have come to a deplorable end, I wonder if they will not give us their history, to let us judge properly of what the government has done in this lamentable expedition. We ought to have all the facts of this disastrous expedition from beginning to end. I opposed it at the first, and insisted that it could have but one result; and that has come.

At the close of M. Berryer's remarks, M. Rouher, the minister of state, took the floor.

M. ROUHER said: The honorable gentleman has put three distinct questions to the government:

1. Where are the fifty-four millions paid to our credit by the treaty of Miramar?
2. What has become of the Mexican indemnities?
3. Where are the political and diplomatic documents we need so much for the proper discussion of this Mexican question?

I will endeavor to answer them to your satisfaction.

The question of the fifty-four millions in Mexican bonds, in execution of the treaty of Miramar, must be considered in a two-fold view: the use made of the money by the state, and the negotiation of the bonds by certain bankers. This sum was distributed as follows: forty millions were assigned to the budget of 1864; thirteen millions had been appropriated to the resources of the budget of 1865. M. Fould, in his finance report for 1865, said the loss on these bonds to the public treasury was about two millions of francs. But he only reckoned the interest on them.

Now how did this happen? I will tell you. The first issue of bonds bore six per cent. interest. It was negotiated by an English house, assisted by a French bank. One year after, a second operation was effected, namely, an issue of five hundred thousand Mexican bonds, deliverable to the public at three hundred and forty francs.

M. Berryer said the issue was made by the same bankers that negotiated the first loan of fifty-four millions. The negotiation of the bonds of the second loan was not made with the government; it was made with the committee of the Mexican finances. I do not know what bankers were concerned in the operation; but it ought not to be imputed to the French government. After this loan, the question of converting the rentes of 1864 came up, and they were reduced to six per cent. The first loan had five hundred thousand bonds, and its conversion gave the same number of new obligations.

The conversion was therefore decided on, and the government had to change its six per cent. bonds, and to alienate the 174,000 obligations it held. This was begun in September, 1865. The bonds held by the state were disposed of at 300 francs per bond. The payment of the sum due the state was to be made in twelve instalments, and the bonds were to be delivered as these payments were made. Thus, when a twelfth of the credit was paid, the number of bonds representing the sums received were stamped and delivered to the concessionaires, so that the state only relinquished its bonds when cash was paid for them at its counters. I mention this to show that the bonds held by the state as security were not delivered as soon as the contract was made. The contract even allowed 18 months instead of

12 for the terms of payment; and, finally, a clause of the contract stipulated that in case of *vis major*—that is, if the Mexican government was overthrown by revolution—the treaty should be considered null. This treaty was executed between October, 1865, and March, 1866. Fourteen millions were given to the state, and bonds for fourteen millions were delivered to the concessionaires by the minister of finance. As early as 1866, M. Pinard announced officially that the concessionaires demanded the benefit of the 18 terms. The French government had made known its intention to withdraw its troops from Mexico at three periods: in October, 1866, in the spring of 1867, and in the autumn of the same year.

It is hardly necessary for me to state that the troops were all withdrawn at once in February.

M. BERRYER. No; the United States was the cause of that; it was to save a quarrel with that country, and that would have been a very different thing.

M. ROUHER continues. Just at that time there was a very sudden fall in the value of Mexican securities. The depreciation was so great the bonds fell to 140 francs, and I believe even to 120, and the concessionaires appealed to the clause of *vis major* in the contract, asking to suspend their payments and not receive any more bonds.

The business thus stopped, the minister of finance was left with all the signed bonds on his hands, except the fourteen millions which had been exchanged for paper. The government did not ask if profits had been made on the first loan; it had no right to do so. He examined the contract; he considered the political reasons for withdrawing the French troops, and he found it impossible to force the subscribers to the contract of 1865 to comply with their obligations, because they were overcome by superhuman force, and the bonds were worth nothing. Must I go into a discussion to justify this? I do not think it is necessary at present.

M. Berryer's first question needs no answer; it is sufficiently plain.

According to the terms of the treaty of 1864, a sum of twelve millions in six per cent. stock was appropriated to secure the payment of indemnities to our countrymen. The same treaty stipulated that the indemnities should be liquidated by a committee formed in Mexico, and composed of Mexican and French agents in halves; it also agreed that when the work of the committee was concluded, the total of the indemnities should be reclaimed from the Mexican government. But this arbitrating committee in Mexico had not full power; there was another committee in Paris to supervise its decisions.

After 1864 the Mexican committee went to work slowly; they were not punctual to the time fixed for the examination of questions for their consideration, and the French members had to act alone.

As to the twelve millions in six per cents., the titles were deposited in the hands of the minister of finance, who collected the interest for the first two years, and afterwards the capital.

In 1866, while the Mexican commission was attending to the liquidation of the indemnitary claims, the government thought proper to forfeit all the indemnities, and a convention was called for that purpose in July, 1866. That convention fixed the indemnity due our countrymen at forty millions. Sixteen millions had already been paid, and there remained twenty-four millions due which were never paid. In 1866, certain customs conventions mortgaged the revenues of the Mexican custom-houses to the French government. Our claimants will profit by that arrangement, and they will have their due portions.

Now I come to the third question. M. Berryer demands from the government the publication of certain diplomatic documents, and information about several missions at different times. In 1866 all the documents of interest to the house, concerning our relations with the United States and Mexico, were published, though refused at first for very good reasons.

If M. Berryer wants information in relation to Mr. Saillard's mission, the government is ready to furnish it; and if he wants to know something about General Castelnau's mission in 1866, we can give that too. In regard to diplomatic documents, I say there are none to furnish to the house at present; and at this grave conjuncture in which the sovereign of Mexico finds himself, it would be inconsistent with the interests of that government to publish documents detailing discussions of no interests now to our government, and which might be very harmful to Mexico.

The government is ready to discuss this serious Mexican question; but it is not ready to furnish diplomatic documents that would compromise the interests of both countries.

Such are the explanations I have thought proper to communicate in reply to M. Berryer's interrogatories.

PRESIDENT SCHNEIDER. M. Berryer is now entitled to the floor.

M. BERRYER. My thoughts were far from wishing to call for the publication of any documents that might injure the monarch we have led to Mexico: but the honor and dignity of the country demand an account of this deplorable Mexican expedition. I do not inquire into the quarrels that have arisen between the French authorities in Mexico and the agents of one whom we have tried to establish upon the Mexican throne. No; let us be silent on that point; his delicate situation demands it.

Fortunately, all that relates to communications from the French government to its agents in Mexico, the important instructions to Mr. Saillard, and the more important ones to General Castelnau, will be made known to us in time. They will throw much light upon

the subject, particularly those showing the relations of the French government with the United States.

I will say nothing, provoke nothing, to injure the position of one who is now a prisoner, and has, perhaps, already received his sentence. I return to the finance question.

I am glad to learn that the values assigned to French creditors by the treaty of Miramar and the convention of 1866 are now deposited in the treasury; we will see that they are properly disposed of when the time for debate upon them arrives. I am also pleased to learn that reports of certain payments to uncertain creditors are false. I have not disputed the civil appropriations; they were carefully arranged, and for the proper sums. The arrears of the Mexican rentes were placed on the budget, to supply the unpaid capital; thus the amounts of the civil appropriations for 1864 and 1865 were balanced. Now about the loss caused by the negotiation of the fifty-four millions. From the report of 1865, that loss seems to be over two million eight hundred thousand francs; but when the sale was made it amounted to forty-two instead of fifty-four millions, making a loss of twelve millions.

But besides the public facts which were considered as a case of *vis major*, to relieve bankers from their obligations, there is the text of the contract, which the minister explains in a satisfactory manner; but I regret that the committee that accepted the consequence of the treaty did not have it before them, and give it to the house; there would have been no impropriety in that. I have asked myself if the bankers thus favored were not the same that negotiated the first obligations, to the number of five hundred thousand, at a profit of forty francs each, making a benefit of twenty millions in all. If they were the same that made such profits with a loss of twenty-eight millions to the state, they should not have been released from their engagements.

These persons' names are well known to the public; it is not necessary to mention them; but I demand the production of the contract, that we may examine it and see how the state has lost so much by adhering to it.

The MINISTER OF STATE takes the floor. Gentlemen, M. Berryer is surprised that your committee on supplementary credits for 1866 did not ask for the publication of the treaty of the 27th of September, 1865. The reason is very simple; the discussion of the credit bill for 1866 did not touch the treaty of Miramar and the 54,000,000 derived from it. I understand perfectly, however, why the committee ask information; they want it for discussion.

Now M. Berryer asks to see the treaty. I see no objection in making it known to the house; but what he has said in relation to certain bankers, I know nothing about it or them. When he said certain bankers had negotiated the first series of bonds, I remarked that their names might be known to the house, but I did not know them. I still say I am ready to give the treaty to the house. Now we will discuss the question of *vis major*.

M. Berryer has already noticed the declarations of the government, and I will not return to them; but I fear I was misunderstood in my answer to his third question. He seems to think I promised to publish instructions given to our special agents in Mexico. I say distinctly I made no such promise for the government; I will answer any questions of general interest that are put to me; but I must say to the house, it would be incompatible with the public good to publish certain correspondence between the French and Mexican governments. I am ready to answer questions here, but I must be excused from promises to publish documents that would benefit nobody.

As to the treaty, if you think it necessary in the discussion of the credits for 1866, in relation to Mexico, I am ready to produce it, and the government will abide by the house decision on the subject.

M. BERRYER rises to speak. I was obliged to follow the committee in its labor. To render a proper account to the house of our financial situation with Mexico, the committee had to examine facts. Well, to facilitate this examination, I ask for all the documents. It is evident that upon this question of Mexico it would be difficult to form an opinion if no documents were furnished.

M. ROQUES-SALVAZA now asked permission to speak; it was granted, and he said:

I do not ask for the floor to enlighten a question brought up by M. Berryer and thoroughly answered by the minister of state. But M. Berryer said it was the committee's duty to call for the treaty and the documents relating to its execution. I have the honor to be president of that committee, and I must say I think this business does not belong to the committee, whose sole duty is to discuss the supplementary credits asked by the government for the year 1866. How the committee came to examine the question is in this way: Among the supplementary credits demanded by the government in the bill to be examined by the committee, there was a sum for the expenses to bring back our army from Mexico, and by a sort of instinct, a patriotic curiosity, the committee turned its attention to Mexican affairs in general. It was an anticipation on our part, and it was exceeding our duty, and the government was justified in refusing documents we had improperly asked for. It happened in this way: We said they ask money for expenses connected with the Mexican expedition; we must look into it. What did the expedition cost? This was natural enough. Yet the government might have said: Leave that case to the budget committee; ask no questions but such as pertain to your business. Why do you ask what the Mexican expedition cost? All the budgets since 1861 have contained similar expenses; and it is more properly to the budget committee, rather than to the committee on supplementary credits, that we ought to furnish the information you ask.

That is what the government might have said. But we got the explanations asked for, and we found out something about the expenses of the Mexican expedition. We then said to the government: Here is the sum total of the costs of the Mexican expedition for six years. Was there no set-off to this account? Were there no receipts of funds from Mexico? You have issued two loans; we hear of losses by them, but of no profits. The government explained its receipts from Mexico, on account of the loans, and we find the sum of 54,000,000 reduced to 42,000,000, and finally to 14,000,000.

Now, I ask M. Berryer, whose loyalty is undoubted, how he can suppose it the duty of our committee to examine the different treaties and all the documents relating to the Mexican affairs?

President Schneider here proposed to postpone the debate on the bill for supplementary credits of 1866 till the next day.

The proposal was accepted, and the house adjourned at 6½.

CELESTIN LAGACHE,
Chief Stenographer.

[From the *Moniteur Universel*, the official journal of the French empire, No. 175, June 23, 1867.—Translation.]

LEGISLATIVE ASSEMBLY.

SATURDAY, June 22, 1867.

M. SCHNEIDER, presiding. The order of the day is the deficiency bill for 1866. M. Glais-Bizoin is entitled to the floor.

M. GLAIS-BIZOIN. I will not bring up the question of the Mexican expedition surreptitiously—an expedition fatal in every point of view and to all eyes except to mine; for I have always regarded that expedition as a providential occurrence, necessary to demonstrate to the country the perils of a personal government that has the care of the lives and fortunes of a great people. (M. Glais-Bizoin is called to order by the president, and told that he must not have that question as a pretext to attack the constitution and the situation of the government.)

M. GLAIS-BIZOIN continues: If the opposition will not have a general discussion of the Mexican expedition on this occasion, I cannot be refused the privilege of saying what I think on the subject. I repeat then that the country was in need of this example to understand the dangers of a personal government, and that if it is not now aroused — (He is again called to order. Continues:.) I will not retract what I have said, and must repeat that, if the country had not waked from its torpor in 1863, the Mexican expedition would have been to the new empire what the Spanish war was to the first. I am convinced that, to carry out what some call the greatest thought of the reign, would require what we could not afford: and we would now have 80,000 men in Mexico, and war with the United States, and perhaps with the whole world, if we had attempted to carry it out. That is my belief, and I express it only to arrive at the following question: Among the credits asked of us I find this expense: Pay for the Austro-Belgian brigade, 4,600,000 francs; provisions, 867,500 francs; making a total of 5,467,500 francs. How this expense is accounted for in the report I cannot see. I will give the terms of the report, and the house may judge for itself.

After a cursory glance at our financial situation in Mexico, we must examine the items of the expedition outside of the appropriation for the fiscal year 1866: "A sum of 5,467,500 francs was spent in pay for soldiers and provisions for the Austro-Belgian brigade and the counter-rangers. Another sum of 1,838,000 francs was spent for transports to follow the army. These expenses were to have been paid regularly from the Mexican treasury, but it was completely empty." (We are not astonished at that.) "The security of our army forced the French government to assume these expenses temporarily."

Such are the words of the report. The word *temporarily* brought me to my feet. I would like the government or the committee to tell me what *temporarily* means, and who is to pay these expenses in the end. But let me say that I am astonished that the French government assumed these expenses even temporarily. The French government did not enlist the Belgian and German troops for Mexico, and agree to pay for their transportation? Why should it then take charge of them and pay for them when Maximilian's funds fail? Those unfortunate Belgians and Germans ought to be paid by the Belgian and Austrian governments, that were accomplices in this expedition by authorizing the enlistment of troops for it in their territory.

These remarks are for the house, and I now repeat my interrogatory, what does *temporarily* mean in the sentence I have cited?

In the mean time, I demand the *temporary* rejection of the credit of six millions.

General ALLARD now takes the floor and says: I have but a word to say to this house. The word for which interpretation is demanded is very plain; the meaning is this:

On the 1st of May, 1866, the Mexican treasury was not in a condition to pay the Austro-Belgian brigade. The brigade was employed to help us in the expedition. Now, was it prudent or proper to let those troops be disbanded for want of money and provisions? Certainly not. What did the French government do in the case? What it has often done in

such emergencies: it advanced to Mexico the funds necessary to pay that brigade. The word *temporary* means that those expenses were only an advance, to be charged to the Mexican debt.

M. GLAIS-BIZOIN. Well, charge it then.

M. ERNEST PICARD then arose and said: I do not rise to discuss the question of the Mexican expedition. M. Berryer told you all about it yesterday; but I join him in his call for the treaties, conventions, and other documents relating to the Mexican loans, the bonds, and their holders and negotiators. I hope also that circumstances will permit us to have some of the diplomatic documents passed between the French government and its agents in Mexico.

The Mexican expedition has always been presented by the government as a necessity. It was said we had grievances to redress in Mexico; our countrymen were imposed upon there. Then there must be other documents of great importance that have not yet come into our hands, and which we ought to have; documents containing the claims of French creditors, who believe themselves entitled to indemnity. I do not see why we cannot have those papers now, and I move to call for them. I hope the government will not object to furnish papers with the accounts of its creditors against Mexico. They certainly exist, as they gave rise to the expedition which was to redress the wrongs done our countrymen, and to obtain satisfaction for injuries, the legality of which we are called upon to decide.

And in speaking of Mexican creditors, I would like to know if the Jecker bonds have been paid; if by a treaty of the 10th of April, 1865 or 1866, the sum of \$1,000,000 per year was not appropriated for the payment of that credit, and if the agents of the French government in Mexico did not make the arrangement.

This is all I have to say.

The PRESIDENT. The minister of state is now entitled to the floor.

M. ROUHER, minister of state and finance. If the house desires it, I am ready to give the text of the convention between the grantees of Mexican bonds belonging to the treasury and the minister of finance.

After the documents relating to the convention are read, they will be inserted in the report of this day's proceedings, and thus become accessible to all of you without being published separately. If the house consents, I will read the document, and then reply to M. Picard.

Here is the text of that convention:

“PARIS, September 28, 1865.

“Between M. Achille Fould, minister of finance, on the one part, and M. Alphonse Louis Pinard, director of the Discount Bank in Paris, acting in his own name and as agent for French and foreign bankers, on the other part, the following agreement has been entered into: In accordance with a decision of the Mexican finance committee, dated 26th September, 1863, the titles of the Mexican foreign 6 per cent. debt, issued in 1864, shall be converted into obligations of 500 francs, with the consent of the holders, composing a second series, enjoying the same advantages as the obligations issued for the Mexican loan of 1865. As the treasury holds by the stipulations of the convention of Miramar 6,600,000 francs of the Mexican 3 per cent. rentes of 1864—namely, 5,400,007 francs of the war indemnity, and 1,199,998 of the indemnity due to French subjects—the above titles shall be converted into 174,603½ obligations, on terms stipulated by the decision of the 26th September, 1865, to wit, 142,857½ obligations for the public treasury, and 31,745 obligations for the indemnities.

“M. Pinard proposing to purchase said obligations, the undersigned do agree as follows:

“*Only article.*

“M. Pinard buys from the public treasury the 6,600,006 Mexican 6 per cent. rentes for 1864, giving therefor 174,603½ obligations of 500 francs of a second series, enjoying the rights and advantages stipulated in the decision of the Mexican finance committee on the 26th September, 1865.

“This purchase is made at the net and firm price of 300 francs per obligation, possession to be given on the 1st of October, 1865.

“The sum of 52,330,000 francs shall bear interest at 3 per cent. per annum from the 7th November, 1865, and shall be paid in 12 equal monthly terms, the first falling due on the 7th of November, 1865, and the last on the 7th October, 1866.

“M. Pinard may have the privilege of anticipating the payments of one or more terms, and in such case shall be entitled to a discount of 3 per cent. a year. The obligations shall be given to the contractor, after being stamped. The chances resulting from the drawing of the lottery every six months, for the payment of the obligations, together with the primes and coupons, with interest up to the last payment on the 174,603½ obligations, shall belong by right to the contractor.

“Done in duplicate at Paris, on the 28th September, 1865.

“PINARD.

“Approved by—

“ACHILLE FOULD.”

Now comes the correspondence preceding that convention. We give M. Pinard's letter first:

"PARIS, *September 28, 1865.*

"**MONSIEUR LE MINISTRE:** Before signing the contract by which I take at my risk and peril the 174,603 Mexican obligations in the public treasury, representing a sum of 52,381,000 francs, permit me to stipulate a reserve, the justice of which you will acknowledge.

"In case of *vis major*—that is, if the Mexican government is overthrown by a war or revolution—the contract shall be wholly rescinded, without indemnity to the party who is to execute it.

"In case I find a difficulty in disposing of the 69,000,000 of francs in Mexican bonds that I purchase in 12 months, you will extend the terms of payment to 18 months, adding, of course, the 3 per cent. per annum to each instalment.

"If your excellency approves of the reserves I mention, I beg you to notify me.

"I have the honor to be, &c.,

"PINARD."

The reply on the 23th of September is conceived in these terms:

"**SIR:** I hasten to acknowledge the receipt of your letter of to-day, and to inform you I freely consent to the accidental conditions you mention therein; consequently the proposed contract, in cases you specify, may be rescinded or prorogued at will.

"Accept, sir, &c.,

"ACHILLE FOULD,
"Minister of Finance."

Those are the three documents I have thought proper to read to the house, in answer to one of M. Picard's questions. He has put two other questions to the government: one relating to the indemnity due our citizens; the other relating to the Jecker claim.

In regard to the indemnity, all the papers are in the department of foreign affairs, and I presume the house will not call for them, as it will be unnecessary, and even useless. But if M. Picard wants information of any particular affair, he has the right to ask it. I can tell him the sum of French claims is about one hundred and fifty millions, and is now under consideration by the chief committee in Paris. As to private claims, it is impossible to give the details of the three or four hundred. I must make one observation on the third question; I do not think it right for members to take the floor on one pretext, and then slander the government.

In regard to the Jecker affair, I remember the calumnies against the government on account of it. The government had nothing to do with the negotiation of the Jecker credits in 1866; it was opposed to it, because it interfered with the execution of the convention of Miramar, and the guarantees and resources especially reserved for those governments that had their troops on Mexican soil.

(M. PICARD rises to make an explanation.) The Jecker question was suggested to me by an article I read in a Mexican official paper, the *New Era*.

The MINISTER OF STATE. I have enough to do to read French papers, without reading Mexican papers.

M. PICARD. Perhaps the French government would learn something by reading more foreign papers.

As to the papers relating to the French indemnity creditors, I don't want the originals, only the amount of the claims and their dates. The minister knows when we vote to appropriate money we ought to know where it is to go, and for what; and I am thus interested in knowing the number of creditors in this case, and the justness of their claims.

M. GLAIS-BIZOIN. The government should not be so sensitive about the Jecker affair, for it is a historical fact that the convention of Soledad was broken on account of the exorbitance of French claims, and that was the principal one.

The MINISTER OF STATE. Two words in reply to M. Glais-Bizoin. It is certain that the Jecker affair was mentioned at Soledad as one of the causes of non-agreement. It was a loan by the banking-house of Jecker & Co. to Miramon, the president previous to Juarez. It was so arranged that the bonds were receivable for custom-house dues. Now the Jecker house had disposed of a quantity of those bonds to our people, who offered them at the custom-house in Vera Cruz and Tampico; but Juarez refused to accept them, and the consequent loss was the origin of that French claim.

Another circumstance occurred about this time. The house of Jecker held on deposit the funds of a French mutual aid society, by which our countrymen helped each other in case of distress. The house suspended payments, and the French company was ruined. On account of this, M. Dubois de Saligny put in claims for these people upon the republic of Mexico. This was in 1861. In 1862, when France was adjusting its claims against Mexico, these claims were included, and it was insisted that the bonds should be received for custom-house dues at Vera Cruz and Tampico. And that is the way the Jecker claims came into notice at the Soledad convention.

M. GLAIS-BIZOIN. What the minister of state has just said justifies my allegation. In

fact, he does not deny that M. Jurien de la Gravière signed the convention in the name of the government, and therefore the government is responsible for the war with Mexico, because it refused to ratify a convention signed by one of our representatives, whose loyalty was undoubted.

M. HAENTJENS. I cannot consent to adjourn till I inquire of the government what is to be done for the Mexican bondholders.

M. GLAIS-BIZOIN. They will be paid out of the civil list.

M. HAENTJENS. We are pressed with petitions on all sides from these bondholders, to know what relief they are to expect. As the constitution does not permit us to present these petitions here, I have sent them to the minister of finance. No answer to them has been received, and I would like to know if we are to get an answer before the close of the session.

M. ROUHER. I beg the house and the honorable gentleman to excuse me from making any reply to the question proposed to the government, lest it become a pretext for discussion outside of this house.

M. ERNEST PICARD. If any gentleman wishes the floor to justify the votes that were given for the Mexican expedition, we will hear him.

M. PAGEZY. If I discuss the Mexican question I will not do it as M. Picard does. I am not a friend of Juarez; I am a friend to France.

M. PICARD. One would think so, to hear you speak against its interests. There is a requisition for five millions, made by the marshal commanding the French army in Mexico, and an overdrawing of three millions more charged to the treasury. There has been no settlement of these expenses, and a credit was opened by the government without the usual guarantees for deficiency credits opened by the executive power. Well, the government cannot deny the brutality of the fact; and as to the reporter who is pleased to see the end of the Mexican expedition, he tries to justify the illegality I am now denouncing. "The payment of 8,827,683½ francs effected by the minister of finance is less regular. It was not authorized by law or decree of transfer rendered by the Emperor in the council of state. But to justify the government we must allow its council decree to suffice for ordinary expenses; but it is quite different for expenses incurred in distant countries." It is very convenient to enact decrees, and then excuse their execution by alleging that they concerned expenses incurred in distant regions. I think there are causes to which we must yield; and when they concern the fate of our army I will not dispute them. We might have foreseen this expense in 1866; the condition of Mexican finances was known; the Mexican government was wavering; it could not pay its troops; and yet you kept all this secret, and now you see the fatal consequences.

M. ROUHER. The other Mexican expenses that have not been settled by transfer decrees are two; one is not properly an expense, but a loss to the treasury, for which the government is obliged to ask a credit from this house; the other is a war expense. The loss was 3,500,000 francs. Ever since the first Mexican loans that government has had funds arising from them in the hands of the Mexican finance committee, in Paris, and it was necessary to send these funds to Mexico. Now the French government had a service organized to carry funds from France to Mexico for the support of the army there. It was arranged between the two governments that the French government should send funds to Mexico, and receive drafts from the government there, to be paid by the proceeds of the loans here. The two last drafts have not been paid by the Mexican committee, causing a loss to the treasury. For a loss of that kind the government could not proceed in the regular way, and open a credit by a transfer decree. There is no credit opened yet, and the one now proposed to the house is to reimburse the treasury for that loss. As to the five millions forming another element of the eight millions, the documents submitted will show all about them. Marshal Bazaine, to help the Mexican government, asked a subsidy of two and a half millions of francs per month from France, and the convention was immediately executed, though the marshal had reserved the ratification of the French government. As soon as the French government was informed of this state of things, it did not think proper to ratify what had been done, considering the condition of Mexico, and it instructed Marshal Bazaine to stop the execution of the convention. Thus, two and a half millions were paid the first month, and the same amount the second. I ask the house if this is not all very natural. Marshal Bazaine had to yield to necessity, and the French government did its duty.

M. PICARD asked why the five millions were not asked of the house, and why it could not be seen the Mexican treasury was empty. The French government was so far from foreseeing these events, and so far from believing they would require a subsidy from France, that it gave immediate instructions to annul the convention and stop the monthly payments of two and a half millions of francs.

Such, gentlemen, are the explanations I wanted to make to this house. I have not referred to the muskets; I leave that subject to General Allard to explain, if the house requires any information on the subject.

The MINISTER PRESIDENT OF THE COUNCIL OF STATE. Gentlemen: The thirty-five millions of Mexican values do not appear in the budget of 1865. In the budget of 1865 we find twenty-five millions as the indemnity stipulated by the treaty of Miramar. The final account of 1865 shows that this sum of twenty-five millions was paid in specie to the treasury. There is another sum receipted in the budget of 1865, namely, titles of various sorts, amounting to

thirteen millions. In the amended budget for 1865 it was reduced to ten million eight hundred thousand francs. Of this only two millions have been paid, and eight millions remain. So, out of the thirty-five millions coming from Mexico, twenty-five millions of the Miramar indemnity have been paid; two millions of the ten were paid, and over eight millions remain in the vaults of the treasury.

These facts being established, I will now show the house what I said about the surplus receipts of 1865 is also without doubt. The excess of receipts for that year is twenty-one millions, as you know; 12,224,000 of this sum was placed to the budget of 1866, and over nine millions remain; so that, if the eight million one hundred and fifty-seven thousand francs of Mexican titles are never paid, the nine millions will be reduced so much, and there will be more than one million left in excess of the receipts for 1865. Such is the explanation I had to make to M. St. Paul.

M. DE ST. PAUL. Ah, now I have the general account of the finances of 1865, and we find it amounts to 35,857,000 francs of Mexican values. My random question was not lost on the minister, and I hope the house is satisfied with his explanation. I did not arise merely to kill time; I wanted to get information, and I have succeeded in obtaining it.

No. 1.

[From Le Temps, Paris, June 25, 1867.]

On Friday last, after a warm debate on various subjects, M. Berryer brought up an incident which is the preface to debates on the budget. This was nothing less than the Mexican business—a sad affair, so mixed up with our finances that we find it in every daily discussion, in the final account of 1865, in the amended budget of 1866, in the supplementary credits for 1867, in the provisional budget for 1868.

However unpleasant it may be to the government and its advocates, the Mexican question must be resited this year, its finances adjusted, and its results ascertained. The time for its liquidation has come, and it will be the great feature in the discussion of the items in the budget.

The amendments to the supplementary credits of 1866 have caused M. Berryer to doubt. The treasury report shows that out of fifty-four millions in Mexican bonds fourteen millions were sold, and 95,232 bonds remained, of no value. Now, M. Berryer tells us that M. Fould, in his report of 1865 to the Emperor, says those bonds were all sold for forty-two millions of francs, and the amount was divided between the two budgets. How is it then that the treasury still has two-thirds of those obligations, when it was reported that they were all sold? Did the minister of finance tear up the contract and relieve the bankers from their obligations as soon as the business began to turn against them? But M. Berryer says the same bankers bought the bonds from the treasury that had issued the 500,000 a few months previous. The first operation was a profitable speculation for them; was it just then to secure them from loss in the second affair? By what authority did the minister rescind the contract? and was its rescision justified by circumstances?

Such are the grave questions that M. Berryer has suggested in asking for the papers to be laid before the house. We think he has done much good to the bondholders. The documents were read next day by M. Rouher, and they have been published. The result is, that in September, 1865, the treasury held, by the treaty of Miramar, 174,603 bonds, 142,857 belonging to the state, and 31,756 reserved for indemnities. These titles were acquired at the rate of 300 francs, by M. Pinard, acting in his own name, as agent for a company of bankers and capitalists, both French and foreign. The sum was to have been paid in twelve equal monthly instalments, to begin on the 7th November, 1865.

As a complement to that contract, dated 28th September, M. Rouher read two letters between MM. Fould and Pinard, written before the contract was signed. M. Pinard's letter stipulates that, "in case of *vis major*—that is, if the Mexican government is overthrown by a war or revolution—the contract should be rescinded." The contracting party reserves the right "to extend the term to eighteen months, instead of twelve, in case there was a difficulty in selling the bonds in that time."

In his answer the minister "acknowledges the receipt of the preceding letter, and accepts all its conditions."

These documents show the real nature of the negotiation. It is plain there is no sale where the purchaser accepts the risks, but a conditional bargain, or more properly, a commission business.

The celebration ended with September; the day after M. Corta's and M. Rouher's speeches 500,000 bonds were taken by the public, and the next day their value was doubted. In July these bonds were quoted at 310, that were to have risen to 330 in September.

It did not turn out as expected; in fact, it was a simulated sale—one of those operations in which government appeals to the devotion of bankers, who were very willing to lend their credit, experience, and influence to government; but they were not willing to do more, and

wanted a chance to escape from loss, if the operation promised to be unprofitable, and, as far as they were concerned, they were perfectly right.

After four monthly instalments had been paid, amounting to fourteen millions francs, these bankers invoked their right to suspend. Was it a case of *vis major*? The Mexican government had not yet been overthrown by war or revolution. True, it had received a death blow: the United States veto had been pronounced. The vaunted resources of the Mexican government suddenly diminished; the bonds fell into disrepute. On the 15th of January, 1866, one month before the suspension, was sent the noted despatch to the French minister in Mexico, saying the French government was tired of encouraging loans, and the Mexican empire must rely upon itself. It had already been determined to recall the French troops. Could the minister, who knew that, allege a case of *vis major*?

M. Berryer says the bankers ought to have been compelled to comply with their contract, because they had made a handsome speculation out of the first loan, having bought at 300 and sold at an average of 335, during the last four months of 1865.

The bonds finally fell to 120, and then the government had to give up all hope of compensation.

These financial miscalculations would not trouble us much if they concerned only the treasury and a few wealthy speculators; but the government must know that bankers don't buy bonds to keep; they are bought to sell, and the money comes out of the people's pockets at last. The trusting and unarmed multitude must suffer; and the government must soon know this from an investigation that has been made, and will soon be laid before the legislature.

Now, when the discredit of the Mexican bonds is evident, the government uses all its forces to raise them in value, not on Maximilian's account, but for the benefit of the public treasury, and to balance the future budget. Is not that a strong argument for the bondholders, when their case shall be called before the corps législatif?

ANDRÉ COCHUT.

No. 2.

[From the Avenir National.]

PARIS, June 25, 1867.

The discussion of the budget begins after to-morrow. It promises to be lively, and the Mexican question will certainly give zest to it. After the dialogue on Saturday between M. Haentjens and M. Rouher, it is evident that the house will be called to judge of the situation of the Mexican bondholders.

The Mexican expedition is a political disaster; if it is also a financial disaster, as some think, its weight upon the government will be grievous. It is not only a question of policy, but of honor. Let us look at the facts.

We find a government trying to regenerate Mexico politically and civilly by the sacrifice of French lives and French money. The enterprise was silly, and the obstacles great. The debt of Mexico was so great and its credit so low, its bonds could be had in London at 20 per cent., if any one wanted them. As to the Archduke Maximilian, he had to leave Miramar for debt. Now money was wanted everywhere, and it could be raised only by loans, and these loans could only be negotiated in France. Conceived and patronized by the government, the plan succeeded. Let us see how.

On hearing of this proposed loan, the English creditors, sadly in want of their pay, called meetings and declared theirs was the privileged mortgage on Mexico. To quiet them, they were promised that the first twenty-four millions of the loan should be sent to London, and the sum was sent.

We said Maximilian was in debt, and could not leave Miramar and accept the throne of Mexico without some arrangement with his creditors. To help him out, eight millions of the first loan were sent him from Paris.

It was well known that Mexico never paid its debts; but its credit was to be raised by promises to pay the interest of old debts by funds from the new loan; so a sum of forty-nine millions from the two loans was to be reserved for that purpose.

In execution of the convention of Miramar, the future emperor decrees a finance committee of French, Mexicans, and English; and to show the French prominence the committee was to reside in Paris, and M. Germiny, a senator, ex-minister of finance, ex-governor of the Bank of France, should be its president and represent the French creditors. A duplicate of the ledger was to be sent to Mexico, and the original was to remain in Paris. All the decrees of the future emperor were published in the *Moniteur* just like French decrees.

The loan had a good puff in spite of prudent men who advised circumspection, and was successful.

M. Berryer opposed it in the assembly, because France seemed to encourage it according to the prospectus. M. Rouher is indignant at the doubts about Mexican resources, and does all he can to show the solidity of the loan. But he was mistaken; for, in less than a year,

on the 10th of March, 1865, he declared to the assembly "that new resources were indispensable to complete the conquest."

A second loan is determined on, to be managed by M. Germiny and M. Corta, who had been sent to Mexico to examine the resources of the country; and it was made under the superintendence of the minister of finance. On the 30th June, 1865, we read in the *Moniteur*: "Messrs. Barron, Bourdillon, Count Germiny, and M. Corta have arranged the conditions for the new loan." The terms being arranged, the whole army of French financiers is brought into the field to insure its success. It was to have been issued on the 22d of April, but the bankers that engineer it are anxious to know if the government will not let its troops remain in Mexico until Maximilian is firmly seated on the throne.

On the 10th of April the subject is discussed in the assembly, and M. Rouher says:

"We are reproached for encouraging a Mexican loan when the finances of the country do not justify it; but M. Corta has just given you a glorious account of the resources of t at magnificent country. Have no care; Maximilian will restore financial prosperity to the country, and furnish incontestable guarantees to those who trust him with their money. I repeat, this expedition is a great affair. By it France will conquer the civilization of a great country. Let its flag float a few months longer, till all resistance is subdued and the bandits overcome; a few months more will do—the end will be gained; pacification will be complete. The French army must not return to our shores till its task is accomplished, and it has triumphed over all resistance."

(Applause followed this speech.) M. Jules Favre protests against the minister's eloquence that takes the place of facts. He is grieved to think that France, in the present condition of Mexico, would lend "its aid, its officials, and its money, to be engaged in unheard-of speculations." But the protest was vain, and the loan was opened on the 22d of April, with the consent of the minister of finance and all government agents. Before the close of the third day the 500,000 obligations were subscribed for, and 170,000,000 deposited with the Mexican commissioners by the French public. Such were the circumstances that opened, continued, and closed that loan. The influence of the government was seen and felt in every way, and therefore it is considered responsible. It not only facilitated the loan; in fact it issued it. But for official declarations and formal promises it would never have been taken; and, moreover, a large portion of the funds went to the state. There is no doubt about that. How then can the government refuse a just, equitable, and complete reparation to the bondholders?

Do not say they were tempted by high interest. Instead of using his seducing eloquence on this occasion, M. Rouher should have said: "This money we ask you for is to pay English creditors of Mexico, and Maximilian's debts;" then, do you think subscribers would have been so abundant and eager? No, certainly not. All that urged them to accept the loan was the government, and the government should not now resort to chicanery to avoid responsibility. Such an act by a person would be considered mean, and certainly would not be accepted by the government.

Such is the written opinion expressed by M. Marie, and concurred in by Messrs. Allon, Plaque, Cremieux, and Leblond. These eminent jurists say:

"If the government has taken such a part in these loans; if it not only *facilitated* them, but *realized* them by its sole influence; if it pledged its name, the name of France, to such an extent as to make the public believe that France favored the loan, why should it not be responsible for acts done upon this encouragement? The lenders, now ruined, might say: 'I believed in you: I believed in your assurances, in your fine speeches, in your promises, in France, and now I am ruined!' Could you reply: 'You were wrong; you should have believed in the opposition; for though my authority was imposing my language was deceptive; my responsibility is null; that is all.'"

No, that is not all. The conduct and influence of the government persuaded capitalists. To them its declarations were positive and decisive; therefore, between the government and the bondholders there is a real responsibility in every sense of the word, and there is a question of loyalty.

J. MAHIAS, *Editorial Secretary*.

No. 3.

[From the Gazette de France.]

PARIS, June 25, 1867.

Nothing is more unpleasant than this Mexican business, in whatever way you consider it. M. Berryer has handled it gently, and yet he called it "a shameful affair, where advantages were taken over poor people, and complaisance and condescension shown to contractors." It is very true these Mexican loans were a loss to the purchasers, and a gain to the brokers. The operation was so managed that the public and the state lost, while the brokers realized millions.

M. Berryer, who has followed this Mexican affair step by step, has clearly shown all the

errors of the administration, and their deplorable consequences. Since M. Rouher's explanations, and the publications of the contract between M. Fould and M. Pinard, we can understand the progress of the negotiation. It certainly does no honor to the sagacity of M. Fould's administration.

In fact, from the stipulations, all the chances were against the state and the public, and in favor of the managers of the loan. We are surprised to see the treaty give the bankers the privilege of extending their payments to 18 instalments from 12, and permitting them to cancel their obligations in case of *vis major*.

This negotiation of Mexican bonds is a strange affair. The more we study it the less can we understand how M. Fould managed such an important operation. In explaining this episode to the house, M. Berryer has rendered a signal service to the public. It is a memorable page for the hard history of the Mexican expedition, for documents about it are scarce, and we have to hunt hard to find any.

M. Berryer had the Fould-Pinard contract published. It was well; but we fear he will not be so lucky with the diplomatic documents. M. Rouher declared he could furnish none to the house at present, and he added: "In the serious predicament where we find the sovereign of Mexico, it would not be proper to publish documents showing coolness, conflicts, and discussions, now of no importance to either government." M. Rouher also said: "The government has not thought proper to publish the diplomatic correspondence, or any documents that, under present circumstances, can be of no use or benefit to either government, but might compromise ours very seriously."

We regret this suppression the more since the last news from Mexico says Maximilian is no longer in danger, and that he will return soon from that sad journey. We are, moreover, astonished that the government that has assumed such great responsibilities in times past should now dread the publication of diplomatic notes that might enlighten the close of this expedition. M. Rouher ought to know that those refused documents are of much less interest to Mexico than to us, for they know much that has been concealed from us, and that those documents would have revealed. Does M. Rouher suppose, under present circumstances, the instructions given to Marshal Bazaine, or to his agents, would be of no interest to us? If he does, he is very much mistaken. The Mexican expedition is more interesting to France now than it ever was, and the manner in which it has been carried on and concluded is of the greatest significance in public opinion. We know how the Italian, Roman, and German questions have been managed: why should we not know all about the Mexican question? We cannot imagine why M. Rouher deems its details of no importance to France, when nothing could better enlighten us on an expedition against which foreseeing public opinion had pronounced, and which it would have prevented if its voice could have been heard, or the free press had served it better. The opposition so bitterly complained of finds in these late revelations, scantily obtained, the proof of the correctness of its views; the genuineness of its patriotism, free from all party spirit.

M. Berryer says with truth: "In reflecting upon the disastrous consequences of that expedition, and on the victims it made, I cannot forget that it was chimerical, and that I opposed it from the first, declaring that it would end in disaster; and General Prim said so at Vichy, the very man who lately tried to revolutionize Spain, his native land." On listening to that sad speech everybody said: "If we had heeded M. Berryer, we would not have had that deplorable expedition, and the public would not now be called on to furnish the enormous sums it has cost, and to repair the deficit caused by the lamentable Fould-Pinard transaction.

GUSTAVE JANICOT.

No. 4.

[La Gironde, Bordeaux, June 24, 1867.—Translation.]

The interpellations presented by M. Berryer, on the subject of the supplementary credits for 1866, contain a foretaste of the debate to which the Mexican question must soon give rise. We set it down at once that if the explanations of the government are to resemble the answer by which M. Rouher tried to satisfy M. Berryer, a very strong light will not be shed abroad by them. What did M. Berryer ask? That the diplomatic documents promised at the beginning of 1866, by a note in the *Livre Jaune*, be at last communicated. Last year, to postpone this publication, the state of our relations with the United States was invoked; this year the eventuality of a conflict with the American Union has been set aside by the return of our expeditionary troops, but another motive for discretion has imposed itself on the willingness of the government—it is under consideration not to aggravate the position of the ex-emperor Maximilian. According to M. Rouher, if the diplomatic papers exchanged between Paris and Mexico were to see the light, the unfortunate prince whom we have taken to Mexico would find himself more seriously committed than at this moment. This appears to us to be difficult enough to admit, but, in fine, the apprehensions of the minister of state spring from a good disposition, and we understand exactly that M. Berryer has not pressed the matter too much. What is less easy to comprehend is that at the very hour when M. Rouher was preoccupied with the destiny of Maximilian he should have

attributed to him the quality of "sovereign of Mexico." It is plain also that Mr. Romero recently wrote that the greatest danger to Maximilian consisted in his title as pretender, and in the fear of the usage he would make of it at a later day should he recover his liberty. If, therefore, the speech of M. Rouher should reach Mexico before the fate of the ex-emperor should be decided, it would very probably produce upon men's minds the most dangerous effect. "See," the partisans of rigorous measures would not hesitate to say, "this man, who is our prisoner, is always regarded by the powers of Europe as in lawful possession of the sovereignty of our country, and we ought promptly to get rid of him if we do not seek to draw upon ourselves fresh invasions." But let us pass on from this detail to another portion of the interrogation put by M. Berryer.

It is remembered that by the treaty of Miramar, the emperor Maximilian, besides the annual indemnity of twenty-five millions for the maintenance of the French troops, acknowledged himself indebted to France in a sum of two hundred and seventy millions for the first costs of the expedition. At the close of 1864 our government was in part reimbursed with Mexican bonds representing, at the rate of sixty francs, a capital of 54,000,000, on which 40,100,000 francs were appropriated to the budget of current expenses, and 13,900,000 francs to the budget of 1865. In announcing this combination, M. Fould said, in his report: "The situation of the treasury admits of awaiting for the negotiation of Mexican bonds of circumstances more favorable, which every day leads us to believe will soon develop themselves." These lines were written on the 9th of January, 1865. A year later M. Fould said: "These bonds have been negotiated since the close of the session, and in taking account of arrearages received, the treasury has had to bear, in this negotiation, a loss of 2,542,000 francs. Strictly this should have been divided between the budgets of 1864 and 1865; but the situation of the budget of 1864 not permitting the weakening of these resources, I have charged all the loss on the budget of 1865, which, in consequence, will only receive 11,328,000 francs, in place of 13,000,000 francs." The lines are dated December 20, 1865.

Thus, at that epoch, the minister affirmed that our Mexican portfolio was sold at a simple loss of 2,000,000, and a sum of 11,000,000 seemed acquired for the current expenses. This sum of 11,000,000 corresponded exactly with an excess of receipts for 1865—an excess which was the occasion of the warmest effusions from a devoted press. Never had more brilliant proof been given of the prosperity of our finances. We shall now see what should be thought of all this enthusiasm.

A year passed away. There is a fresh report from M. Fould, (December, 1866,) where we read: "The Mexican bonds, which had been negotiated, and which figured in the budget of 1865 for the sum of 11,358,000 francs, have only been in part collected. Circumstances of great force, invoked by the concessions, have not allowed them to execute the conditions of the contract." We seize here, and at the earliest moment, the manner in which the mysterious and fantastic operation, called the equilibrium of the budget, is carried out. In his report of December 20, 1865, the minister had affirmed that the Mexican bonds were sold; he had only forgotten to say they were not paid. It is in this manner that the excesses are conquered.

On reading, six months ago, the report of M. Fould, the importance of the fact announced by that document became patent to us. We said (Gironde of December 27) all the papers must be placed before the eyes of the members and carefully examined. Then, attempting to divine in anticipation what had passed, "The government (we added) has, without doubt, sold its Mexican bonds to a financial company, which, not having been able to put them off at the exchange before the great fall in price last summer, must have sought for a revision of its contract for purchase. However, we regard it as incontestable that the legislative body alone is competent to decide a question of this importance. It is, therefore, indispensable that the government should produce the contract before the chambers, and request it to pass upon it. If the company that bought the bonds has really suffered a loss by compulsion, and one not to be foreseen, the chamber will estimate the return which equitably should be made to it. It is important that it be not forgotten that it is money from contributors, for in case of return, the imposts must bear the burden; but if the company had gone into a speculation, dependent on events; if the fall was with the estimates of ordinary prudence, upon what principle, or by virtue of what law, could there be imposed on the treasury a loss which would not have any connection with it?"

These are precisely the claims which we read of, that form the chief part of M. Berryer's speech. More fortunate than on the question of diplomatic papers, the eloquent orator has obtained from M. Rouher the textual communication of the treaty declared to be annulled by M. Fould. The reading of this paper will prove to our readers that when we reproach the administration of the finances with having incompletely informed the legislative body, we were within the bounds of truth. It is, in fact, evident not only that 54,000,000 of Mexican bonds were not paid, when M. Fould placed them in the line of account of value received, but even that they really were not sold. As M. Berryer has announced the intention to return to this subject in the form of an amendment, we will not dwell on it any longer to-day; neither will we attempt an estimate of the remarks of Glais-Bizoin, Picard, and St. Paul, on Mexican finances. The debate, although earnest and interesting, is not, to speak truly, gone into in a manner sufficiently direct, and it was agreed to drop the discussion until that on the budget of 1868 shall come up.

No. 5.

[From the *Courrier de la Gironde*.]

We resume the continuation of our Paris correspondence.

PARIS, June 23.

Scarcely a day passes in the legislative assembly without a proposal to suppress the address.

Not one-fourth of the time has been spent in useful legislation. The unfortunate Mexican question was the chief reason for that proposal; yet it will be hard to avoid that question.

Day before yesterday M. Berryer asked explanations of the government on the Mexican loans, and operations to which they had given rise.

I have often mentioned a sum of over 40,000,000 in the public treasury, received in payment from the Mexican committee. That sum, in bonds of the last Mexican loan, has never been realized. The French company that made such profits by that loan would have nothing to do with the bonds in possession of the state. This shows that there are certain institutions that issue bonds, but don't keep them or buy them.

M. Berryer was surprised that the discount bank, after profiting so much in issuing the Mexican loan, should refuse to take the 42,000,000 in bonds that remained in the treasury. M. Rouher handed in the treaty, signed by M. Fould and Pinard, director of the *Comptoir d'Escompte*, and the most important feature in it is that the institution should be released from its engagements, in case of *vis major*—that is, if a revolution overturns Maximilian.

The *Comptoir d'Escompte* refused to receive, on its own account, the Mexican bonds long before the Mexican revolution, for it saw Maximilian's throne tottering. In fact, as there has been no *vis major*, the *comptoir* is liable to prosecution. But is it reasonable to force a financial institution to execute contracts that would ruin it, and at the precise time when the government had resolved to withdraw its troops?

It was boasted that the Mexican expedition was a glorious affair, the aim of which was to elevate, reorganize, and civilize Mexico; but M. Berryer has shown it was got up to make money—was simply an operation of avaricious speculators, whose sole cry was money from the first. It was said our countrymen had suffered from spoliation and must be indemnified, and our exorbitant demands caused England and Spain to quit us at Soledad. It was an unfortunate demand that brought on a disastrous war, without honor or profit to anybody. Not only the French creditors have lost by it, but the government has spent immense sums for nothing.

The consequence was most unfortunate, and amounts to this: To have our creditors paid their entire demands against Mexico, money was wasted, blood spilt, honor tarnished, and poor people ruined by two Mexican loans got up in France.

M. Rouher was not as explicit as he might have been; he was troubled by M. Berryer's questions. There is a Mr. Jecker, who is a personage of considerable importance in the concern. He was transformed into a Frenchman to take part in the French claims. His little claim was only 50,000,000!

The minister of state was much embarrassed yesterday when M. Picard mentioned Mr. Jecker's name, and he confessed that Jecker had caused much trouble to the government. When M. Haetjens asked him if the government intended to do anything for the Mexican bondholders, he refused to reply positively, because he feared his words would cause trouble outside of the assembly. Such a reply is unworthy of an imperial government. Too many interests are involved to speak so lightly of such a serious affair. M. Rouher's answer will certainly be misinterpreted. People will think the government intends to do nothing for its victims, whose maledictions will certainly shower upon it. Our members are receiving thousands of petitions from Mexican bondholders. M. Haetjens has told you so. This question of reimbursing these men causes as great a sensation as the military bill.

The government asserts, through M. Rouher, that it is not responsible for the Mexican loans, but admits that these loans were encouraged and the bonds issued by a committee appointed by the Mexican government, under French patronage. Now, can any one deny that the loans were encouraged by the newspapers, by public agents of France, by its receivers general, by our army that went to Mexico, and by setting Maximilian on the throne of that country?

J. GOURRAIGNE.

No. 6.

WHAT MEXICO HAS COST FRANCE.

[Annexed to Mr. Romero's letter of July 12, 1867.]

The following statement of the outlays and receipts of the French government on account of Mexico has been furnished to the committee of the corps legislatif intrusted with the examination of the budget:

OUTLAY.

Year.	War department.	Navy department.	Treasury department.	Total.
	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
1861.....		3,200,000		3,200,000
1862.....	27,119,000	35,902,000	379,000	63,400,000
1863.....	72,012,000	24,606,000	1,001,000	97,619,000
1864.....	51,732,000	15,667,000	1,675,000	69,074,000
1865.....	29,342,000	10,583,000	1,480,000	41,405,000
1866.....	41,792,000	13,798,000	9,567,000	65,147,000
1867.....	9,993,000	13,117,000	200,000	23,310,000
Total.....	231,990,000	116,873,000	14,302,000	363,155,000

RECEIPTS IN 1864.

	<i>Francs.</i>
Six months of the annual reimbursements stipulated at Miramar.....	12,500,000
On account of the Vera Cruz railroad.....	1,500,000
Proceeds of the sale of 47,625 Mexican imperial bonds.....	14,287,000
[NOTE.—There still remain in the portfolio of the treasury 5,232 bonds.]	
Arrears on amount of bonds.....	5,400,000
Total in 1864.....	33,687,000

RECEIPTS IN 1865.

Annual reimbursement stipulated at Miramar.....	25,000,000
Arrears, &c.....	2,700,000
	<u>27,700,000</u>

RECEIPTS IN 1867.

Drawn from Mexican customs.....	588,000
Total receipts.....	<u>61,975,000</u>

According to this statement the excess of outlay over receipts will amount to 301,190,000 francs, without taking into account the portion of the 31,713,000 francs, extraordinary expenses, which belongs to the Mexican account, estimated at 13,000,000 francs. We must also add the loss of *matériel*, which, up to 1864, amounted to 22,500,000 francs, and the expense of bringing home the expeditionary corps, about 20,000,000 francs. Commenting on these figures, the *Courrier Français* asks, "Where is the capital of French subjects—sunk in that expedition, or confiscated and lost in consequence of its failure?" This is what tables of the budget, however exact they may be, can never tell us, but which are calculated at something over 250,000,000 francs; and what makes us momentarily expect to see broken-down merchants, who were well off and happy until our intervention, and to whom our victories have brought nothing save ruin and the gloomy recollection of their past prosperity.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, July 13, 1867.

SIR: I have the honor to communicate a copy of a memorandum of this department of yesterday on the subject of proceedings consequent upon the recent visit of Señor Don Antonio Lopez de Santa Anna to Mexico.

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

WILLIAM H. SEWARD.

Señor DON MATIAS ROMERO, &c., &c., &c.

[Memorandum.]

DEPARTMENT OF STATE,

Washington, July 12, 1867.

On the 6th of July, instant, a paper was presented to the Secretary of State, which bears the signature of G. Naphegyi. Mr. Naphegyi describes himself as attorney-in-fact and confidential agent in the United States of Señor Antonio Lopez de Santa Anna, and in that character invites the attention of this department to certain transactions which recently occurred in the Gulf of Mexico, "by which," as Mr. Naphegyi says, "the said Señor Santa Anna has been prevented from complying with the expressed wishes of his fellow-citizens with regard to the political affairs of their common country, (meaning Mexico,) and by which, almost immediately thereafter, he was deprived of his personal liberty, and his life itself placed in jeopardy."

The paper, in the first place, implies a necessity for visiting some censure upon the consul of the United States at Vera Cruz, and upon Commander F. A. Roe, of the United States steamer Tacony, stationed in that port; and, in the second place, suggests proceedings against the government of Mexico, to procure the restoration of Señor Santa Anna and his secretary, Señor Vidal y Rivas, within the jurisdiction of the United States.

Two distinct grievances seem to be complained of on behalf of Señor Santa Anna, one of which is represented to have been suffered about the 7th of June last at the port of Vera Cruz, and the other about the 12th of the same month at the port of Sisal, both of which places are in Mexico.

I shall examine first the proceedings which are alleged to have taken place at Vera Cruz, and afterwards the proceedings which are represented to have occurred at Sisal.

We are to ascertain the facts upon which the complaints are based from certain documents which accompany Mr. Naphegyi's communication, from official reports of the United States consul and the naval commander at Vera Cruz, and from documents which have been submitted by the minister of the republic of Mexico, all of which papers were gathered into the department in a somewhat hurried manner. The tenor of Mr. Naphegyi's papers in relation to the transaction at Vera Cruz is, that the Virginia is a United States mail steamship; that she sailed from New York under command of Captain Deaken on the 22d of May last for Vera Cruz, having as passengers Señor Santa Anna; his secretary, Señor Vidal y Rivas; Mr. Hans, Baron Caspar Van Nostlitz, his interpreter; Mr. Louis Ludwitz, and Mr. Edward Gottlieb, all of whom are described as belonging to the suite of Señor Santa Anna. It is complained that on the 6th of June Mr. Saulnier, the United States consul, went on board the Virginia, together with her Britannic Majesty's consul, Mr. Medford, where they were introduced by Captain Deaken to Señor Santa Anna; that a conversation was had by the consuls with Señor Santa Anna upon the policy which was intended to be pursued by him while in Vera Cruz. That the American consul professed to Señor Santa Anna his sincere support, saying that at first, not having known his views, the consul was opposed to Señor Santa Anna being received there; but now, having heard them from the Señor in person, the consul would do all in his power to favor them. That after an interview of three hours, the consul left the steamer in the most friendly manner. That afterwards, on the 7th of June, Commander F. A. Roe, of the United States steamer Tacony, and Commander Murray Ainsley, of the British steamer Jason, boarded the Virginia from a launch which carried the United States and British flags. That Commander Roe asked and obtained an interview with Señor Santa Anna and invited him to accompany the commander on board the Tacony. That Señor Santa Anna asked a reason. That the commander replied that he had no reasons to give; that Señor Santa Anna must go with him, or the consul would take Señor Santa Anna by force, at the same time calling the British sailors who were on board the Virginia. That Señor Santa Anna asked if he was a prisoner of war to the American and British men-of-war. Commander Roe replied he might consider it as he pleased; he must go willingly or the commander would force him, and roughly laid his hand on the arm of Señor Santa Anna. When some one represented to Commander Roe that Señor Santa Anna was a cripple and had only one leg, the commander replied, in a profane and offensive manner, that he would take Señor Santa Anna if he had to break his other leg. That Señor Santa Anna then yielded to the persuasion of one of his suite and went with Commander Roe on board the Tacony, and the commander directed the Virginia to come alongside the Tacony the next morning at 12 o'clock, at Sacrificios. That Señor Vidal y Rivas, on learning these proceedings, visited the American consul, who pretended entire ignorance of the transaction, and, refusing to receive any protest, said that Señor Santa Anna, on the next day by 12 o'clock, would again be placed on board of the Virginia. That on that next day, the 8th, Señor Santa Anna was sent on board the Virginia by a boat from the Tacony. That the Virginia then proceeded to sea and was attended by a boat from the Tacony 20 miles, when her pilot was discharged, but not without a close personal search made by an officer of the Tacony; and Commander Roe thereupon directed Captain Deaken to take Señor Santa Anna anywhere he pleased to go, not in Mexico.

The object and purposes of Señor Santa Anna in visiting Vera Cruz are represented by Mr. Naphegyi to have been entirely peaceful and innocent, and in perfect harmony with the policy of the United States in regard to Mexico. Mr. Naphegyi denounces the proceedings

of the consul and of Commander Roe as officious and in violation of the law and comity of nations.

The tenor of the documents submitted by Mr. Naphegyi in regard to the occurrence at Sisal is as follows: The Virginia having been left at sea by Commander Roe, proceeded on her return voyage towards New York, and touched at Sisal on the 11th of June, at 3 o'clock in the afternoon. That on the 12th of June the commander of the liberal forces of Mexico at Sisal went on board the Virginia, and said he had orders from General Perez to take Senor Santa Anna on shore. The captain of the Virginia refused to deliver him up, stating that he was a passenger in transit, and a prisoner to the United States, and should be delivered at the city of New York. Mexican gunboats surrounded the Virginia. The commandant of the port then went on board one of these boats, when all of them anchored and brought their guns to bear on the Virginia. Don Louis Gomez, commander of the Mexican liberal fleet, then went on board the Virginia, and demanded the surrender of Senor Santa Anna, which the captain of the Virginia again refused. Don Gomez then left the Virginia. Soon after this, a boat with 12 armed soldiers, commanded by Manuel Romero, boarded the Virginia, three soldiers coming on board with that officer, when Senor Santa Anna, with Senor Vidal y Rivas and Mr. Van Nostilz, got into the boat and were taken on shore. That Senor Santa Anna and Senor Vidal y Rivas were conveyed away as prisoners, and the other persons were released and sent back to the steamer Virginia, which afterwards proceeded to New York.

Mr. Naphegyi appeals to this government for its interposition, among other reasons upon the distinct ground that creditors of Senor Santa Anna in the United States have large pecuniary interests in the safety of that person.

The Mexican government has presented to this government no complaint in relation to these transactions, either on behalf of Senor Santa Anna, his creditors, or otherwise. It would not be unreasonable to delay an examination of the proceedings until some complaint shall be presented by the Mexican government, or by Senor Santa Anna personally, or by his creditors, or by some person shown to be specially authorized and empowered by him or them to institute a complaint. This objection, however, will not be insisted upon, because, first, it is represented that Senor Santa Anna has been put under duress through improper proceedings of the United States consul and naval commander; and because, secondly, it is quite well known in this country that Mr. Naphegyi has been what he represents himself to be, an intimate and confidential friend or associate of Senor Santa Anna.

In order to a proper understanding of the case, it is well to remember that Mexico has been for several years, and at the time of these transactions still remained, a theatre of intestine civil war, aggravated by the most intolerable of all political evils, foreign armed intervention. That Senor Santa Anna came voluntarily to the United States, and took up his residence here some time in the year 1866. That on more than one occasion during that residence, he made application to the President of the United States, for confidence, sanction, material aid, and assistance, to enable him to carry on belligerent operations of some sort in Mexico. That during the civil war two parties have claimed sovereign power in Mexico; the first, the republican government of which Don Benito Juarez is president; the second, that of the late Prince Maximilian, who proclaimed and sustained himself by armed force and foreign intervention, as emperor of Mexico; that the United States have constantly disallowed the pretended imperial government of Maximilian and constantly adhered to the republican government of Mexico, even to the extent of insisting upon the discontinuance of the military intervention by the Emperor of the French. That when Senor Santa Anna applied to this government for protection, aid, or favor, inquiries were made by the United States, which resulted in declarations by the republican government of Mexico that Senor Santa Anna was an enemy of the republic. The government of the United States therefore persistently refused to hold any correspondence or communication, personal or otherwise, with Senor Santa Anna or his agents, and has constantly enjoined upon its civil and military agents vigilant and energetic proceedings to prevent any unlawful expedition by Senor Santa Anna from the United States against Mexico. Such were Senor Santa Anna's relations to the republic of Mexico and to the United States, when he, without the knowledge of either this government or that of Mexico, or of any of their agents, left the United States on board the Virginia, and presented himself at the harbor of Vera Cruz, at a moment when under the remonstrances of this government the French intervention had been terminated; when the so-called emperor Maximilian had been captured with an army and was held a prisoner in Queretaro, and the republican government of President Juarez had so far reduced the country to a condition of peace that the military forces of Prince Maximilian occupied only the two towns of Mexico and Vera Cruz, and both of these were closely besieged by the republican military forces, with an expectation of their conquest and submission, which expectation, notwithstanding the attempted intervention of Senor Santa Anna, has since been fully realized.

Although the Virginia is a registered merchant vessel of the United States, and although she may obtain mails at the post office like other vessels, she is in no proper or just sense employed in the service of the navy or the post office, or the treasury, or any other executive department. She is entitled to the protection of the United States flag only when she is lawfully engaged in trade, and not when she becomes a belligerent against nations with

whom the United States are at peace. The communication of Mr. Naphegyi gives no evidence that the *Virginia* was employed in the regular course of trade or passage, as a merchant vessel, but, on the contrary, fully implies what distinctly appears from other sources, that the vessel was employed exclusively by Senor Santa Anna, and was under his absolute control, in a military, or, at least, a political expedition of his own, in violation of the laws of the United States.

It is not pretended that she had commercial ventures either at Vera Cruz or at Sisal, or elsewhere. The papers which were submitted in behalf of Senor Santa Anna further represent that Senor Santa Anna was visited by the captain of the port, the mayor of the city of Vera Cruz, and another gentleman, whose name is not given, all of whom belonged to the Maximilian or so-called imperial party, which was then in possession of the castle of San Juan and of the city of Vera Cruz. Later she was visited by the commissary of Prince Maximilian, Don Domingo Bureau, and by General Taboada, the commanding general of Prince Maximilian's forces at Vera Cruz, and also the captain of the port, each with a military staff, who thereupon congratulated Senor Santa Anna upon his arrival and invited him to go to the city and take command of the same. Soon afterwards, General Perez Gomez, commander of the castle of San Juan d'Ulloa, went on board the *Virginia* and invited Senor Santa Anna to accompany him to that castle and remain with him until proper arrangements could be made in the city for a grand reception. Senor Santa Anna accepted this invitation and repaired to the castle, where a military band played a march of welcome, and the whole garrison shouted, "*Viva el General Santa Anna!*" Imposing popular demonstrations followed.

It is further stated that Senor Santa Anna remained in the castle a day and a half, during which time the city authorities were invited by the commanding general of Maximilian to visit the castle and dine with Senor Santa Anna. During the same time, a meeting was convened by the so-called imperial commissioner, in the palace of Vera Cruz, to consider the manner of the reception of Senor Santa Anna, which meeting finally came to the conclusion to proclaim Senor Santa Anna to be commander of the garrison of Vera Cruz. It was then arranged that Senor Santa Anna should be escorted to the city of Vera Cruz on the 7th of June. One hundred and one guns were to be fired from the castle, and workmen had already begun to build arches and decorate the city. In conformity with these arrangements Senor Santa Anna issued and published a manifesto to the citizens of Vera Cruz, which, in effect, was an open defiance of the republican government of Mexico.

These dispositions thus made by the so-called imperialist insurgents in the city of Vera Cruz, in combination with the Senor Santa Anna, are understood to be what is meant by Mr. Naphegyi "as the expressed wishes of Senor Santa Anna's fellow-citizens with regard to the political affairs of their common country."

The United States consul at Vera Cruz gives his own account of the proceedings which took place at that port. In a despatch of the 8th of June, he reports that Senor Santa Anna came to Vera Cruz on the 3d of June, with his staff, on the *Virginia*, as passengers; that the staff consisted of his father-in-law, Colonel Vidal y Rivas, two Prussian officers, and an American interpreter; that Senor Santa Anna passed from the ship to the castle of San Juan d'Ulloa, then in the possession of the imperialists, and remained there until the next day; that, on the morning of the 5th, Senor Santa Anna was taken from the castle of San Juan d'Ulloa and placed again on board the *Virginia*, after the force that was in the castle had been changed; that, on the 7th of June, the commanders of the British frigate *Jason* and the United States steamer *Tacony* went alongside and on board the *Virginia*, and took Senor Santa Anna from the *Virginia*, and placed him on board the *Tacony*, then off *Sacrificios*, with orders that the captain of the *Virginia* should pass that island and receive Senor Santa Anna again on board the *Virginia* at that place; that the object of this proceeding on the part of the commander was to avoid a conflict among the armed forces in the city, it being understood that it was the intention of a part of the garrison to make an attempt to have Santa Anna landed there that night.

On the 12th of June Mr. Saulnier reported that the history of Santa Anna's reception was as follows: That he arrived on the 3d, on the steamship *Virginia*, from New York; that he landed the same day in the castle of San Juan d'Ulloa, and remaining there throughout the next day; that, on the 5th, in the morning, he was sent back on board the *Virginia*. On the 6th the consul received an invitation from Santa Anna to visit him on board the *Virginia*, which invitation was accepted; that he entertained the consul for one hour, representing to him that, at the solicitation of the President of the United States and the Secretary of State, he had come there with an agreement that he would be supported in men and money and recognized in preference to President Juarez. The consul reported this interview to Commander Roe, of the United States ship *Tacony*. The consul adds that it was made known to him on the 7th of June, through a reliable source, that a serious effort would be made to have Santa Anna landed that night; that it was resolved by Commander Roe that Senor Santa Anna should be forthwith invited to pass the night on board the United States ship *Tacony*, which resolution was immediately acted upon.

The consul further reports that, on the 8th of June, the *Virginia* left the harbor, passed by *Sacrificios*, received Senor Santa Anna on board that ship, and proceeded immediately after to sea.

The consul at the same time transmitted to this department an account of the proceedings of a council of war of the imperial insurgent military officers, which was held upon the proposals of Senor Santa Anna, at Vera Cruz, on the 3d of June, which report of proceedings is certified by those officers themselves. In that meeting the so-called imperial commissary said that the idea put forth by General Santa Anna was to set up a republic in place of the empire; a republic distinct from, and in opposition to, the organized republic was implied. General Taboada, who commanded the forces of Maximilian at Vera Cruz, said that the arrival of Senor Santa Anna in that harbor, bringing with him the necessary means, (foreign soldiers,) and coming under American protection, as he (Senor Santa Anna) states, had aggravated the situation. The question to be propounded was, whether the garrison would adhere to General Santa Anna's proposals. Lieutenant Colonel Edwardo Soudriez said that as soon as Senor Santa Anna should land at the head of American soldiers his command would be at an end. Don Jorge Murcia, lieutenant colonel, could not agree to Senor Santa Anna's bringing American soldiers there. Don Edward Figararo, colonel of cavalry, stated that he highly esteemed General Santa Anna, but rejected the idea that he should fight against the empire with soldiers brought from the United States. Don Santiago Cuivas said that Senor Santa Anna should not be allowed to enter the place, since he was backed by American soldiers and sustained by the American government; that Mexico had already felt one foreign intervention, and it should be spared any more. General Marin, who commanded the naval division, was totally disgusted with Senor Santa Anna, but he would rather fall into his hands than into those of demagogues, although he distrusted his good faith, on account of the protection given him by the American government.

The consul states the conversation which he held with Senor Santa Anna, as follows: That Senor Santa Anna entertained him with a long discourse as to his plans, and said that, after interviews with President Johnson and Secretary Seward, at their solicitation, he had come to Vera Cruz; that they had offered him men and money to sustain him; that Maximilian had offered to deliver the situation of the country to him, (Santa Anna,) &c., &c.

The consul further stated that he had had an interview with the so-called imperial commissary. He had declared that Senor Santa Anna should not land at Vera Cruz.

Commander Roe gives this account of the transaction: "On the 20th of May, the United States and English consuls came to Sacrificios, and reported to the English captain and myself that the imperial commissary at Vera Cruz had submitted certain terms for the surrender of that place to General Benavides, commanding the liberal forces, and that he (the commissary) had requested the two consuls to proceed to the liberal camp to propose them. He moreover requested that the British captain and myself should accompany them. On that day we accordingly visited General Benavides at his headquarters, and the propositions of the imperial commissary were in substance accepted. This was after the reception of the news of the fall of Queretaro and the capture of Maximilian. A truce of some three days was agreed upon, and hostilities suspended. At the end of this period, however, the (so-called) imperial commissary failed to meet General Benavides, and hostilities were once more resumed. * * * Affairs remained then in this position until the 1st of June,

when, after repeated *solicitations* on the part of the Maximilian commissary to the United States and British consuls, those gentlemen again visited him. This time he declared that he would accept the propositions of General Benavides which the consuls had brought back from him in writing. They were requested to visit General Benavides to notify him of the acceptance of his proffered terms, and of the desire of the imperialist to surrender Vera Cruz, its castle and fortifications. * * * The consuls left the English ship-of-war Jason on the morning of the 2d of June, with full instructions to arrange for surrender."

Well-grounded fears were then entertained of a general insurrection in the city and of scenes of horror to follow it. The consuls returned from General Benavides at 2 o'clock in the afternoon of the 2d of June with a complete ratification of the original terms proposed by the imperialist commissary. The two consuls proceeded at once to Vera Cruz, there to report their success to the commissary and await developments. General Benavides suspended firing from his batteries. The so-called imperial commissary acceded at once to those terms, saying that he would require a little time to win over his officers to his wishes. It was at this juncture that the steamship Virginia arrived, bringing Senor Santa Anna. The imperial commissary informed the consuls that Santa Anna declared that he brought letters from President Johnson and the United States government, authorizing him to assume the charge of affairs in Mexico; that he also stated that a squadron of ships was ordered to sustain him, and troops were also on the way to Vera Cruz. A letter was received by Commander Roe from the shore, which stated that a revolutionary conflict was on the eve of breaking out in favor of and against Senor Santa Anna, who represented himself as an emissary of the United States government, and appointed to supersede Juarez and all others, and take charge as the chief in behalf of the United States.

It was under these circumstances and upon the application of the United States consul that Commander Roe required Senor Santa Anna, with his interpreter and body servant, to go on board the Tacony for the night, and he was the next day put on board the Virginia, and so required to leave Vera Cruz.

Mr. Naphegyi denies that Senor Santa Anna pretended to have had the specific authority of the President of the United States for his proceedings at Vera Cruz. Commander Roe in

his report states that Senor Santa Anna, when on board the *Tacony*, denied that he had publicly declared that he came in the name of President Johnson and the United States. This denial of course cannot be expected to outweigh the distinct statements of the United States consul, the explanation of the policy of Senor Santa Anna given in the imperialist council of war at Vera Cruz, and other corroborating evidence.

Among certain papers which were found in the possession of Senor Santa Anna and his secretary, is the report of a conversation which occurred between that person and Commander Roe on board the *Virginia*. In this report, made by Senor Santa Anna's interpreter under his own direction, it appears that his denial was in these words: "It is not true that I said I was sent, for the government at Washington could not employ me, nor would I obey the commands of a government not my own. I heard that the American consul prevaricated for the purpose of preventing me from landing, and I thought proper to satisfy him, and dispose him to a neutrality he ought to have observed. For that purpose I said to him, substantially, that my mission was one of entire peace, and that his President was not ignorant of my journey or of my intentions."

In the opinion of the President, Commander Roe has truly stated the character of the transaction which occurred in Vera Cruz in these words:

"The attitude then, of Santa Anna was this: He was on board of an American ship, under the flag of the United States, in a city besieged by the government of Mexico, declaring and fomenting the civil war against that government, with which the United States are in friendly relations, under an assumed authority from the United States, and while he claimed to be under the protection and shield of their flag, he prevented the act of the surrender of Vera Cruz, after the terms of that surrender had been agreed to and accepted by both parties; and this under the declaration that he was acting under the authority of the United States." In this view of the subject, this department not only does not disallow nor censure, but it approves the proceedings of the United States consul, and of Commander Roe, at Vera Cruz.

I proceed to consider the transactions which occurred at Sisal. While Mr. Naphegyi gives no reason why the *Virginia* stopped at Sisal, he leaves us to infer that she was in fact returning directly to New York. The suggestion that the United States should institute proceedings against Mexico to procure the restitution of Senor Santa Anna to his liberty within the jurisdiction of the United States is based upon the following assumptions, namely: that Commander Roe had, in behalf of the government of the United States, captured Senor Santa Anna, at Vera Cruz, and placed him on board the *Virginia*, and held him there in custody, as a prisoner of war, or at least under duress, as an unwilling passenger; that the *Virginia* was thus constructively put into commission as a public vessel of the United States navy, and remained so while on her voyage to, and after her arrival at, the port of Sisal, in Mexico; and that the vessel was violently boarded off the port of Sisal, when at a distance of more than one marine league from the coast of Mexico, that is to say, upon the high seas, and that her detention and the arrest of Senor Santa Anna were therefore acts of piracy. It is contended by Mr. Naphegyi that, at least, the *Virginia* was a merchant vessel, lawfully sailing and remaining at or near Sisal, under the flag of the United States; that Senor Santa Anna, being a passenger, was forcibly and violently taken from the *Virginia*, and conveyed away by agents of the Mexican government.

There is not the least ground for the pretence that the *Virginia* was in naval commission, or that Senor Santa Anna was a prisoner of war to the United States at Sisal. The new allegation, that the *Virginia* lay outside of Mexican jurisdiction while at Sisal, will be made a subject of careful inquiry.

Reserving that question for the present, I proceed to state the transaction at Sisal, as it appears from explanatory documents. As soon as the *Virginia* was left free from the convoy of the *Tacony*, by Senor Santa Anna's choice, and under his own direction, she made her way, not to New York, but to the port of Sisal. Arriving there, and coming to anchor on the 11th of June, Senor Santa Anna despatched from the steamer *Virginia* to General Martin Peraza, governor of Yucatan, at Merida, the capital of that State, a letter by the hands of a Mexican colonel, Hilario Mendez, in which letter Senor Santa Anna declared that Colonel Mendez knew what had happened to him in front of Vera Cruz, and would tell the governor all about it. Together with the same letter he transmitted written reports of those proceedings, containing an indignant complaint against Commander Roe. Senor Santa Anna proceeded to say, in the same letter: "If I do not get back to Vera Cruz soon in a war steamer or merchant vessel, I shall remain some time in Havana; and whether I am in that city or Vera Cruz, I shall be at your service."

With this letter Senor Santa Anna also transmitted a copy of a revolutionary address to the people of the State of Yucatan, which, on his way to Vera Cruz, he had sent ashore to be circulated there, and he now invited the governor to give publicity to that paper. This proclamation, like the one issued at Vera Cruz, was hostile to, and subversive of, the republican government of Mexico. On the 11th of June, Senor Vidal, the secretary of Senor Santa Anna, wrote on board of the *Virginia*, "in front of Sisal," a letter to General Taboada, before named, of the Maximilian or so-called imperial army, at Vera Cruz. In this letter, Senor Vidal said that the passengers who embarked in that vessel (which passengers are supposed to be disloyal Mexicans) had expressed to Senor Santa Anna the general dissatisfaction of the inhabitants of Vera Cruz, then in the possession of the Maximilian party, and that he

himself, on quitting the wharf there, was grieved to see tears shed by old soldiers, assumed to be Maximilian's soldiers, annoyed at the flagrant disrespect shown to Senor Santa Anna. That the garrison, as well as the inhabitants of that city, must be in despair, easy to understand to those who had witnessed the spontaneous manifestation of enthusiasm and sympathy. Senor Vidal proceeded in the letter to say that, while he reflected upon the decided intention of General Taboada and that of other friends whom Senor Santa Anna had in Vera Cruz, and while he reflected that the affairs of Mexico could have no other favorable solution than that which Senor Santa Anna had proposed, to give, by means of himself as their leader, with the influence of his name and his gift of command, he (Senor Vidal) was persuaded to write to General Taboada to ask him to tell Senor Santa Anna frankly, without the loss of a moment, if the situation at Vera Cruz could be commanded till Santa Anna's return; and if that could be done, whether Senor Santa Anna might expect better success in the realization of his undertaking. Senor Vidal proceeded to say that he thought it indispensable to remind General Taboada and his party, that they ought not to permit the Maximilian military forces to be delivered up to their enemies, (meaning the republican besieging army,) bearing in mind that those enemies do not know how to pardon nor to keep their promises; and that the besieged forces would surely be sacrificed as soon as they should be disarmed. That the safest way, in fact, the only way, was that which had been pointed out to General Taboada by Senor Santa Anna. That it was Senor Santa Anna's intention to return to Vera Cruz without delay in a war steamer or a merchant steamer. He advised General Taboada to let this notice serve as a guide to him in the management of affairs. Senor Vidal proceeded further to ask why Senor Santa Anna was not assisted by General Taboada on the night of the 8th and 9th, as he expected to have been.

Senor Vidal wrote on the same 11th of June, on board the Virginia, at Sisal, a letter which was addressed to Charles Rayman, Spanish consul in Vera Cruz, but which by its tenor seems to be intended for General Taboada. In this letter Senor Vidal stated that it was the intention of Senor Santa Anna to proceed from Sisal to Havana, to see what kind of aid, direct or moral, the captain general of Cuba would furnish him. With this letter Senor Vidal transmitted a card to be delivered to General Manzano, the captain general at Havana. Senor Vidal proceeded to say that the chief object of his present writing was to ask the Spanish consul to deliver an enclosed card to General Manzano, and request him to ascertain the dispositions of those who were capable of aiding him. If they were ready and could do any good, then Senor Santa Anna would soon return to the front of Vera Cruz. Senor Vidal went on to say that all must have known that Senor Santa Anna's arrival at Vera Cruz was not only opportune and efficacious, but necessary and was indispensable. He proceeded to say: "I may obtain permission for Senor Santa Anna to remain in Cuba for a month." If not, he would be obliged to go back to St. Thomas. At all events, the Spanish consul was to understand, there, that Senor Santa Anna was ready to save Vera Cruz, and raise the siege by gaining Benavides over to his party, "and thus prevent much bloodshed in the city, and then go to the aid of the brave men (meaning the Maximilian army) who were struggling for their lives in the capital of Mexico. Alas for Vera Cruz, woe to Mexico, if unfortunately Senor Santa Anna should not be understood." Senor Vidal went on to say: "Our present fears are that the vessel we are expecting from the United States to Vera Cruz, not finding Senor Santa Anna's party there, might fall into the hands of some United States agents, and suffer all the indignities which that nation, the United States, is heaping upon Senor Santa Anna and his party." That that party were taking all precautions at Sisal and were cruising about; but as there had been two stormy nights, the vessels might have passed each other without discovery. That in such an event, if the expected vessel should have arrived, and the troops on board of it should wish to land, then the Spanish consul would put the Irish battalion in the castle of San Juan, and the riflemen in the city, till the return of Senor Santa Anna, when he could march them into the country to shun the maladies peculiar to the Mexican coast. Senor Vidal went on to say that in the failure of that expedition they would not only lose the cost of the expected vessel, which was over \$200,000, but the opportunity of aid, without reckoning the difficulties that they had already had to overcome in organizing that expedition. Senor Vidal went on to say that on the nights of the 8th and 9th, the Virginia was for more than two hours behind the castle of San Juan, from midnight till after two o'clock, with the lights and signals which had been agreed upon the Galleguilla shoals. That the noise made by blowing off steam and other movements must have been heard at the castle; that the sea was calm and the weather cloudy. "Why, then," he asked, "did you not come to the place agreed on? We did every thing we could. After two o'clock we put to sea." He closed with saying that it (the letter) was not to be suffered to go out of the correspondent's possession, though his name was not put upon it for fear of risking the loss of his situation.

On the 12th of June, being the same day on which it is alleged by Mr. Naphegyi that the Virginia was boarded and Senor Santa Anna forcibly removed from that vessel at Sisal, Senor Santa Anna wrote a letter on board the Virginia, which he addressed to General Mathias Peraza, governor of the State of Yucatan, at Merida. In this second letter to General Peraza, Senor Santa Anna referred to his first letter forwarded by Colonel Mendez, and presumed that it was then in the hands of his correspondent, General Peraza, together with the documents it contained. Senor Santa Anna then proceeded to say: "I was await-

ing your answer, when Colonel Medina, the military commander at this port, presented himself to me on board, and informed me that you invited me to land. I immediately began to get ready to accept your invitation, and commenced by shaving myself. The captain of the vessel (Captain Deaken) informed me that I could not land, as his orders from the commander of the American war steamer (Commander Roe) were that I might land on neutral ground, but could have no pretext to set foot on Mexican territory. This caused an altercation between Colonel Medina and the captain of the Virginia. * * * * * Finally, the captain yielded, and I was allowed to disembark, not, however, without protest," (by Captain Deaken.)

Senor Santa Anna proceeds in his letter to General Peraza: "Now, I am at your disposal, and I hope I shall soon see you, as this commander" (meaning Medina) "has promised me I could. I wish my good intentions may give a happy result; and I do not think Mr. Salazar Illarequi will be so timid as to reject my generous mediation for the complete establishment of peace in this State of Yucatan. But if he persists in an obstinate resistance, an old veteran places himself under your orders to be sent wherever you think he can be of the greatest service to the nation."

There seems no reason to question the authenticity of these letters. If authentic, they prove that at the port of Sisal, whether exactly within the Mexican jurisdiction or just beyond it, General Santa Anna was in command of the same military armed expedition against the republic of Mexico, which he had prepared within and conducted from the shores of the United States to Vera Cruz, in violation of their neutrality laws, and in derogation of the relations of amity and friendship, and also—so far as the sphere of moral influences is concerned—within the relations of allies. They prove also that although Captain Deaken, perhaps in the interest of New York creditors, protested, Senor Santa Anna voluntarily disembarked at Sisal, and went into the camp of the defenders of the republic of Mexico. During a considerable part of the period in which Mexico has been the theatre of civil war, armed military and naval force has been maintained by the United States on the Rio Grande and in the waters around the ports of Mexico, among other purposes, to prevent and defeat invasions of that republic by any military and naval expeditions which might be set on foot in the United States. We are officially informed that Senor Santa Anna, after having landed at Sisal in conformity with his engagements, was sent forward by the military commandant at Sisal to the care of General Peraza, the governor of Yucatan, and is detained in custody, with a view to the safety of the republic of Mexico.

Upon this review of the facts, it seems proper that the government should wait for further and more definite information before entering upon communications in relation to the complaint of Mr. Naphegyi with the government of Mexico. That nation seems at last to have triumphed over all its internal and foreign enemies, and to have reached a crisis when, if left alone, it may be expected to restore tranquillity, and to reorganize itself upon permanent foundations of union, freedom, and republican government. Only some great national injury, wrong, or offence would justify this government in suddenly assuming a hostile or even an unfriendly attitude toward the republic of Mexico.

WILLIAM H. SEWARD.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA.

Washington, July 13, 1867.

MR. SECRETARY: With your note of this date I have had the honor to receive a copy of a memorandum of yesterday's date from your department which you were pleased to enclose to me with reference to the matter of the proceedings arising from the visit which Don Antonio Lopez de Santa Anna recently made to the ports of Vera Cruz and Sisal.

I this day transmit a copy of the said memorandum to the government of the Mexican republic, and I do not for a moment doubt that my government will be as much gratified as myself with the determination which, after a mature examination of the case and its incidents, you have adopted in this affair, inasmuch as the said conclusion, in my judgment, is founded on the principles of equity, and is in conformity with the prescriptions of international law.

The sentiments of sympathy towards the republic of Mexico which you are pleased to express at the conclusion of your memorandum, and the course which

you therein indicate the government of the United States intends to pursue in its relations with Mexico, will likewise be duly appreciated and reciprocated in the new era of peace and prosperity which the late political events have inaugurated for my country.

It is most satisfactory to me to avail myself of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

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

Memorandum.

WASHINGTON, July 15, 1867.

Mr. Romero said that all he knows about the reported disposition of the Mexican government not to allow Mr. A. Dano, who had been acting as French minister near the late Maximilian, to leave the republic, is, that while Maximilian's trial was going on Mr. Dano made an application to General Diaz, then besieging the city of Mexico, to allow him to go to Queretaro to assist Maximilian. General Diaz replied officially on the 10th ultimo, as he has informed me, that he did not feel himself authorized to accede to Mr. Dano's request, unless he should be instructed to do so by the President of the republic. Mr. Dano did not push his application any further, and the matter seems to have dropped there.

As regards the rumors that the Mexican government intends to keep Mr. Dano as a hostage, Mr. Romero has received no information which can in any way confirm that assertion. Mr. Romero, however, believes that, supposing it to be true that a second application of Mr. Dano's to General Diaz for a passport to leave the republic has been declined, as stated, it will be only because General Diaz refused to accept the responsibility of such action, which involves questions foreign to his province as a soldier, and in no way showing a determination of preventing, finally, Mr. Dano from leaving Mexico.

The Mexican government, to whom this subject was undoubtedly submitted by General Diaz, has in all probability acted on it before this; but its determination, which in my opinion would be to let Mr. Dano go, cannot be known here for some days yet.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, July 15, 1867.

MY DEAR SIR: Referring to the conversation which I had with you this morning at the Department of State, I enclose you a copy of a letter which I have received from a friend of mine, dated the day before yesterday, dated at New York, in which some details are given touching the filibuster movements which are being prepared with the view of invading Mexico.

I am, sir, your very obedient servant,

M. ROMERO.

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

NEW YORK, July 13, 1867.

SIR: I have the honor to inform you that the rumors which have been afloat since the execution of Maximilian that some parties inimical to the Mexican government are endeavoring to get up an expedition to commit a raid on Mexico are but too true.

I have endeavored for several days to ascertain the truth of these rumors, and the names and standing of the parties connected with the movement, and their probable plan of operations, and, after careful inquiry, I find that quite a number of persons, and some of them men of a fair standing in society, are connected with this proposed movement, and are doing their utmost, by means of the public press and private meetings, to create an excitement, and enlist the sympathies of ambitious and rash young men in favor of their enterprise. The leading spirits of this movement are mostly persons lately engaged in or sympathizing with the rebellion against our government, and some of them have been connected heretofore with similar filibustering expeditions against Cuba and Nicaragua. These persons pretend to be in the confidence of our government, and claim that said government is not adverse to such an undertaking, provided it can be carried out in such a way as not to openly infringe on the neutrality laws of this country.

These schemers, therefore, propose to go to Mexico under the disguise of emigrants, to carry with them their arms and necessary stores; to make a descent upon some place on the coast of Mexico, (not yet determined,) where they expect to be joined by Mexicans disaffected towards the government.

That the object of these filibusters is only plunder, and that our government does not approve of any such act, is of course clear, and it is equally certain that a movement of this kind can only meet with disastrous defeat, yet there is doubt that unless this movement is checked at once, trouble and expense may ensue to the Mexican government, which at the present moment requires quietude to reorganize its own internal affairs.

I would therefore respectfully suggest the propriety of informing our government of this proposed scheme, so that proper steps may be taken to prevent its consummation. I urge this more especially as the leaders of this movement *pretend* to be acting *under the auspices and with the support of our government*, and that of France and Austria, from which latter powers they claim to have the promise of \$5,000,000 towards defraying the expenses of the expedition. They also expect to raise \$1,000,000 in this city by subscription.

The expedition is to start from different places, particularly New York, Baltimore, Mobile, and New Orleans. I do not think it advisable at present, for prudential reasons, to mention the names of the parties connected with this movement, but shall do so whenever you desire it.

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

Senor M. ROMERO, *Mexican Minister, &c.*

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, *July 24, 1867.*

DEAR SIR: I have the honor to remit to you copy of a letter from New York, dated the day before yesterday, in which various details are given of filibustering movements which are in preparation in that city for invading Mexico.

I am, sir, very respectfully, your obedient servant,

M. ROMERO.

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

S. C. H. to Senor Romero.

NEW YORK, *July 22, 1867.*

DEAR SIR: There was a meeting held at the New York Hotel last night, and from all accounts it was conducted with great secrecy. I, however, have been able to learn these particulars, but I am informed that they have changed their tactics a little. The person who informed me is positively connected with the expedition, for he sailed last Saturday for Mobile. He was formerly attached to a New Jersey regiment.

The 1st division is to be made up of all nations, Germans, Irish, confederates, &c. Austin, Texas, is one of the rallying points of the expedition, and from here the avengers are to cross the Rio Grande in small detachments so as not to excite surprise or suspicion of the United States authorities on the frontier.

Who commands this movement I do not know, but I can find out by joining it. *Allen* is

connected with it. At any rate Matamoras is where the first strike will be made. The 2d division is being recruited from the different German societies throughout the United States. One D'Utassi, late of the volunteer generals, and colonel of the Garibaldi Guard, is connected with this, also several of Sigel's western officers and men, along with quite a number of Frémont's and Blenker's old division of the mountain department and the army of the Potomac.

St. Louis, Missouri, is the headquarters of this division. Quite a number of southern and ex-confederate officers are to join it from Nashville and Memphis, as it makes its way down the Mississippi to New Orleans. The rendezvous is Galveston, from whence they will be transported, with others, to Cape Rayo, and make way to Tampico, above Vera Cruz. The 3d and 4th divisions will be mostly southerners, although it is to receive recruits from different parts of the United States. This, from what I have learned, is the strongest and most to be feared part of the movement. Where they are to strike I am not very positive. I know this much: they have obtained transportation by water, and the movement is to be commenced from Philadelphia; Baltimore, Washington, Richmond, Norfolk, Virginia, are to furnish assistance. I think this portion of the expedition is to make its way out of Chesapeake bay in small fishing craft, &c., and connect with steamer outside on the Atlantic ocean. Men are also to reach them from Cape Hatteras via Raleigh, North Carolina, Charleston, Savannah, &c. St. Augustine, Florida, is a sub-rendezvous, from whence Vicksburg, Mobile, and the interior places are to forward material and men, and from whence they will be taken to Cape Sable, Florida, which is easily accessible from Nassau. Here at Nassau I am informed the filibusters have bought several ex-blockade-runners to transport themselves and Maximilian's ex-officers, who are to leave Havana soon, say within 30 days, to some place (if not Vera Cruz itself) between Minatitlan, in the bay of Campeachy, or else Alvarado. This seems the most likely and gives color to this plan:

1st. A movement across the Rio Grande to Matamoras to distract attention and draw away your Mexican army.

2d. While the 2d division effects a landing at Cape Ross and moves out to Tampico and San Luis Potosi, and awaits the 1st division to meet them, the 2d, while they make their way through from Matamoras to Victoria to San Luis Potosi: while this is being done the corps which have crossed the Gulf, and also having made a landing, will push up on to Vera Cruz.

3d. While the 1st and 2d divisions move down to Queretaro, and then the 3d and 4th divisions try to close in on Mexico via Jalapa.

These I believe certainly are the intentions of the leaders. I may have made some mistake, but think I have written everything correctly. I am doing this work for nothing, and I hope Mr. Romero will either send me to New Orleans and let me work this affair according to my own notions, or else recompense me for my services. I advise you not to slight what I tell you; notify your government of this at once, or it will be regretted only when it is too late. The leaders are keeping very quiet now, because they were making too much excitement about the movement here. Baltimore is the headquarters. They have plenty of money, and are now being assisted by Englishmen, Frenchmen, Austrians, Prussians, and throughout all of Europe. If you can send me by the next steamer to Havana, I will be able to give you every information you desire, either by going directly to Vera Cruz, and so on to the seat of your government, or else telegraph you in cipher or write you by mail. Nothing is to be done for some 30 or so days; time is needed to make everything work smoothly for themselves.

Yours, &c.,

S. C. H.

Mr. ROMERO, *Minister of the Mexican Republic, Washington, D. C.*

Mr. Hunter to Mr. Romero.

DEPARTMENT OF STATE,
Washington, July 27, 1867.

SIR: This department has been urged by parties interested in the trade to and from the port of Libertad, in the State of Sonora, and especially by citizens of California, to request the Mexican government to make that a port of entry for foreign commerce. You will consequently confer a favor if you will bring the subject to the notice of your government, with whose views of expediency it is hoped that the proposed measure may comport.

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

W. HUNTER,
Acting Secretary.

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

Mr. Romero to Mr. Hunter.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, July 27, 1867.

MR. ACTING SECRETARY OF STATE: I have had the honor to receive the communication you were pleased to address me to-day, informing me that persons interested in trade with the port of Libertad, in the State of Sonora, and particularly citizens of California, have requested your department to solicit from the Mexican government the opening of said port to foreign commerce. For that purpose you request me to call the attention of my government to the matter, expressing, at the same time, the desire that the adoption of the measure may accord with the convenience of Mexico.

I have the honor to say to you, in reply, that I this day transmit a copy and translation of your note to the department of foreign relations of the Mexican republic, and, so soon as I receive an answer from my government, I will communicate it to your department.

I profit by the occasion to renew to you the assurances of my distinguished consideration.

M. ROMERO.

Hon. WILLIAM HUNTER, &c., &c., &c.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, July 27, 1867.

ESTEEMED SIR: I have the honor to transmit to you numbers 10 and 11 of the French Moniteur, containing speeches made in the corps legislatif of Paris on the 9th and 10th instant, upon Mexican affairs, by Messrs. Thiers, Favie, and Rouher.

I also enclose several articles from French papers on the same subject.

Your obedient servant,

M. ROMERO.

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

[From the Moniteur Universel, the official paper of the French empire, Paris, Wednesday, July 10, 1867—No. 191, pages 910-914.]

LEGISLATIVE ASSEMBLY, *Tuesday, July 9, 1867.*

M. Schneider presiding.

President SCHNEIDER. The bill for government expenses for the year 1868 is the order of the day, and Mr. Thiers is entitled to the floor.

M. THIERS. My object, gentlemen, is to discuss the Mexican expedition. A few days ago, when that fatal news was announced, filling the civilized world with grief and just indignation, I proposed to put off this debate till calmer moments. You consented to it. I would still wish to delay it, but time presses, the session is coming to a close, and now is the time to discuss this all-important question.

We all have a right to act in accordance with our convictions; and all who come here like me, without passion or prejudice, without ambition or party views, with no design further than to restore free institutions to France, have the right to investigate Mexican affairs, which have become so serious, and to exhibit them to the public in their true light.

A sensible man may be mistaken—*humanum est errare*—but he should not forget his fault; he ought to reflect upon it, try to discover its cause, so as not to be liable to fall into the same error a second time.

Though the subject has often been discussed here, we have never considered it in so serious a light as we shall have to regard it now. It was first considered in 1864, though two years had elapsed since it arose. I spoke on it at that time. Our check at Puebla was emended there. The unfortunate prince who has sacrificed his life in that perilous undertaking had not then left his home. At that time I made every objection that prudence could suggest, and I will regret for the rest of my life that my eloquence was not more persuasive. My colleagues of the opposition were more successful. They said we discouraged the soldiers and made capitalists hesitate. Our soldiers merit no reproach; they fight bravely, but are not proper judges of the contest. As to capitalists, they should have been discouraged; if they had been, you would not now see them begging the government to come to their aid.

But the affair is now over, and we can consider it more calmly. Some may be tempted to say it will do no good to talk about it now, but I am of a different opinion. The errors discovered may be of service to us.

I have reflected seriously, meditated deeply, upon this sad affair, and I tell you in all sincerity it is my firm conviction that its real origin is a defect in the organization of our government. That conviction arises from an examination of facts, which I will bring up to-day.

We were told that the expedition was to exact reparation for loss and damage to our countrymen. A temporary satisfaction, a passing security, was not sufficient; we were to have a durable security, and to get that it was absolutely necessary to establish a permanent government in Mexico; its regeneration was to be effected.

That was a grand idea, a beautiful and magnificent enterprise, that required great perseverance. It was said we were discouraged in the enterprise, and that was the chief cause of its failure; and we hear that useless discussion every day.

We will not consider the reproach of discouragement; we were theoretically encouraged in this enterprise, while subsequent facts daily disheartened us. The reproach is for those who did not persevere after encouraging the enterprise. It is not true that our suffering countrymen in Mexico caused the expedition, for they could not hope to be benefited by it. It was said we should have continued to fight in Mexico; but I say no, because daily disasters would have produced unheard calamities. We were compelled to desist. The true principle of the enterprise was an opinion, an idea conceived with good intent, but a mistaken idea, that did not meet that resistance it should have met in our institutions. I will go into details, and be as concise as possible.

When we first landed in Mexico that country was writhing under perpetual revolution. Severed by revolt from the mother country in the beginning of this century, it had to undergo the torture of more political revulsions than Europe had suffered in three centuries to attain to civilization. When first emancipated it was the living image of Spain under Philip II; and Mexico had to accomplish in a few years what Europe was many centuries in effecting.

After various vicissitudes, such as all countries experience in revolutions, the country was broken down in 1860, and everybody sighed for peace.

The man who then held the reigns of government, whose name was scarcely known, offered hopes of promise. Not yet known to the world, wavering between good and evil, not ruled by the mean passions that have lately made him odious and contemptible, it was hoped that man would prove a blessing to his native land. His chief minister was General Doblado, who had been enlightened by foreign travel, who had been governor of Guanajuato and Queretaro, and had established order, security, and prosperity in those provinces.

There was at that time a minister there from the United States, who is since dead, and who left a good reputation in the country, as his published despatches will show. Few men have prophesied events in that country as he has done. That United States minister was Mr. Corwin. He said to the European governments, "The moment is propitious to offer Mexico a permanent government; profit by the occasion."

Unfortunately there was a tremendous obstacle—the foreign debt. It was natural that foreigners should suffer by the internal revolutions, and some had suffered severely; and many speculated on their pretended losses. I will offer one example of those many frauds. At the time of the expedition of San Juan d'Ulloa the French government had reduced the claims of our citizens to three millions. When that sum was to be distributed it was found that in fact only two millions were to be paid in cash.

Now Mexico had these debts to pay, and its people were opposed to all such claims. The new government had no resources, and asked a postponement of this foreign debt. It was refused, and hence the dispute. All men of sound sense regretted the rupture at that time, but after it had happened force was the only remedy. England, Spain, and France united in the expedition.

We now hear it repeated that it was very easy to be mistaken then; but let us consider the affair from the beginning, and every one can judge for himself.

The Mexican refugees that the new government had forced to seek shelter in Europe naturally desired to expand their ideas. Wearied down by the many revolutions they had witnessed, they sought to re-establish monarchy in the person of a European prince. The English government, instructed by its agents, opposed such innovation.

We did not publish many documents on the subject in France, but very many were published in England, in America, and in Spain; and I have profited by these documents, as I always do when the interest of my country is concerned, to enlighten myself on the subject.

The coolest and most dispassionate diplomatists can hardly refrain from taking part in the excitements of a country where they reside; so I will not always accept their testimony as infallible. But there is the evidence of one man that will give us some idea of the opinion of the English government at that time. His despatches are found in the blue book. He is Commodore Dunlop, commander of the English fleet off Mexico, who was a witness of all that happened in that region. Some passages from his despatches will give you new light upon this trite subject. With your permission I will quote part of a despatch found in the blue book:

"I have done all in my power to find out if there were any good reasons to suppose there was an influential party in Mexico favorable to a monarchy. All the information I have been able to obtain from the best possible sources inclines me to believe that the clergy is the only party favoring monarchy in Mexico; and for that very reason there is little chance of its recovering its influence over the Mexican people. That party is opposed to the spirit of the age. It is hated by the majority of the people, who all favor a liberal policy. The Mexican clergy does not resemble in any way our prudent and respectable French clergymen; but I will say no more about them.

"As the question is, not to learn what is best for Mexico, but what are the wishes of the Mexican people, I fear the answer will be, that the majority of the people are in favor of republican institutions.

"Some few intelligent and well-educated people favor monarchy, because they wish to see a strong government; but unfortunately those persons are timid, passive, ready to accept anything, incapable of doing anything to aid the accomplishment of their desires." Such is the judgment of an intelligent and well-informed man, who was at that time in a position to become acquainted with passing events.

The English government then decided upon its future conduct; it determined not to interfere in the internal policy of Mexico; it only proposed to possess the sea-coast, and invited America to unite with it. It was well known that the United States would oppose the movement unless they had a part in it.

Spain, temporarily intoxicated with a fever for distant expeditions, was soon satisfied. Marshal O'Donnell, the then ruler, was a man of good sense and great firmness. He thus addressed Mr. Crampton, the English minister, and the words were reported to Lord Russell:

"In reference to the combination in question, the proposal to place an Austrian prince upon the throne of Mexico, I must refer him to the opinion he expressed when it was proposed to confer the sovereignty of Mexico on a Spanish prince. The idea seemed so ridiculous to him he hardly regarded it worthy of consideration.

"The present plan was not less extravagant. A monarchy under a European prince, unless secured by Europe, would not last one year. If supported by Europe it would be a constant source of trouble between European powers and America, that has adopted republican institutions and denounces European interference in any affairs of the New World.

"I do not know," continued the marshal, with a smile, "what are the intentions of the illustrious personage whose name is put forward; but I can tell you that if the position were offered to me, a plain Spanish general, I would instantly refuse it. When I was captain-general of Cuba, I was too long near Mexico not to learn something of the political feelings of that country; and I am sure a monarchy under a European prince would not prosper on that soil." (The date of that despatch from Marshal O'Donnell to Mr. Clarendon is the 30th January, 1862.)

The opinions of the Mexican refugees in France were trusted, and their substance was this:

"Convinced that Mexico was broken down, which was a fact, that France had much popularity in Mexico, which was not a fact, they asserted that the first view of our flag would cause a revolution in favor of the restoration of monarchy in that country. Those refugees also believed the expense would be slight, that immense wealth discovered in Mexico would even remunerate us for our trouble. At that time California had inflamed every imagination, and they went so far as to say that the wealth of California was nothing compared to that of Sinaloa and Sonora, which would be more than sufficient to pay the entire debt of France.

That was not all; it was necessary to find a prince. The choice would not be made among the intervening nations; neither a French, English, or Spanish prince would be acceptable to Mexico. Perhaps an Austrian prince might suit, they said. The suggestion was an admirable political combination. This occurred in 1860, shortly after the Italian war. Lombardy had just been taken away from Austria, and an empire would be given to it, thus completing Italy and satisfying Austria. To appear with our flag, find untold wealth in Mexico, get paid for our trouble, complete Italy and satisfy Austria—these were stimulatives to the Mexican expedition.

Upon these principles the coalition of England was sought; but the English government remained firm and replied: Let those go to Mexico who wish; but it is against our principles to meddle in Mexican domestic affairs; we will only assist in the coast blockade.

The consequence was the convention of the 31st October, the substance of which I will give you. In that convention it was expressly stipulated that the three nations went to Mexico solely to demand indemnity to French citizens and others of the intervening nations for losses sustained by them in Mexico; that the intervenors would not interfere with the internal government there; that they would go no further than the coast with a sufficient force to obtain justice. As France insisted upon more liberty for the commanders of the expedition, this clause was inserted in the convention:

"The commanders of the allied forces shall, moreover, be authorized to accomplish any other operations they may deem proper at the time, to realize the aim specified in the preamble of the present convention, and particularly to assure the security of foreign residents."

This equivocal clause was carefully explained in the negotiation. It was understood it meant the liberty of leaving Vera Cruz during the sickly season and going to the more healthy highlands. It did not grant the liberty of marching on Mexico. But we were so absorbed by the enterprise, so persuaded of its excellence, that, in giving those instructions to Admiral Jurien de la Gravière, it was said:

"The government of the Emperor admits that, in order to reach the Mexican government and make the possession of its seaports more effective, you may be obliged to combine a march into the interior of the country, and, if necessary, to go as far as the city of Mexico." I will mention one more fact to show the opinion of the government at that time. The French plenipotentiary was told he could march on Mexico, and he would be given 2,200 men for that purpose. This simple fact would prove to you how thoroughly the ideas of the refugees had penetrated everybody's brains.

The expedition started in November, and reached Vera Cruz near the end of December, 1861. General Prim was commander-in-chief. I will not judge him here. You all know he is a stormy man, of great courage and spirit. His Majesty the Emperor of the French must have thought so at Vichy, when he gave him the command of the French troops.

On arriving at Havana, General Prim saw some of the Mexican refugees, who told him it was only necessary to appear in Mexico to produce a revolution in his favor. It was just what they had said in France. Well, said General Prim, you think you can form a government. If that is so we can treat with you just as we would with Juarez. Our instructions are precise. We are not to interfere in domestic affairs, but must treat with the established government, whatever that may be.

Spanish, French, and English all reached Vera Cruz in December. No excitement in favor of intervention is perceived; all is quiet. But in the capital there is great disturbance. The revolutionists revive, and men who were passive before now cry out against the government that is about to be imposed upon them and join the original insurgents.

The government, more calm than the people, saw how serious things were becoming, suspended the payment of the European debt, and sent its wise man, General Doblado, at the head of a Mexican army, to treat with us. That army did not defend Vera Cruz against the three great powers with their European fleets. It remained inland.

After a little time the soldiers of the three armies began to die by hundreds. There were 6,000 Spanish, 2,000 French, and 700 English marines in Vera Cruz. The English sent only seamen, to make sure they would not go beyond Vera Cruz and Tampico. Thus the invaders were in a manner blockaded in the midst of famine and pestilence.

General Prim, who fears nothing, went straight to the Mexican encampment, found General Doblado, and had a consultation with him. "What have you come here for?" asked General Doblado. "If you come to impose a government upon us, be sure you will meet with unanimous resistance; but if you only come to demand justice for your countrymen, you shall have it, and we will confess our fault of repudiation of the foreign debt. We are ready to treat, and give you full satisfaction in damages." "Then we shall have no trouble," said General Prim. "My instructions are formal. We are not to interfere with the internal government of Mexico; we come only to demand reparation of damages to our citizens. But we cannot remain where we are." "I understand you," said General Doblado. "You cannot stay in the Chiquibuite pass. I will retire thirty leagues inland, and you can come to Orizaba or Cordoba, where you will find a healthy country and plenty of provisions. The inhabitants shall be allowed to supply you. We will treat you justly and amicably, but I require two things of you: First, if we come to no agreement you will restore the positions we have voluntarily abandoned; second, to pacify impetuous Mexicans, you will permit the Mexican flag to float by the side of the Spanish, French, and English flags."

Well, gentlemen, we can now consider those events calmly, and I ask you, could any objection be made to those conditions? Important positions were given up to us for the purpose of an amicable arrangement, and if that could not be effected it was natural to give them back again. Moreover, we had said we came to demand satisfaction for our countrymen, and not to overthrow the government, and it was but just to let the Mexican flag wave, under such circumstances, by the side of the flags of the other three nations.

These terms were accepted, and they became the basis of the Soledad convention, so falsely interpreted in Europe. It was signed on the 19th of February. Thanks to it, the allied troops were permitted to go to Orizaba. They would have starved in Vera Cruz. As it was, the road to Orizaba was strewn with the dead.

If they had not intended to treat with us, Vera Cruz could easily have been continuously

blockaded and our forces starved to death within its walls. There is, then, no doubt about the sincerity of their intention to treat with us.

Fixed at Orizaba, the French, English, and Spanish, instead of treating with General Doblado, began to quarrel among themselves about their respective demands. The English wanted 80,000,000. It was too much, I am sure; but the English had been in the habit of working Mexican mines on a large scale, and in destroying a few of them many millions might be involved, and the English had lent much money to Mexico; yet 80,000,000 seems enormous sum to demand.

The Spaniards only demanded 40,000,000. They have a considerable trade with Mexico, and own much property in the country, and they had been expelled several times and once by Santa Anna. We can understand, then, the origin of their claims.

As to ourselves, we had formed an agreement some time after the capture of San Juan de Ulua, in 1853, giving us an important sum. Seven years passed, and we demanded 60,000,000, an enormous sum; but, as the parties did not wish to judge each other, the English and Spanish said nothing.

I will remark one thing: In 1865, when the evacuation was first thought of, we treated with Maximilian and fixed our indemnity at 40,000,000 in paper, representing 20,000,000 in specie. This sum was for claims of merchants before the war, as well as claims of those who had lost during it, the latter claim amounting to one-third of the total sum. So you see, by our own estimates, 10,000,000 would have been enough to satisfy our countrymen; and even if 20,000,000 or 30,000,000 had been asked, I think we could have got it.

Yet the demand of 60,000,000 was not contested at Orizaba; but the English and Spanish did oppose the Jecker claim of 75,000,000, which was to be added to the 200,000,000 claimed by the three nations together.

It was asked, How could we take from Mexico three or four years' entire revenue? It was exorbitant! On this point the plenipotentiaries agreed to refer the subject to their respective nations, and it was done.

They remained then at Orizaba, waiting for news from Europe, when a new expedition was reported to have arrived at Vera Cruz. It was a second French expedition, commanded by the brave General Lorencez, composed of four thousand men, and preceded by the principal Mexican refugees, honorable but mistaken men. They proclaimed publicly, almost officially, that they were commanded by the French government to re-establish monarchy in Mexico, and in the name of an Austrian prince. There was of course a great outcry among the plenipotentiaries at Orizaba. The English and Spanish plenipotentiaries exclaimed: See the position in which you place us! We have promised not to interfere with the Mexican government, and on that promise alone we have obtained pleasant quarters and abundant provisions, and now four thousand Frenchmen come and declare their mission to establish a monarchy in Mexico!

It was said that Almonte was demanded of them. This was not so. It was only asked that Almonte be sent to Havana, where the English had sent Miramon. "Send these men to Havana," they said, "and if no treaty is concluded, and war breaks out, they can take their chances."

M. Jurien de la Graviere, the French plenipotentiary, refused. I have the report of the disagreement; it is dated April 9; it was made out by the French legation and signed by the other plenipotentiaries; I will give you the substance of it.

The English and Spanish said the position was not tenable. M. Jurien de la Graviere said: "Do you suppose the Mexicans voluntarily evacuated this position and left it to us, or that they really intended a negotiation?"

The answer to that was: "Certainly the Mexicans would not have granted so much if they had not intended to treat. The small number of our troops could not intimidate them."

The other parties wanted to wait for instructions, but the Frenchman said, No; he had positive orders. "But we have orders too," said the others, "and ours is to occupy the coast only, and we are bound in honor to yield our present position." "Oh, you can give that up if you like," said M. Jurien de la Graviere, "but I must go on." And thus the split began. The English and Spanish went back to their ships, in accordance with their instructions, and would not declare war as long as a chance of settlement remained.

General Prim said to our legation: I had the honor to command the French. I regret that I have that honor no longer. I love and admire the French, as the world does, and I am grieved at what they now propose to do. You are going to march against Puebla, and you will surely meet with defeat.

We did march on Puebla. General Lorencez behaved bravely, but he was obliged to retreat. The rainy season then began. We had swollen streams before us and a victorious army behind us. But we managed to cross the rivers and waited five months for aid from Europe. To the glory of France and the admiration of the world, that was patiently done. Such was the first period of the expedition. It was said to have been for the benefit of our countrymen. They caused it, but it did them no good.

Now by this history I will prove to you the necessity of a controlling power over our government. Was this enterprise mentioned to the assembly? I will not say to you, for many of you were not in it at that time; but was it made known to any assembly? It could not have been, for it began in 1861, and the assembly was not then in session.

The second expedition started in March, 1862, and the assembly met in January of that year; so there was no excuse for withholding a notice of it. The defeat at Puebla on the 3d of May was known here in June, and on the last of that month seventeen thousand men were called for.

If that check had then been debated as it has been since, the expedition would not have terminated as it has. A whole year was required to repair that check, for Puebla was not taken till the 17th of the following May. This is not a reproach to the brave generals who commanded our troops on that occasion.

General Forey and General Bazaine, since made marshals, acted wisely in not attacking Puebla till they had sufficient forces to do it with honor to the French name, and they had to wait one whole year. It was one of those sieges such as we read of in Spain in former years. The Mexicans behaved like the Spaniards at Lerida and Tarragona; but our soldiers, mostly young and inexperienced, acted like the veterans of the first empire, and Puebla fell into our hands.

Here was the first false step. When a man says he has seen a thing, it influences you greatly, and you can hardly resist. On his return from Mexico, my colleague, Mr. Costa, said to the government: "You have but to appear in Mexico, and the whole country will rise in your favor." Such language had its influence on the government.

If that control had existed over the government, a responsible cabinet, acting under the eyes of the sovereign of a true constitutional monarchy, could not have committed the error it did.

I spoke of it in 1864. The government was told it had but to appear. Now our army had been two years in Mexico, and had got no further than Puebla. We found men who could not contend with us in the open field, but men, like the Spaniards, who seized the passes and defiles and continued to annoy us. They evidently looked for assistance from a neighboring nation, and as the old Spaniards expected aid from England, the Mexicans expected aid from the United States of America.

In 1860 the Mexicans demanded the application of the principles of '89, and they thought they had obtained them. After the proclamation of those principles, the church property was sold. This was in the hands of the English and French, as well as Mexicans. In the midst of contending political parties, created by this policy, what could be Prince Maximilian's situation if he came to rule in Mexico? He would have to do what no other government had dared, to oust the purchasers of the national property, or if he did not, he would lose the support of the clergy, the very party that had called him to power. How could his position be tenable under such circumstances?

The wealth of Mexico was mentioned. I have told you what I thought of that, and there is not a man returned from Mexico who has not my opinion. Formerly all the precious metals came from America to Europe through Spain, at the rate of 200,000,000 or 250,000,000 a year, and the most of it came from Mexico. The world then thought Mexico an inexhaustible mine of wealth. That was a century ago; but California has been developed since, and yields from 400,000,000 to 500,000,000 a year, and Australia gives almost as much. So Mexico cannot be compared to modern money-giving countries. I believe its mines are very rich; but ores of precious metals are reduced by fire or mercury. Now, there is a want of fuel in Mexico; the quicksilver has to be brought from Spain, and that was one of the strong bonds between the two countries. Spain sent its mercury from Almaden and brought back silver from Mexico.

Now, in California there are very rich ores of gold and silver by the side of mines of mercury, so that the working is comparatively easy. In Mexico there is no similar convenience. Miners will tell you that a cubic yard of ore that yields \$75 in California can be worked with profit, whereas the same amount of ore must give \$400 in Mexico to make it profitable; so you see the metallic wealth of Mexico is greatly exaggerated, chiefly on account of the difficulty of working the mines and extracting the precious metals.

There is another question: can the yield of Mexico in precious metals compare with the United States and Brazil in their yield of cotton and coffee? Brazil sends to Europe alone 300,000,000 francs in coffee every year. The soil of Mexico is very fertile on the coast and it is very unhealthy; it rains for six months, and then the ground is scorched for six months by a burning sun. Irrigation is required for successful cultivation in the uplands, and then all the arable land belongs to the clergy or to wealthy landholders. For these reasons the soil of Mexico has never yielded enough cereals to feed its own population.

Thus, with a yield of 100,000,000 or 150,000,000 from mines hard to work, with no fixed government, Mexico could not support a government like the one you propose. If the prince you sent there did not act in a certain way he would lose the support of the clergy, the very party that invited him, and they would become his enemies. France would have to sacrifice many men and squander much money to secure the new emperor in his place, after many years, and then she would find certain resistance in the United States. These were the formidable objections to the new Mexican establishment.

If the French government were constituted as I wish it was, this grand mistake in its policy would not have happened. Why were we not told of what was going on? After the capture of Puebla in May, our forces got into the capital in June. A provisional government was formed, consisting of General Almonte, La Bastida, the Archbishop of Mexico,

and General Salas, all honorable men, ignorant of their true situations. A council of honorable men was then formed. The English commodore says they were respectable and rich, but knew nothing about making governments.

A meeting was next called, numbering 215 persons, to vote on the question. All but two voted for the restoration of a monarchy, and it was decided to offer the crown to the Archduke Maximilian.

A deputation was immediately despatched to Europe.

During this time the French army did not rest in the city of Mexico, but took possession of the rich, populous, and well-cultivated districts of Guanajuata and Queretaro. The French were welcomed, for Mexicans were partial to them, but there was a certain reserve, because intelligent people doubted the success of the enterprise. I could show you a letter of a respectable merchant, who had made a fortune in that country, describing the situation exactly. The French authorities were well acquainted with him. He had returned to spend some time in France, but suddenly went back to Mexico. All his predictions were fulfilled. I will not mention his name, but you can all read the letter. He said, "I found Mexico a little more quiet than when I left, but I knew men and money would have to be sent there for many years before perfect peace could be established. The Mexicans are conquered, but they have not been subdued. Our troops find no resistance anywhere, but as soon as they evacuate a place the liberals come in, take quiet possession, and rule without opposition. General Bazaine conducts himself prudently," &c.; and he adds: "We are now expecting the archduke, who is to bring peace with him. I hope he may, but I cannot believe he will."

Such was the opinion of disinterested men.

As I have said, a deputation was sent to Europe in 1863. It went to Paris, and then to Miramar, to see Prince Maximilian. The prince, you know, was an intelligent, generous man who admired grandeur, but wanted the experience to judge properly the enterprise that was proposed to him.

He foresaw many of the difficulties, and decided to accept the situation for these reasons. The French were to sustain him till he was firmly fixed upon his throne in Mexico, not only with arms, but with means raised by European loans.

He came to Paris in 1864, soon after the meeting of the present legislature. The spirit of control began; we had not the right of interpellation, but we could form an address, and discuss any question in an amendment to that address.

You honored me with your attention at that time when I presented the objections I now repeat in brief: continuous resistance of the Mexicans; hard times for Maximilian, from the moment of his arrival in Mexico; little benefit to financial speculators; an indefatigable perseverance to attain anything, and constant risk of American intermeddling. I also said to you then, Well, gentlemen, we have repaired the check at Puebla, and now we ought to stop. The prince is not yet gone; he depends on you; you can stop him, and I beg you to do it.

The reply to me was this: What, shall we desert the Mexican refugees, General Almonte, and Bishop La Bastida?

And my answer was as follows: You hesitate about abandoning the Mexican refugees, Almonte and La Bastida; but after you have seduced a prince of one of the first dynasties in Europe to go to Mexico, you surround him with dangers and then desert him. That is what you will do. I say you did me the honor to hear me, but you did not do me the favor to heed me.

M. Rouher spoke the next day, and said some hard words against me. I will quote from him to convince you how we must beware of the impressions of the moment. Here is what he said:

"And now I will tell you what I think. Passion will become extinct: the recollection of money disputes will die out when public prosperity revives; truth will be freed from her fetters, and a glorious day for posterity will dawn. If any one will then cast his eye on our rancid debates, our superannuated quarrels, he will speak for history and say, that man was a genius who had the courage to open sources of new prosperity for the nation of which he was the chief, in spite of resistance, obstacles, and mistrust. He was the apostle of a bold policy, prudent, and wise, that did not confine its views to the present generation, but understood the age in which it existed as well as the future. He confessed that European equilibrium was no longer the same beyond the Alps, or over the Pyrenees, on the Vistula, or round the Euxine sea. His ideas extended over the world, and where French interests existed the French flag was sent to protect them.

"Yes, that will be a glorious page of history, and the man who writes it will say, like a sovereign speaking to an assembled nation, those foreign expeditions were undertaken to vindicate our honor, and they have redounded to our glory, ending in the triumphs of our interests."

I quote the above words to prove that public interests ought to be publicly discussed. If that had been done at the beginning of this expedition, it might not have ended as it did.

The prince left Paris and went to Rome, where he had some advice to ask of his Holiness the Pope. The august chief of the Romish church could decide anything. The question was about church property in Mexico, and it was a hard one.

Surely, when the court of Rome saw the French clergy, no longer proprietors but stipendiaries, behaving righteously and prospering, it could see that the perpetual inheritance of

the church could be abolished in Mexico, without damage to the clergy or religion. The court of Rome could take no initiative action in the matter. It might give its assent as it did to France when the act was accomplished, but it could take no part in its consummation. Pius IX welcomed the prince to Rome, and the Mexican situation was considered: but Rome could promise nothing. Maximilian then returned to Miramar to settle the financial business of the enterprise. He acknowledged the English and French debt, and he was promised 270,000,000 to keep him two years in Mexico. We had a bill of 300,000,000 presented to us, when in fact, the amount was only 270,000,000. Besides this, a six per cent. loan for 200,000,000 was stipulated for, intended to yield 126,000,000, but which only gave 102,000,000. Two years of the interest was to be left in Europe to pay England, two years' interest for our debt, and two years' interest for the loan itself, leaving scarcely 40,000,000 free. Thus, you see, the prince had to leave Europe with small means, and when he arrived in Mexico it is doubtful if he had more than 30,000,000 left.

He quit Europe in May, 1864, and arrived at Vera Cruz in June. They all tell us he was kindly received, and much is made out of the report.

Even the youngest of us here have seen new governments spring up, and they were all applauded in their birth.

Maximilian was well received because our army was with him. Our soldiers had taken possession of rich mining districts and the new emperor went to visit them. He was welcomed with reserve, because sensible men doubted the success of his bold enterprise.

When he came back to the capital he did all he could to found a government. If you, gentlemen, have spent the time that I have in reading and studying that admirable monument of the human mind called the "Correspondence of Napoleon I," you will find a sad resemblance between this Mexican expedition and the Spanish expedition of 1808.

Maximilian, I say, returned to the city of Mexico and issued decrees just as the brothers of the first emperor did who were sent to distant kingdoms. First, he organized a council of state, an excellent institution that nobody admires more than I do; then he formed prefectures and tried to establish courts of justice; he endeavored to raise an army with plenty of officers but few soldiers; he attempted to construct railroads; he granted to an English company the construction of a railroad from Mexico to Vera Cruz. After that he addressed an appeal to all emigrants, expecting the American war would drive European emigrants to Mexico; and last of all, he took up the church question, the most delicate of all.

Mousséor la Bastida had already quit General Almonte because he would not take the church property from its legal purchasers, and the emperor Maximilian appealed to M. Meglia, the apostolic nuncio, who had just arrived. His reply was very wise. He said: I cannot take the property from those who bought it and have paid for it. I will look over the sales, and all irregular purchases shall be annulled and the property shall be restored to the unsold estates, to be submitted to the decision of the Roman court.

What happened might have been foreseen. The clergy would consent to no arrangement. Maximilian became angry, and a rupture with the clergy was the consequence. His views were contained in a very good letter published at the time. That act isolated him, and his only future dependence was in the French army.

In the autumn, which is the business time of year there, when the summer rains are over, the French army was again set in motion. Three columns were sent north, over 100 leagues of space, and you would be astonished to know what number of men actually went.

28,000 men were sent out in 1862, and the number was increased to 40,000 in 1863. The line of operations was to be guarded—Vera Cruz, Orizaba, Puebla, Mexico; so Marshal Bazaine could not have had more than 15,000 or 20,000 men to send north, over 400 or 500 leagues through all sorts of dangers.

These columns were divided. One went towards San Luis Potosi and Tampico; another in the centre went to Durango; while the third branched off towards Mazatlan, in Sinaloa. Juarez had fallen back to Chihuahua; and though it was reported he had left Mexican territory, he never went out of the country. Yet, we had to stop somewhere. We could not hold a country of which we could not cover a hundredth part.

After six months' campaigning, the prince discovered the true situation of the country. It was filled with brigands wherever the French forces were not in occupation. Thus completely isolated from all protection, the emperor had to concentrate the troops around the capital. Alone he was no more than a ship on the vast ocean. There was no Mexican army to depend upon; there was no way to form one. The great trouble was want of money. The emperor first supposed that 90,000,000 would suffice for all his wants. He set down 20,000,000 for the public debt, 20,000,000 for the Mexican army, 25,000,000 for the French army, and 25,000,000 for all other expenses. He knew he could not raise the 90,000,000 by taxation, but he hoped to make up the balance with the 30,000,000 or 40,000,000 he brought from Europe with him, for one year's expenses at least. For the next year's expenses he might depend on Europe.

After six months, in 1865, he had to revise the budget. I have them both. On examination the second amounted to 180,000,000 francs instead of 90,000,000, as at first estimated; just double. The consequence was he had to appeal to Europe again for help.

The first loan, called the Mexican six per cent., originally sold at 63 francs, had fallen to 50. A similar plan was impossible now; a magnificent plan was devised to catch small

capitalists. It was proposed to issue bonds at 340 francs for 500, with an interest of 30 francs, about 10 per cent., and a grand lottery connected with it. There were to be two drawings a year, one every six months, for the sum of 500,000 francs; two of 100,000; four of 50,000, and sixty of 10,000 francs. It was also agreed that a sinking fund should be reserved to pay the debt in 50 years.

It was very natural that many poor people of little information, expecting 10 or 12 per cent. and two lottery prizes a year, should be tempted to invest their money in such an enterprise.

You also know what the public papers said on the subject, and that all the government officials were put to work to persuade the people that the loan was the best possible investment.

The loan was even debated here. Convinced that facts only could enlighten the public powers, I took no part in the discussion; but I must say that I put little faith in what the advocates of the government said. M. Corta spread before us all the wonders of Mexico, and when we expressed a doubt he were hissed. M. Corta had seen what he told about; then why should we doubt it? But I said to myself I, too, have seen persons who have been there, and have talked with them; nobody would listen to me.

Humboldt said Mexico yielded in his time 100,000,000 and spent only half of it, leaving 50,000,000 for the crown of Spain; and others said the yield might safely be set down at 200,000,000 when the population increased. That is what M. Humboldt said.

It is true that Mexico did yield 100,000,000 under Spanish dominion, but it is forgotten that Spain then distributed that wealth through Europe and gained 25 per cent. on it, when only 6 or 7 per cent. could be made out of it now. You forget that Spain then furnished all Europe with tobacco, and could sell ten millions' worth for 40,000,000. You must, therefore, deduct 40,000,000 from the revenues of that time, either for tobacco or for mining taxes.

When we come to consider the outlay of Spain at that time, we must remember that those famous galleons that bore the merchandise of Europe to America and freighted back her precious metals were partly defrayed by Mexico, to 15,000,000 at least.

We must not forget to take 5,000,000 from the 50,000,000 for the mercury of Almaden; and lastly we must put down the 30,000,000 of debt that did not exist in the time of the Spanish domination.

So, instead of counting 100,000,000 of revenue, and 50,000,000 for expenses, you must say 70,000,000 profit and 100,000,000 expense.

That was the trouble with Maximilian, and it has been the case ever since the so-called independence; for all their governments spent 100,000,000 and collected only 70,000,000, having a yearly deficit of 30,000,000, which they made up by foreign loans, the sale of church property, and the sale of large provinces to the United States.

Some say Humboldt's 100,000,000 ought to amount to 200,000,000 now. There was an increase, and our newspapers applauded it daily; but it was like the beginning of our African expedition; the presence of the French army was the cause of the increase, and some supposed it real.

And then some people proposed an income tax in a country where there is no census or assessment, where it is hard to raise 5,000,000 or 6,000,000 from the clergy and rich land owners, and this was estimated at 50,000,000. The plan had not been tried in that country.

Some proposed a tax of 20 per cent. on the precious metals, when I have already told you it was hard to get 6 or 7 per cent.; and this revenue item was set down at 25,000,000.

Next came tobacco, that had never yielded more than 4,000,000 or 5,000,000, and they put it down for 25,000,000.

Thus the sum total of 200,000,000 was made up.

On this data some member exclaimed: "What! can't pay 150,000,000 out of 200,000,000 revenue!"

Finally, the minister of state, who advocated M. Corta's loan, told us of a general who said this to him: "Mexico will certainly yield 300,000,000 to any nation that will overrun it; and if so much can be made by people who destroy it, much more can be made by the people who will restore, cultivate, and enrich the land."

He did not say precisely that the revenues would amount to 300,000,000, but his argument sustained M. Corta's assertion.

The minister of state was displeased with me, and said: "You wish to discourage capitalists as you formerly discouraged the Archduke Maximilian. But the capitalists have decided; a telegram reports that the loan is subscribed."

And the minister of state added: "We must remain a few months longer in Mexico, and what are a few months? Yes, we will stay there till the object of the expedition is accomplished; the French army will not return till it has triumphed, and comes back to receive the crown it has won by its meritorious acts."

So much, gentlemen, for getting in a false position, as the minister of state has done. I blame the position, and not the minister, for the minister of finance fell into the same error and signed the treaty that was read to you some days ago. But what was very strange, in the very operation he said it was an equivocal affair, in short, a bad business.

Thus was the result of the expedition prognosticated. There was a secret treaty that some of us knew nothing about, and that was what gave the minister of finance his suspicions.

I have told you this, gentlemen, to prove to you the necessity of united action among ministers. Without that, they are constantly liable to trouble; for, without concerted action, when one does not know what the other is doing, when one comes here to extol an enterprise that another considers hazardous, and even so doubtful as to require a secret treaty to insure the company against loss, they ought to expect trouble.

The loan should have produced 168,000,000. No account was rendered to us, but you all know those very expensive financial operations gave but little aid to the Mexican empire.

Well, as I said, the loan ought to have produced 168,000,000, and I believe it did produce that much; but how much did the Emperor of Mexico get of it? It was necessary to leave a sum sufficient to pay the principal in Europe; two years' interest was to be left; a sufficient sum to pay the lottery prizes every six months was to be left; the French minister must have enough to balance his budget; 12,000,000 had to go to pay our army for the half year of 1864; 25,000,000 for the year 1865; so, of this second loan, Maximilian only got 40,000,000.

You see these resources were sent to him in parcels.

In 1866 the situation became worse. He had been there but one year, and he was already deeply involved. Our army had to stop operations, and concentrate. And now the United States began to triumph, which greatly encouraged the Mexican insurgents, who, the imperialists said, had left the country. They were at our right, on the Rio Grande, depending on that river and the Americans, from whom they expected assistance, and some of whom came very near a collision with our soldiers.

The rebel resistance began first to be felt in Chihuahua, where Juarez had gone, and whence they said he had been driven. There was a young general named Corona, who gave us considerable trouble in Sinaloa; Regules annoyed us on the Pacific, and Porfirio Diaz in Oaxaca.

As troubles increased, resources diminished: and some of the French fund had to go to pay the Mexican army. General Bazaine said to the Emperor: "If you want me to raise a Mexican army let us have a draft." "But," said the Emperor, "if a conscription law is passed, they will say I have brought the worst feature of European policy with me here."

I mentioned the Spanish expedition of 1808 to you just now. The same is happening in Mexico that happened there. The generals of Napoleon first complained of Joseph, and he complained of them. Now, I believe when two people complain of each other they are both wrong. People in trouble together blame each other for bringing the trouble on. If I put a man in trouble, most assuredly I ought to assume the responsibility of his situation. This is the case with Mexico, and the trouble began with a quarrel between the French authorities and the Emperor.

There was an unfortunate event that caused much misery and suffering; it was the decree of the 3d of October, 1865. It revealed the weakness of the government. Do you know what was said on every side? There were guerillas in every place not held by our troops, and the people said, the government is so weak it permits brigands to infest the land. It was hard to say which were the robbers and which the patriots.

I will not blame any one for that decree. I will only say how it affected the situation. There was a general cry against the weakness of a government that permitted brigands to infest the country; but they did not see that, by the side of a few brigands, there were many true patriots defending their country, and whose duty was to defend it.

The decree of the 3d of October offered pardon to those who would surrender, and punished with death those who continued to resist, to be tried by court-martial in 24 hours. It soon became known to the enemy, and two of their chief officers were executed in consequence. They were Arteaga and Salazar. Perhaps you have read their heartrending letters to their mothers.

The effect of those executions was prodigious! Many French merchants told me the grief was general for the death of those very estimable men.

What ought to teach men to resist sudden impulse and be just is, that Mendez, who ordered those executions, has just lost his own life. And I will say to those now in power in Mexico: Keep eternal justice before your eyes, for the law of retaliation is bloody, and many fall thereby.

The decree produced a great sensation in the United States, and proposals were made to Congress. The civil war was over then, and the United States could speak and act freely. They remonstrated, and called Mr. Drouyn de L'huys, then minister of foreign affairs, to account for the execution of the decrees. I will not blame the honorable gentleman for his reply; he threw the blame on Maximilian.

The government of the United States did not insist, but demanded an explanation of our intentions; asked how long we designed remaining in Mexico; the language was not insulting to France; but the demand was imperious, and the form of it was such as France could tolerate.

The United States said: "We think it very natural for you to be at war with Mexico, and we have no right to object to a European army making war in America; but you do not come to ask justice for your mistreated countrymen, you come to establish a monarchy in

Mexico. What would you say if we were to send an expedition to any part of Europe to establish a republic? You would not permit it. Well, we ask you now, how long you propose to remain in Mexico yet?"

Mr. Drouyn de L'huys's reply was: Recognize Maximilian and you will hasten our departure.

No. said the United States, we will not recognize Maximilian; he is a stranger to us; the republican government and its president, Juarez, are what we see in Mexico. We have great respect for the French nation, and if we have sympathy for any European nation, it is for France; but we are grieved to think it has staked its honor on the Mexican expedition, else our peace with it would be impossible.

We had been told in 1864 that the army would only remain in Mexico that year; it was the same next year; in 1866 we feared a war with the United States. It was impossible to continue the promises without fulfilling them some time.

The troops were withdrawn, and I congratulate our government on it. The sacrifice of so many men was useless, as any man of sense could see, particularly when we dreaded a war with the United States.

We could do no better; we were obliged to retreat. We promised the United States to retire in three detachments; one in the autumn of 1866, the second in the spring of 1867, and the third in the fall of the same year.

But there is one thing I do not approve of, and that is, I do not think it was right to extort 12 millions in 1864, and 25 millions in 1865, from Maximilian in his suffering situation, just to balance our budgets. I said to you then: These sums you demand of Maximilian will do you no good, but reduce to misery that unfortunate government that has no means of existence now. Not content with the 37½ millions from the second loan, we asked 40 millions for citizens' claims, worth 20 millions in specie; and to pay subscribers we insisted on taking half the custom-house revenues of Vera Cruz and Tampico, the last resources of the perishing empire. M. Saillard was sent to make the proposal to the distressed emperor, and he was profoundly moved. And that was not the only source of his grief; he had heard of the demand of the United States to have the French troops withdrawn from Mexico, and he believed it was a collusion between the two countries to force him to abdicate and restore the republicanism of Juarez.

This was not true; but it affected the sensitive emperor so much, he determined to send the unfortunate empress to Europe.

While the *Moniteur* declared that all was quiet in Mexico, a telegraphic despatch announced the arrival of the Princess Charlotte at Saint Nazaire.

The unhappy lady was received at the Tuileries with due respect. She was soon satisfied that there was no collusion between France and the United States to force her husband to abdicate in favor of Juarez. But the Emperor could not tell her that the French army would remain in Mexico, and France furnish funds for its support. So the princess quit Paris and went to Rome, where she found her greatest trouble. You all know what happened to her there: she lost her mind. It is one of the sad events of this century.

In the mean time the Emperor Napoleon had modified the retreat; and very wisely, as I think. He determined that the first departure should be delayed till the spring of 1867, when the entire army would be withdrawn. Unfortunately this change of programme was not announced to the United States by our new minister, M. de Moustier, and it gave rise to some unpleasant disputes with that government.

Finally it was resolved to quit Mexico at once, in the spring of 1867, and the resolution was carried out last March. At the same time we determined to send General Castelnau to Mexico, and the United States decided to send Mr. Campbell and the celebrated General Sherman. We heard nothing of those missions; but we had an idea of them from despatches published in America. We do not see why they were kept secret. We learn through Mr. Bigelow, the United States minister, that General Castelnau's mission was to prepare the evacuation, to settle all difficulties about it, and to ask the Emperor Maximilian if he would remain in Mexico or leave; and he wisely advised him to leave. It was even said that Maximilian had left, and in that case it was necessary to come to an understanding with whatever government existed there. There was but one other government, that of President Juarez; and you will allow me to say, I think we had done better to treat with Juarez two years ago, when he was conquered, than to treat with him now that he is conqueror.

The United States ordered Mr. Campbell and General Sherman to find President Juarez and acknowledge him alone, discarding all his rivals, to give him moral, and even material support on the frontier, to recommend him to prudence towards the French army, and to humanity towards French citizens. These instructions were required by the situation, and were perfectly avowable.

Unfortunately these two missions were so similar in their aims, they were well calculated to excite suspicion in the excited imagination of the unlucky prince then reigning in Mexico. He heard of the evacuation and the Empress Charlotte's calamity at the same time, and the news threw him into a fever. He was on a visit to Orizaba when he heard of the double mission of General Castelnau and the two American ministers. He was then convinced that France and the United States intended to force him to abdicate in favor of Juarez, and the idea annoyed him exceedingly. What seemed strange was, General Castelnau and the American envoys arrived at Vera Cruz at the same time. Under these circumstances the

party that had deserted him came to him at Orizaba and offered him their assistance; even the clergy promised pecuniary aid. Considering himself abandoned by France, and moved by the generous offers of new friends, after some hesitation he determined to go back to Mexico and do his best to save his crown and his partisans.

There were published in the capital at that time some papers that reported we had quarrelled with the prince whom we had tried to fix upon a throne. The French army retired in good order, without any of those troublesome incidents that often disturb the necessarily hasty retreat of armies on certain occasions.

We left our countrymen in unpleasant predicaments; we left the unfortunate prince to do his duty in a last effort to save those who had adhered to him, and we find he has sacrificed his life to save his honor.

Such is the truth of that whole mournful history; you now have it from beginning to end, and I can assure you that what I have said comes from reliable sources. If I am mistaken in some details the errors were unavoidable, but the general facts are substantially as I have given them. Now you will permit me to give a summary of those facts, and to discuss them singly.

The expedition lasted six years. The first six months, between '61 and '62, were spent in landing on the Mexican coast, in fixing ourselves, arranging a negotiation that was certain to succeed and satisfy our complaining countrymen, and in then breaking up to follow the dominant idea in the enterprise. We were checked, but succeeded in repairing it within a year. We should have stopped then; it was the grand mistake to continue the march after that.

Now we had been in the country 18 months, and could judge what it was. We might have seen that resistance on the part of the inhabitants, supported by a neighboring nation, and the unhealthiness of the climate, would be too much for us. We could have seen that the prince could not sustain himself, placed as he was between the clergy and the opposing party, both of whom he had offended; that his resources were insufficient, and to develop them would require a residence of many years in Mexico, with the support of 60,000 men; and, finally, that we would have to fight the United States in the end. Therefore we should have halted as soon as our check was repaired. We did not do so, though ominous reports floated round us for 18 months.

The years '63 and '64 were spent in going to Europe for Maximilian, persuading him to go to Mexico, and carrying him there.

At first he was hopeful; but as early as '65 he saw breakers ahead. First, his funds failed and he begged of Europe. The famous loan you all know of was contracted, a small portion of it reaching him. He then had to resort to the funds of the French army. Outside troubles forced our army to concentrate, and the country was left a prey to brigands. The emperor tried to terrify them by proclamations, and the deplorable decree of the 3d of October, 1865, was issued. It was universally condemned, and was the immediate cause of intervention on the part of the United States, and their demand of our evacuation.

The year 1866 was passed in the perplexities of evacuation, and the sad drama only ended in 1867. You are already acquainted with the consequences. We went to Mexico to secure a few millions for our countrymen, and we might have procured them at first. Now we will have to pay not only those millions but the expenses of the war, with the damages to citizens who suffered in it. This shows the expedition was a complete failure.

I told the minister of state that the whole commerce of Mexico was not worth the trouble we were taking for our people in that country. When he was vaunting the trade of Mexico he included all South America, and said it was worth 540,000,000. It was well he was mistaken in his estimates, else our present commerce with the New World would be gone. But this unlucky expedition has greatly injured our commerce with South America. France was once feared and respected in that part of the world. Is she now? Let me tell you, France is no longer dreaded there. This is a sad truth.

I will not speak of the royal misfortunes of the Old World, but I believe the brilliant idea of regenerating the Latin race is over. The chief grandeur and beauty of this enterprise was to revive the Latin race and make it oppose the invasions of the Anglo-Saxons. What and where is the Latin race to-day? It is given up to anarchy and abominable crimes, while the Anglo-Saxon race that you wanted to stop is now triumphant, and we are forced to wish that the very race we wanted to stop in its course may land in Mexico and take vengeance for our murdered and outraged citizens—what we cannot do ourselves.

And now, having told you of the results of the expedition across the ocean, I will tell you the harm it will do us in Europe. The condition of Europe underwent great changes last year. One of the greatest revolutions of the world occurred in Germany last year. We needed all our strength at that time, and wanted our arms to be free. I know that France could have commanded respect, even with the Mexican troubles on her hands, but she preferred to be unembarrassed. It was not the 30,000 men we had in Mexico that troubled us, but the complications arising out of that expedition. Our artillery was not in order, and our standing army had been reduced, and our finances were diminished by helping Mexico. Thus that luckless adventure injured us in America and Europe. The instruction we ought to derive from it is this, that every government ought to have a powerful control.

We are all liable to mistakes. I confess that sad law of humanity, and I reproach no

one; but what prevents the fault of one from becoming the fault of all are the organized resistances that are found in every state. Some faults cannot be amended, but this is not one of them. France was not entirely absorbed in the Mexican expedition. English and German journals made fun of us for it, though they were to profit by it. They said, facetiously, Oh, our turbulent neighbors must have some occupation; that will busy them and keep them from troubling us. Such was the opinion of the expedition in Europe.

And now shall I dare to say what this house thought of it? I believe the house disapproved of it, and if it did not oppose the expedition it was through respect for the government. It is well known that many important and influential blamed themselves for encouraging the expedition, and they will always regret the act. So the nation did not favor the expedition, and the public men were opposed to it, and yet it took place and lasted six years. My conclusions from these facts are, that firm and respectful resistance to the chief of a state is the greatest service that can be rendered him on certain occasions.

I have always been counted among the men in France who seek liberty under monarchy. When a man sacrifices his political existence to his interests, his convictions must be sincere. Monarchy must be understood in two ways. First, it is a prince who rules despotically, who is served by ministers executing the orders given them, acting without concert, and often ignorant of what their colleagues do. This is one kind of monarchy. Another is, a chief of state having devoted and respectful ministers around him, acting in concert, deliberating jointly upon affairs of state in government council, discussing all questions, great or small, public or private, submitting them boldly but respectfully to the chief of the state, executing only his orders that conform to their views, relying on an assembly that can instruct them, and depending entirely upon public opinion, which should be law in all governments. This is the second form of monarchy, a government as free as a republic. It is the form I have wanted for forty years, the form I now desire, and I believe it is the form that all true patriots would like to have in their country at this time.

(The president called the gentleman to order by reminding him that he was not now speaking on Mexican affairs, but upon the constitution.)

M. THIERS continues: Mr. President, the subject is so serious I cannot refrain from bringing constitutional as well as moral aid in its solution. When I gave my opinion privately to some of my colleagues they exclaimed, We are coming to the very form of government you deem most salutary to the success of governments. Very well; I am glad they think so, but our march is slow in that direction; I would go faster. We must not stop in the way, for on that very way we found the Mexican expedition and the German troubles. We want a more rapid progress in our institutions.

(The house took a recess for 15 minutes, when M. Jules Favre took the floor.)

M. JULES FAVRE. Gentlemen, in taking the floor I rely less upon my strength in debate than upon my duty, for in questions of such importance as this I think there should be a free expression of opinion on all sides. You have just listened to M. Granier de Cassagnac's defence of the Mexican expedition, now universally condemned by public opinion. He analyzed its principles and its design, and, not considering the accidents that prevented its success, he said it ought to have been approved by the country and by this chamber. I regret to say I cannot coincide with him in his opinion. I will not dwell upon the subject now, for I have often expressed my opinion in regard to it, and I retain the same opinion I had in 1862. The interests of our citizens in Mexico did not need an expedition on such a grand scale. Nobody will now deny that if this chamber had been enlightened on the subject at a proper time it would not have assented to the unfortunate project that prevailed. M. Granier de Cassagnac has detailed to you the duties of a great nation, and of those who have the care of its government. These duties were, to defend its frontier and develop its internal industry; to extend its commerce to every quarter of the globe, and thus demonstrate the country's prosperity. And every French citizen, live in what region he may, must be protected by his government.

I will not contest that generous doctrine, but I beg my honorable colleague to admit that it is wrong to attempt such protection when it would be against the general interests of the country. I will not contest the justice of my colleague's theory, but I will simply ask him if he thinks it the duty of a wise government, conscious of its responsibility, with great interests at stake, to rush into a rash expedition, and spend 800,000,000 of money and sacrifice 30,000 or 40,000 innocent lives in a useless and unprofitable war. I must beg leave to differ with him, and I do say that this Mexican expedition ought to be condemned by every man of sound sense, and by every citizen who loves his country.

Our honorable and eminent colleague, M. Thiers, in describing the Mexican expedition to you, as he has just done, sought the cause of the errors he pointed out to a want of control. He said the responsibility so often invoked by the government is theoretical and not practical. In fact, there is a want of control when the house places absolute confidence in the government and does not dare to investigate its acts, and hence those painful spectacles that sometimes greet our vision. But I say the want of control is not the only reproach for men who now advocate the government. The house was consulted too late, when the expedition had already started, and I blame the government for not telling us the facts, for disguising the real designs of the expedition till they could no longer be kept secret.

When the ministers first mentioned the Mexican expedition to us they had the London

convention of 1861 in their hands; they said it meant to aid our countrymen in Mexico; was intended merely to demand satisfaction, such as former governments had sought and obtained; that was why our vessels sailed for Mexico. And what did the opposition say at the time? They did not dispute the right to demand satisfaction for injuries, even from a government half civilized; but the party was restive, and said to the government, You talk of chastisement for injuries to our citizens, but do you mean nothing more? Are you not taking advantage of that great and lamentable dissension that divides the American republic? Have you not some secret thought of aiding the southern confederacy at some future time, not far distant? All sensible men in Europe think so. Is it not to weaken the northern republic, to discourage and embarrass it, that you carry the French flag to the centre of a Spanish republic? Your press is manacled here, but we learned from foreign papers that the French government did not invade Mexico to avenge the wrongs of our citizens, but to help a neighboring power in a very different undertaking. Look under the veil of diplomacy and you will discover that the intention was to march a combined army against the Mexican republic, destroy it, raise a throne upon the ruins, and place a prince upon it.

That, gentlemen, was what we declared when the Mexican expedition was first discussed. We even went further; we mentioned the prince with whom negotiations had been opened, and that prince was no other than Maximilian, who has just fallen a victim to his courage and his evil star. And what did the minister of that day say to our insinuations? He boldly denied the truth of our assertions.

A colleague who did what I am doing now was answered in this manner: "England and Spain have joined us. The same proposals have been made to the United States, but the United States seemed to think we had ulterior views beyond the reparation of actual damages, and they did not agree with us. Their policy saw things in a different light, and we decided to act without them. Is not the union of three powers sufficient to show that your suspicions have no foundation? In spite of open facts, you persist in discovering secret machinations of France for the benefit of some foreign power.

"When such suspicions are expressed there ought to be some foundation for them, some slight proof at least, and you have none."

True, gentlemen, we had no proof then, but time has furnished proof, and made the most complete refutation of the assertions and of the veracity of the minister who then spoke before this chamber.

As to the reports, continued the honorable gentleman, that gave umbrage to the British ambassador, you will allow me to pass over them. Before starting, the officers said they were going to Mexico to enthrone a foreign prince. Do you suppose a diplomatic secret would be intrusted to the first officer starting to Mexico? You could not think so! If our ally was concerned about the reports, it applied to our minister of foreign affairs, and he contradicted them.

Yes, gentlemen, the reports of sinister invasion were contradicted; but alas, we must say that truth was violated by the minister of foreign affairs, and by the minister who appeared before this chamber. The negotiation that was then denied is now patent; history has recorded it, and we know its origin. Yes, Spain furnished the fatal idea that has cost France some of its best blood and immense treasures. We know that the government was tempted to lend a willing ear to intrigues it should have instantly rejected, to proposals of the Spanish cabinet, coming from Mexican refugees, from men who are ever ready to call the stranger to help their party, and always ready to calumniate their country. (Could they calumniate their country? a member asks.) Yes, and are always ready to implore help of those who can serve their ambition. From despatches published by the Spanish government we learn that a negotiation was opened between the cabinet of Madrid and the imperial cabinet, as early as 1859; that objections had been advanced by the imperial cabinet, but they were not of a nature to discourage the cabinet of Madrid.

It is not my business to say what infernal machinations prompted the Spanish cabinet to deceive the French government.

In 1860, two years before the expedition was mentioned to this house, there was another active correspondence between Spain and this country, on the same subject. The subject is thoroughly discussed; the names of the candidates are mentioned and considered; Maximilian is weighed personally and politically; and now you can judge of the importance to be attached to diplomatic and ministerial declarations. The negotiations were denied before this house; the truth was concealed in order to obtain an assent you would never have otherwise given.

Let me give you a fragment of a despatch from the minister of state in the cabinet of Madrid. In 1860 he spoke thus on the subject that now interests us:

"I had a conference with M. Barrot, the French ambassador at this court, on this serious affair, not long ago. He sent my note to the Emperor's minister of foreign affairs, and has lately read me an extract from one of his despatches, saying that France and England are ready to join us in the effort to establish a permanent government in Mexico, in accordance with the will of the people, and thus put a term to the painful situation in which that unhappy republic has labored so long. M. Thouvenel thinks the best way would be to call a constituent assembly to determine a form of government, and settle all pending questions, of whatever nature and importance.

"Her Majesty's will is that you have an interview with M. Thouvenel, to determine in what way the three powers can intervene in the disorders of the Mexican republic. Her Majesty's government thinks that the mere mention of this determination and the first steps that will be taken to carry it out, will suffice to give courage to the honest people of Mexico and predispose them to labor for the establishment of a government that will curb the rebellious spirit that has caused so much harm to that unhappy country."

Certainly nothing is more laudable than such a proposal, if you look at it in a moral point of view; but if you look at it in a political light, I do not understand it so. If you wish France to use her armies, fleets, and treasure in regulating governments all over the globe, we will have many Mexican expeditions, and many impositions of foreign loans. It is a very foolish idea to want to teach the world morality by cannon shots. No true statesman can possibly approve of so puerile a policy.

Now hear what our ambassador in Madrid wrote to the minister of foreign affairs, on the 11th of October, 1861. The London convention had not been signed, but the terms were settled and it was ready to be concluded. You know its terms; they were ostensibly to demand satisfaction for injuries to our citizens in Mexico, and to protect them in future; but the diplomatists had an after-thought, which they did well to conceal, and that is what the French ambassador reveals in his despatch of October 11, 1861, to M. Thouvenel:

"I told the English ambassador I agreed with his government perfectly on one point. Like Lord Russell, I acknowledged the legitimacy of our coercion of Mexico, on account of wrongs from her governments, and that a convention should only relate to the redress of those grievances, and the prevention of their repetition."

So there was an open convention and a reserved convention. The open convention intended the redress of grievances to our citizens; the reserved convention intended to overturn the Mexican republic and fix Maximilian upon a throne in its place.

In spite of explanations in this document of March 14, 1862, the minister of state was compelled to reveal some truths to this house.

The opposition had a right to be heard, and when the Mexican expedition was brought up we forced the government to hear our voice, and also when the budget was discussed.

This time the minister of state changed his tone, and spoke as follows:

"Many Mexicans have long thought and openly declared that the only form of government that could restore order and preserve peace in Mexico, was a monarchy. Even some presidents of the Mexican republic thought of opening negotiations with Europe to effect that purpose. Among political men interested in the question, many were convinced that it was the only form that could put down a few hundred men who were constantly contending among themselves for the central or local power, to the ruin and destruction of the common people. There were some two who thought that a foreign prince could do better in governing firmly and in a lasting manner, because he would not excite the same rivalry that a native sovereign might.

"This hypothesis had to be settled, if only to prevent future rivalry among the allied powers. The Emperor's language on the subject was very plain. He declared through his minister of foreign affairs that neither his country nor his family had any ambitious aspirations in that way; that he did not aim at the conquest of Mexico; would not appropriate any of the sea-coast; would only seek the redress of grievances, and the security of his subjects. He asked the other governments if their intents were similar, and requested them to declare there were no special or personal interests in the expedition. Avowing this disinterestedness, he said, to avoid all rivalry among the allies, it would be well for them, in case they decided for a monarchy, to select a foreign prince for the new throne, and he suggested a prince who commanded the respect and esteem of everybody, on account of his noble qualities and the high sovereign family to which he belonged."

Beware, gentlemen, of diplomatic language! The conversations, to which the minister of state alluded, happened previous to the treaty of London, on the 11th October, 1861; before the explanations made to the legislature the 14th of March, 1862, so that the denial of negotiations with Maximilian was useless, as the affair was then notorious. The truth was kept hid from us, for if we had been told that the Mexican expedition was intended to overthrow the republican institutions of that country and establish a monarchy there, I am sure your wisdom and patriotism would have prevented you from aiding the government in such an enterprise.

The government concealed the truth from you at first; it did not reveal its intentions to you; and though it pretended to act only in the interest of our citizens domiciled in Mexico, it had ulterior views. I do not hesitate to say that such conduct is condemned by justice and reason.

I am not now analyzing the Mexican expedition. I do not inquire into the conduct of the government; but its theory of the necessary triumph of the Latin races over the Anglo-Saxon, and the desire to establish our influence in an American republic, is certainly dangerous. I boldly assert that it is not right for a powerful nation that has armies and millions of money to dispose of—a nation respected by all Europe—merely because it has power and influence, to use that influence in a distant country, at the cost of a torrent of tears and blood, and impose the policy it thinks best upon an unfortunate country. We must learn that every race, wherever God has assembled a family called a nation, has the primordial

right to govern itself according to its own inspirations, its manners and habits; and when others are imposed on it by force a law is violated, and the nation that does it ought to be blamed.

Now what strikes me in the result of this undertaking is, that what was begun was continued with deplorable perseverance: and what is stranger still, is that no official documents about the Mexican expedition have ever been published. And when we complained of it in this assembly we were told by the minister of state that he had no documents to publish; that the minister of foreign affairs kept a clerk to make extracts for publication, and we might get the documents from him.

We replied that if the country was thus governed it was to be lamented; but we were not much more inclined to believe the minister of state than his colleagues. I do not doubt the minister's sincerity; I do not doubt his word; but he has often told us that state reasons, that superseded ordinary reasons, were against the publication of certain documents. That prompted him, most likely, to make the speech I have just severely criticised. But I am sure that no one in my hearing can believe that the minister did not see and read the documents mentioned.

The bulletins of our brave generals might have contained useful information for us. An intelligent officer, who notices what is occurring around him, can give a correct account of it, and we should have had their reports.

All is for the best, however; our armies advanced and were victorious, and what is more, they seemed to be well received by the people.

The prince left Europe in 1864, in spite of our representations, and you said he was welcomed as soon as he landed on the Mexican shore. It seems he was the Messiah of Mexico, anxiously expected by its inhabitants. He was kindly received by all, so how could there be any doubt about the success of his enterprise?

I will not weary you by reading articles from the *Moniteur*, but I must read you a report of the proceedings on the 27th January, 1864. The unfortunate archduke was then at Miramar. He hesitated, but not for want of courage, as you well know; it was to obtain further information. He suspected the folly of an enterprise so uncertain. When told of the crimes of the Mexican government, of the anarchy that had reigned there for so many years, it naturally made him waver, while it paralyzed his resolutions.

It is not my place to say how his hesitation was overcome. History will chronicle that fact; but I must repeat what was then said by the minister of state in reply to M. Thiers, who foretold trouble for France, but would not allow her to abandon Maximilian, after placing him in such a delicate situation.

The honorable minister said: "No! God will lead him. This is not the first time I have heard prophets of evil. When we were besieging Puebla in May last, before the news of its fall had reached France, it was announced at Paris that supplies were giving out; that Puebla would resist, that the French forces would suffer another check, a new humiliation. The humiliation fell upon the false prophets."

On the 11th of May he again said: "I do not fear to say that the emperor Maximilian has the future of the country in his hands. Let him be industrious and resolved, devoted to those principles of equality and liberty that form the true foundation of all democratic associations; let him wisely distribute the attributes of power between his government and the corps called to control it; let him use his power to give satisfaction to his country, and he will not fail to see his efforts crowned with success; to see a nation of new people, regenerated by his sceptre, grow and flourish under his rule.

"Yes, God will bless this conquest of civilization, and the people of Mexico, raised from their humiliation to true freedom, in a simultaneous burst of enthusiasm and gratitude will thank the emperor of Mexico and the Emperor of the French for their glorious regeneration."

On the 13th May he said: "What ought to prejudice us, if such thoughts could occupy serious and exalted minds, are the necessary future conditions of a profound intimacy between Mexico and the United States of America. That country does not menace the emperor of Mexico, and he may continue in his efforts to repair the prosperity of the country, and get into such a condition that the French flag may be brought back in triumph to its home."

Now, I ask every impartial man who hears me, when we know nothing about a matter, and we are constantly flattered with pompous expectations, if the government asks a vote of confidence from us, how can we refuse it?

I have the right to say the government did not speak the truth, when the despatches received at the very time these remarks were making were calculated to compromise the country. Those despatches told that our soldiers were struggling amid danger, suffering from fatigue and privations; that when they had moistened a spot of ground with their blood, it belonged to them while they were on it, but as soon as they left the Mexicans returned to occupy it. It was a struggle hand to hand, not only under the walls of Puebla and in the city of Mexico, but in the distant provinces. Our poor soldiers were thus perishing uselessly upon a foreign soil, not for the interests of France, but for the honor of the Mexican monarchy.

This is the way you have been deceived; for you might have been told of the troubles in Mexico, instead of listening to untrue reports of ovations everywhere. What first proved

that the enterprise was in despair was the conclusion of a secret treaty. This was after treacherous words had persuaded capitalists to invest their treasures in a foolish enterprise.

The secret treaty said: "It is possible, even probable, that the Mexican government may fail, and if it does the treaty is null."

Is that the kind of loyalty that ought to exist between the government and a great assembly? If that is so, I have the right to say that it is not only the want of control, but a want of truth, that caused the failure of the expedition.

[M. Favre is called to order by the president.]

I cannot express my thoughts in any other manner, when I am convinced that this house has been deceived, and it is my duty to say so. It was by such deception that this deplorable enterprise was conceived, in spite of the courage of our soldiers and the intrepidity of our generals, and was prosecuted with the fatal result that you have seen. Before closing I ask permission to say a few words about the last events of this lamentable affair, in which there was a cumulation of errors.

The Archduke Maximilian ascended the throne of Mexico in 1864; he soon saw the impossibilities of his situation, and it required no great prevision to see them; if he had sensibly consulted the people of the country, he could not have failed to see the delicacy of his situation.

When he found himself confronted by these difficulties, he attempted to overcome them with great energy, I must confess, and I will certainly say nothing now against the policy of the unfortunate victim; he has sealed the unlucky adventure with his blood, and he has become an object of respect for all.

It is impossible to slight the conduct of the French cabinet in the last events of the fatal expedition. As I said, Maximilian ascended the throne of Mexico in 1864, and in 1865 the French government saw that his cause was hopeless.

If time allowed, I could show you despatches to prove what I say. Maximilian's treasury was exhausted in 1865, although two onerous loans had already been levied upon the French people, and he could neither pay his civil list nor his army, and the sad proof of it is in the accounts of our budget, for Marshal Bazaine was obliged to appropriate 5,000,000 for the payment of the Mexican and Austrian army, contrary to the provisions that consigned those expenses to the Mexican treasury.

Thus, in September, 1865, the French government regarded the cause as lost; for the conventions that Marshal Bazaine had concluded of his own accord were not authorized by the government. The government thought best to abide by the convention of Miramar, and if Maximilian could not pay that, it would be useless to spend all the money in France for him.

So, as early as 1865, the Mexican empire was considered lost.

No steps were taken to acknowledge it at that time; but the minister of foreign affairs considered it useless to give further aid to Maximilian. If we did we risked a war with the United States, and we did not wish to incur that danger. I do not say this to reproach the government; but I do reproach the government for continuing the military expedition in 1866, to help Maximilian out of his troubles, when it was altogether useless. I ask, when we knew that Maximilian's empire was crumbling, why we did not lay aside all pride and selfishness, and attend solely to the situation of our soldiers and countrymen, who were about being exposed to retaliation and revenge from a people who have had cause for suspecting foreigners.

Why did we not make a treaty with whatever government existed in Mexico in 1866? We deceived ourselves, and rather than acknowledge our mistake we attempted to create a fictitious existence for the unfortunate emperor whose end was evidently near at hand, who had himself begun to despair, and who was ready to leave the country. A vessel came to Vera Cruz to take him off. He was at Orizaba, and was not allowed to leave. Of course his only alternative was to return to Mexico.

Gentlemen, we have all been unanimous in the sentiment caused by the bloody scenes that have recently been witnessed in Mexico. When men murder each other in the fury of party spirit, they ought to be condemned in the name of reason and humanity.

It seems there is a law of terrible reprisals fatal to men whose hands have been dyed in blood. One thing necessary in these lamentable catastrophies is wisdom, another is coolness, and it seems to me our government has been wanting in both when it permitted publications in an official paper that might have a terrible echo abroad. When it invoked the divine right for the protection of thrones in favor of a stranger, condemning to infamy those who dared oppose him, let me tell you it was wrong, and I will say that the most obscure son of France who has perished abroad in devotion to duty is much more worthy of sympathy than any prince who in defending his crown—

(Interrupted by a call to order by the president.)

I do not think that political necessity can explain or excuse the conduct of the government in the latter part of the expedition.

The Archduke Maximilian had calmly started under the faith and solemn promises of our army to be protected by it and by France. Though the minister of state declared in this spot, speaking of the finances, that the Mexican empire was not connected with the fortunes of France, it is very certain they were intimate upon the battle-field; and I believe I am not

the only person who has felt a profound regret that political combinations did not permit us to bring back the unfortunate archduke, and thus save France from the responsibility of blood that falls upon it. I have always protested in favor of the inviolability of the life of the creature that God has placed upon this earth.

I insisted upon the abolition of capital punishment, and if you had considered my proposal, our vote would have strangely shaken the consciences of the great men of this world. (M. Favre here concluded.)

M. ROUHER, minister of state. M. Favre wants to throw the responsibility of the assassination in Mexico upon the government of France. I must protest, in the greatest indignation, against such an allegation. Maximilian was murdered in base treachery. He was betrayed by one of his own contemptible Mexican generals while he slept, and, after some days of confinement, he was tried by a secret tribunal with closed doors and condemned to instant execution. Yes, Juarez assassinated the emperor, whom he had deceived and caused to be betrayed.

Such is the morality of the act you wish to throw upon the French government.

When the Emperor Napoleon sent one of his aids to Mexico, in 1866, it was not to advise Maximilian to remain there, as my colleague has alleged, but to quit Mexico at once. After that, who can blame the French government for what has taken place?

When we had decided to withdraw the French troops from Mexico we did all we could to persuade Maximilian to return with them; but he preferred to remain. I assure you we regretted that resolution most sincerely.

I will not have unjust reproaches thrown upon us; let them be given where they belong.

From M. Favre's language you would suppose the emperor had restored the political scaffold, when it is precisely that government that expunged the death penalty in politics from our legislation. Have you forgotten that your predecessors passed such a law? If you allude to the attempt at murder on the opera steps, you confound assassination with political crimes. That was not a political crime; it was an attempt at assassination, and should have been tried as such.

(A proposal to adjourn was put to vote, and the chamber adjourned till the next day.)

B. LAGACHE, *Phonographic Reporter.*

[From the *Moniteur Universel*, the official journal of the French empire, Paris, Thursday, July 11, 1867, No 192, page 917-920.]

LEGISLATIVE ASSEMBLY, *Wednesday, July 10, 1867.*

M. SCHNEIDER presiding.

M. ROUHER, minister of state and finance, speaks:

Gentlemen, in spite of the catastrophe, full of bitterness and grief, that has overwhelmed the Mexican enterprise, in spite of disappointed hopes, in spite of the fervent words that echoed from this tribune yesterday, the government remains convinced that the Mexican expedition was just, legitimate in its causes and in its design; therefore it does not consider the propriety of the discussion of this painful subject in this house. No, the government only wishes to find out the morality of the facts, to examine whether your control existed or not, to weigh the consequences and heed the instruction that may be found in the history of the Mexican expedition. M. Thiers tried to prove that the only object of the expedition was to found an empire in Mexico. He declared the expedition had no chance of success; that it would have been stopped if the control of the public powers had been properly exercised.

M. FAVRE, in very vehement language, said the public powers had been consulted, but the government was wanting in veracity. The questions I intend to discuss are, the general truth of facts, and the sincerity of your control. Did the government do its duty, and what moral is to be deduced from the consequences?

The first question that presents itself is this: What means should have been used? How did the convention of 1861 intervene? Was it clearly understood by the contracting parties?

If we are to believe M. Thiers, neither Spain nor England were in the confidence of the French government. If we hear M. Favre, Spain seduced the imperial government, and the proposals to put Maximilian on the throne of Mexico originated in the cabinet of Madrid in 1860.

Both of these contradictory assertions are erroneous. Violence to our countrymen was the cause of the war; its object was to demand satisfaction: the avowed way was to take possession of the country.

After overthrowing Miramon Juarez returned to Mexico, in 1861.

We sent a minister plenipotentiary to Mexico to recognize Juarez and treat with his government. The first three months, from January to May, were spent in friendly arrangements. M. Dubois de Saligny signed a treaty with the state minister, Zarco, fixing the indemnity to our citizens.

On the 28th April, 1861, our minister in Mexico wrote to our minister of foreign affairs as follows:

"In the state of anarchy, of social decomposition we may call it, in which we find this

country, it is difficult to predict the turn of events. One thing is certain, it cannot rest in its *statu quo*.

"Everything indicates that we are approaching another revolution. If it happens, it will be absolutely necessary for us to have a material force on the Mexican coast, sufficient to protect our interests in every case."

On the 29th June he wrote again:

"Requisitions, forced loans, confiscations and exactions of all sorts prevail. Foreigners are not protected in person or property. The government of the Emperor, I hope, will see the necessity of giving me instructions and means to force respect to the interests and honor of France."

On the 27th July another despatch comes from M. Saligny: He says, a law of the 17th July suspends instalments of foreign debts for two years, and increases the interior custom duties 100 per cent. He says the Juarez government seized \$86,000 deposited in the Pawn Bank to our account.

"Sir Charles Wyke thinks as I do," says he, "and we have agreed to break our relations with the Mexican government. The determination produces a profound sensation. The French citizens here are unanimous in their indignation against this government; all desire a prompt and exemplary punishment."

So our relations with Juarez began in a friendly manner; a treaty was signed to insure respect to our people and government. In April, exactions recommenced; murders take place in the streets of Mexico; impunity is complete; it is no use to ask justice. Our government is informed that the interests of our countrymen are neglected, and a force must be sent to Vera Cruz to protect them. By the 29th June the horizon grows darker; the 27th July a sum of money belonging to our people is seized. At last our minister agrees with the English minister to break with the Mexican government.

Such gentlemen, are the precedents of this question.

On the 28th September, 1861, M. Dubois de Saligny sends to our government a list of our citizens who were robbed, pillaged, and murdered in the last few months. In his despatch of 28th September, 1861, he asks that measures be taken to stop these outrages and compensate our citizens for their losses. The Spanish minister being expelled by Juarez, our minister and the English minister broke off relations with the government, and then the three powers had to come to some understanding.

I will read you the text of the convention of the 31st October: "His Majesty the Emperor of the French, her Majesty the Queen of Spain, and her Majesty the Queen of Great Britain and Ireland, being placed by the arbitrary and vexatious conduct of the Mexican authorities in the necessity of exacting from those authorities a more efficacious protection for the persons and property of their subjects, as well as the execution of obligations contracted towards them by the republic of Mexico, have agreed to conclude between themselves a convention for combined action, and have named as plenipotentiaries," &c.

Could three enlightened and intelligent powers agree to forge grievances that did not exist?

Let us refer again to the convention to learn its object:

"His Majesty the Emperor of the French, her Majesty the Queen of Spain, and her Majesty the Queen of Great Britain and Ireland, bind themselves, as soon as this convention is signed, to make provisions for sending a fleet and army to the coast of Mexico, the number to be hereafter determined, to seize and occupy the different forts and military posts of the Gulf coast.

"The commanders of the allied forces shall also be authorized to accomplish such other operations as may be judged most proper on the spot, to realize the end specified in the preamble of the present convention, and particularly to assure safety to resident foreigners."

Did these forces expect to remain on the coast? Let us see how many troops each country furnished. Spain gave 7,000 infantry, which were certainly not intended to hold the fort of San Juan de Ulloa; France gave a contingent of 3,000 men; and England, truly acting a naval part, put 700 men and 700 sailors on her contribution of ships. And you tell me this army did not intend to go as far as the city of Mexico? Were these men to occupy only the ports?

On the 11th of November, 1861, M. Thouvenel gives Admiral Jurien de la Graviere the following instructions:

"In case the government of Juarez refuses to treat, and retires inland, the allied powers will quit the coast, if they cannot have access to the government from that point, and the region be unhealthy. With this view, a corps of land troops will furnish the allies the means of extending the circle of their operations. The government of the Emperor admits the necessity of marching inland as far as the city of Mexico, if the object of the expedition is not attained by remaining on the coast. Another reason for the advance may be an attack from some unexpected quarter." Thus the commander-in-chief is told to march into the interior, even as far as the capital, if necessary.

Were these instructions communicated to England or Spain? M. Flahaut in England, and M. Barrot, in Spain, received them at the same time with Admiral Graviere. Thus they became a common law to the expedition. Let us see what else.

As early as 1858 Mexican refugees offered the throne to the Archduke Maximilian. The

same offers were renewed in 1859, without answer. These facts were known to the contracting powers. In the month of October, 1861, they noticed these advances. What was their decision? They unanimously declared they had no idea of conquest, and to prove it the convention of 1861 stipulated that the motives of the expedition should be made known to the United States, and that power requested to join in the demand for the satisfaction of damages such as they had suffered. It was stipulated in the second place that no member of the royal or imperial families taking part in the convention of 1861 should have any pretension to the throne of Mexico; and finally, it was understood that we were to impose no government on the Mexican people. The second article of the convention of 1861 says:

"The high contracting powers bind themselves not to take any territory or private property, and not to exercise any influence of a nature to prevent the Mexican nation from forming its own government."

If a conflict between two governments had been intended, would such a clause have been thought of? But there was already a government in Mexico; Juarez was at the head of it. But what kind of a government was it? We know the nation was tired of its yoke; that if freed from it, it would try for its independence; and hence the clause I have mentioned.

In his instructions to Admiral Graviere, of the 11th November, 1861, M. Thouvenel said: "There are certain contingencies that might induce the civilized portion of the people, who are tired of the anarchy that has prevailed since the emancipation, to try and form a stable government, with power to sustain itself, which has not been the case in any of the others. The allied powers have a common interest in seeing Mexico rise again from the desperate condition that has paralyzed her prosperity and her use to the world; and that interest ought to induce them not to discourage the people from attempting to form such a government as I have mentioned."

This shows we did not intend to interfere in the formation of a new government in Mexico; but if the people tried to form a durable government we were to aid them morally. Such was the true situation.

From this we deduce that the London convention of the 31st October, 1861, was made to protect our countrymen in Mexico; its intention was to seek reparation for damages; the manner to accomplish that was to march to the capital of Mexico.

It was certainly a military expedition, because it was very probable the oppressed people would shake off their yoke and try to form a stable government, and we had been instructed to encourage them in the laudable undertaking. The documents from which I derive these facts have all been published, and were exhibited to this assembly at its first session in 1862, two months after the convention of the 31st October, 1861. You will find the convention and M. Dubois de Saligny's despatches, the instructions to Admiral Jurien de la Graviere, and in fact all the documents I have quoted, in the yellow book of that time. The decree of the 24th November, 1860, was then in force: the chief of state made a speech at the time, exposing the situation of the empire, and you were called to vote and to deliberate upon an address.

Here is what was said about the situation at that time:

"Great Britain and Spain, that had claims against Mexico, joined us in our coercive measures to force Mexico to respect her engagement, and compel her to indemnify our citizens for spoiliations that made their situation almost intolerable.

"A convention concluded in London the 31st October last, regulated combined action of the three powers. The allied squadrons have already united in the Gulf of Mexico, and the debarcation of our expeditionary forces must have proved by this time to our countrymen that the Emperor's patience was exhausted, and their complaints would be heard.

"Though such is the sole object of the expedition, we would certainly be pleased if the three powers could induce Mexico to reorganize its government in such a way as to form one that would develop that magnificent country, and give it an independence and prosperity it has long needed."

In this explanation of the situation, determining and characterizing the convention, we plainly said, that if a new, regular, and firm government could arise out of the salutary crisis to which Mexico would be exposed by its own votes, we would be much pleased.

M. Thiers seemed to think that Mexican affairs were first discussed here in 1864. He forgot the debates in 1862 and 1863, and the explanations then given. M. Favre recalled them when he said: "I acknowledge the control, but the minister who spoke for the government did not speak the exact truth." M. Billault's veracity was thus put in doubt. This accusation was necessary, though his tomb was so cruelly and prematurely opened. But the facts are as I give them.

The aim of the expedition was certain: the result uncertain. Nobody could say what would happen; no one could calculate the passions of the Mexican nation. Maximilian had not accepted; the allied powers had made no engagement with him in 1861; we had no official notice of his aspirations; we had reports of his negotiations, but nothing was certain. It was under these circumstances that M. Favre asked if the expedition was intended to place the Archduke Maximilian upon the throne of Mexico. This question was put on the 13th of March, 1862. M. Billault answered in the negative. I will give you an extract from his speech of that day:

"Now, if in this conflict the unhappy people of the country, weary of the ills they have

suffered for 40 years from alternating anarchy and tyranny, should shake off the yoke of their oppressors, conquered by us; if, in a moment of good sense and instinct of self preservation they should attempt to form a regular free government, could we prevent them? This case is precisely anticipated by the convention as well as by the instructions. We will exercise no force over the people. We will not violate a principle which is the basis of our public law, of popular will and national sovereignty in Mexico, but we will leave the miserable people free; a people who have been oppressed by governments that you praise, but which gave them none of the blessings, none of the securities that are the rights of civilized nations. If they wish to continue that miserable existence, we will not impose a better fate upon them; but if they seek a better condition we will encourage them with all our sympathy, our counsel, or moral support.

"Let the facts be as they may, a legitimate war, required by our honor and our interests, we will prosecute vigorously with our allies, with a hope that the miserable Mexicans, if they have enough energy and fraternity to accept a good government, may find one, and such a one as will give security to our countrymen. We will give them our counsel and our moral support, but we will never force them to anything.

"You ask why we want to go to the city of Mexico; why not remain on the coast?

"Gentlemen, the topographic and hygienic situation of the country requires it as much as our policy does. To take possession of the sea-coast and remain there would be sacrificing our troops to the yellow-fever; it would frustrate our intentions; anarchy would rejoice, and the wretches would laugh at France. We must leave the yellow-fever behind and strike at the heart of the country, where we would meet an enemy less formidable than the fever. That is the only way to compel respect for our rights, respect for our people, and the execution of long standing obligations to our country. That is why our troops have gone to Mexico. They started the 20th of February, and ought to be there now."

That is what was spoken on the 13th of March, 1862. So you see we wanted to go directly to the capital, where the offences against us were committed, and demand satisfaction for them.

Let us now see what was going on in the Gulf. The Spanish, English, and French had arrived. The yellow-fever broke out on the coast. I have the letter of General Prim to his government, written the 7th of February, 1862. He is impatient to march on Mexico; he is waiting for mules from Cuba to help him on; he declares that the banners of the allies shall soon wave over the capital of Mexico. How comes it there was such a change by the 19th of February? How was it that the general-in-chief signed the preliminaries at Soledad on that day? These are questions I will not discuss. What were those preliminaries? They ignored the convention of 11th October, 1861, completely. In them it is stipulated that the government of Juarez shall thank the allies for coming to his aid, and in two months (the 15th of April) conferences shall be held to establish good relations between the Mexican government and the three allied powers. Thus two months are uselessly wasted. The allies are permitted to go to Orizaba and Cordova on condition that they return to the fever region if there is no agreement at the conference; and to mark these declarations with a sort of irony, it is agreed that the Mexican flag shall float over Vera Cruz and its fort with the colors of the allied powers. We rejected the convention of Soledad on the 2d of April, but affairs were completely changed before the news could cross the ocean.

The strategy was soon discovered by the men who had signed it. Impositions continued; our citizens were murdered in the streets of Mexico, and the Mexicans were fortifying themselves in Puebla.

The sole object of the convention of Soledad was to place our army between the Mexicans and the yellow-fever, which generally began its ravages the last of April. Such was the situation. Count Reus (General Prim) perceived it on the 20th of March, and on the 21st he wrote to Mr. Saligny and Admiral Graviere as follows:

"We are betrayed; we cannot observe the preliminaries of Soledad. Our only alternative is to march on Mexico."

This was before the Atlantic cable was laid, and news could not be conveyed rapidly between the two continents. On the 9th of April, Saligny and Graviere denounced the imprudent convention, and declared they would advance, asking the allies to accompany them, but determined to go alone if they would not join. So, on the 9th of April, the French army left the allies and began a single combat with the Mexicans. M. Thiers informs us there was an ultimatum at the time denouncing the extravagance of the French claims. The ultimatum was discussed by the plenipotentiaries and the convention of Soledad was rejected. In the ultimatum, England demanded 80,000,000 francs indemnity for her citizens, though they were not so numerous as our people in Mexico, and their commerce was certainly less extensive than ours. Spain demanded 40,000,000 France demanded 60,000,000.

M. Thiers said, "I think there is some exaggeration on the part of England; the claim of Spain seems more reasonable; but our claim is certainly exorbitant."

I beg his pardon; there could be no agreement on this point without going into particulars, and that could not be done at the time. The entire claims of our citizens amounted to 156 millions; yet we agreed to submit to a compromise. In 1865 we came down to 40 millions, and that claim was ratified in 1866. It is added that we also demanded 75 millions more for the Jecker claim. No, gentlemen, we did not ask that in cash; we only asked a confirma-

tion of the contract between Miramon and Jecker & Co., and the admission of those bonds as values to be received for customs. Jecker's contract required the circulation of its bonds; that was all. This happened before the defeat at Puebla. M. Thiers says our mistake was there. After the capture of Puebla he says we ought to have suspended hostilities, and should not have marched on to the capital; or if we did, when we got there we should have treated with any government we found, and then brought our troops back.

Ah, gentlemen, it is very easy to say what should have been done after the failure of a plan.

What could we do after the capture of Puebla, when General Bazaine had advanced without meeting the enemy, and had already entered the city of Mexico? Who was there to treat with? The government was in flight, and had left no minister to treat with us. Could we then treat with Juarez; place our citizens under his protection and demand their rights? It was too late. I ridiculed the idea in 1864, and I repeat it now. Treat with such a man as Juarez! No, never.

What were we to do then? Quit Mexico without a treaty with any government? Were we to return to France without any guarantee, after marching to the city where the outrages against us were committed?

We were compelled to some determination; did history furnish us no precedent of action? In 1848 United States troops were in Mexico, bargaining for the purchase of some provinces. Did they quit Mexico without assuring to the people some form of government? No: while they occupied the capital a convention assembled and elected Herrera president of the republic.

Well, that is just what we intended to do. General Forey, according to instructions, called a convention of Mexicans to deliberate on the best form of government for them. M. Thiers told you yesterday they were all honorable men, the best of Mexican society. They decided that a monarchy was the best form of government for Mexico, and proposed that the throne should be offered to the Archduke Maximilian. Committees were appointed and registers were opened in every district free from oppression. An immense majority voted for the empire and Maximilian.

What influence had France in that result? General Forey's instructions were as follows: "Respect the independence of the Mexican nation; let it make a government to suit itself; exercise no influence upon the proceedings." That is plain and definite. True, our soldiers were there, but they did not interfere in any way with the government makers.

Indeed, gentlemen, after forty years of anarchy, was it not time to hope for and try some new form of government? It was done by the Mexicans themselves, and now you want to make us responsible for it; and now you tell us this choice made by the Mexican nation, without constraint, ought to have been prevented. You say the enterprise was foolish; that the people were not capable of a regular organization, and ought to be struck off the book of nations, because they could not live politically nor financially.

M. Thiers said the archduke ought to have been isolated the first day of his arrival on Mexican territory. He was confronted with a terrible question—that of the church property. If he solved it by the passions that surrounded him he was lost; if he solved it in wisdom he would be alone on Mexican soil. Then he said the fertility of the country was an illusion; its barrenness was proved by every document he had seen, and the organization of its finances was an impossibility. All the illusions on the subject could be refuted by any serious mind.

Now, let us consider all those arguments, and inquire why they were not made till after the sad events we now lament.

The question of church property was a hard one, but the solution adopted by the emperor Maximilian was impressed with wisdom, as M. Thiers himself says. He would not annul sales made to purchasers in good faith. On the day of his arrival in Mexico he marked the solution of that difficult question by saying, "All sales made in good faith, and where conveyances have been made to purchasers, shall be respected; only those subject to be annulled by the common law of the country, that is those that are simulated, shall be considered of no effect."

Should the clergy have opposed that decision? What was more wise, simple and reasonable than to accept it?

What was wrong in Maximilian's decision when he said to purchasers in good faith, "You will not be disturbed in your possessions;" and when he said to the clergy, "Moderate your excessive claims; accept a reasonable compromise, and don't be carried away by prejudice; the solution I propose to you is stamped with the seal of wisdom?"

Yes, the emperor was right, because he had not calculated with human passion, but depended upon the reason of another; because he relied on the good sense of every one; and you say he attempted an impossibility. No, his was a wise decision, and if evil passions had not darkened the understandings of the inhabitants of that benighted land, he would have gained a great and legitimate popularity.

You say the poor country is not worth a government. I have read everything on Mexico; I have read all newspaper accounts of that country; the reports of our engineers, and there is not one that does not boast of the great fertility of that privileged soil; that does not represent it as yielding all the products of the north and south in its successive latitudes and

varied altitudes. I have not read a work that does not boast of the exhaustless mineral wealth of that favored land. Its vicinity to California explains the importance of the silver, iron, and coal mines that exist in Sinaloa and Sonora. Are these illusions?

Who knows when that mineral wealth will be dug from the earth? When the United States seize on Sonora, as they have seized California, then you will see that now barren land blossom as California does. Let the inhabitants have a good government, with a stimulus to their energy and activity, and that sterile and misgoverned province will exhibit the same prodigy of prosperity that its more fortunate neighbor does.

So, gentlemen, you think we were mistaken; we violated all rules of reason and good sense when we attempted to organize a regular government for Mexico?

Let us consider the financial condition of the country at that time. During the years just preceding our advent the custom-house revenues of the country amounted to 90 millions. Now, to raise 130 millions of francs, the appropriation fixed by Maximilian, it was only necessary to impose a tax of six francs a head. Was that impossible? With the return of order in government, regularity in finances, industry in labor, was it a dream to hope that much? It could not be expected instantly, I confess. But what do all the experts who have been successively sent to Mexico tell us? One of them spoke in this house, (Mr. Corta.) Happy results, of course, could not be expected at once; public credit was to aid in founding the new empire. If the new nation could thus be supported for a few years, its resources would be sufficiently developed to pay its own expenses. That is what all reports, including Mr. Corta's, induced us to believe; that is how the government believed it. Yes, we agreed to aid in the establishment of that empire; we sent our soldiers and our money there. Two loans were negotiated to furnish the means. What could we do? While our flag and army were in Mexico could we say the French market was closed to Mexican loans?

We are told of a strange contradiction of the government. While the loan was approved by this house, it was a secret contract in another ministerial department, expressing a want of confidence in the loan.

There is a mistake in dates in this assertion. The first loan was made in April, 1865. The secret convention, which you say was made at the same time as the loan, was made six months after, on the 27th September, 1865. When the minister of finance fixed the bonds at 300 francs, did that show a want of confidence in the loan?

Our confidence was perfect at that time, for we took a friend by the hand and said to him, "You are intelligent and strong; you are perfectly acquainted with our finances, and the great trouble in Mexico is want of funds. We want you to go there and regulate its finances. Quit the state council where you are so much beloved, where you are so much admired for the superiority of your talents, and go to Mexico to organize the finances of that country." The friend whom we thus sent away from his native land to a distant and sickly country, never returned to us, we never saw him again. (It was M. Langlais.)

And you say our confidence began to fail then, in 1865? You may call our language illusory, our reasoning false, attack us in every way, mock our broken hopes, but do not say we did not act in good faith, that the sincerity of our conscience was not spoken here.

M. Favre said to you they knew the situation; Marshal Bazaine was obliged to anticipate receipts of Mexican cashiers; the Mexican government had no funds, and we had to resort to extraordinary means for funds to meet our engagements.

Here is another error of date and judgment. The events mentioned by M. Favre happened in May and June, 1866, and under circumstances entirely different from those of 1865, when the loan was contracted, and the agreement between the minister of finance and the director of the discount bank was made. They happened, I say, in May and June, 1866, after the return of our troops had been decided on, and when events then occurring in Mexico called for a fresh sacrifice from the French treasury.

I return to the opinions expressed by Mr. Thiers and Mr. Favre. One said your control was not exercised; the other said it was exercised, but its effect was annulled by prevarication. You see this is intended to throw the responsibility of the expedition upon the government, and place the majority of this house beyond the reach of any responsibility. I am not afraid to say that argument has neither truth nor justice. In your devotion, loyalty, and patriotism you will reject it and join us in a common cause of mortification. The control was complete, and facts were explained in the greatest sincerity.

Three times during the year 1863 did this house debate the call for means; it was discussed again in 1864, before and after the convention of Miramar. In 1865 and 1866 all the facts were laid before you and explained in great sincerity. We failed; it was our misfortune, but not the result of the want of earnestness on our part.

I repeat it: we told everything—nothing but the truth; if we have failed, throw the responsibility upon us; but do not accuse us of untruth. Do you not believe the official bulletins published in the *Moniteur*? Were they not the exact reproduction of the documents sent by our generals and our marshals?

Unfortunately, at the close of the year 1865 events became cruelly complicated. I will not go into particulars, but I must say that agitation on the Rio Grande, repeated violation of neutrality by American filibusters, and the encouragement of rebels by America, obliged Marshal Bazaine to concentrate his army so as to be ready to use it in any emergency.

From that day the Mexican army has had to fight the dissidents who were encouraged by

people beyond the Rio Grande; and from that time the Mexican finances have not been able to meet their increasing obligations.

It has been our duty to examine the situation thoroughly. Why was it necessary to remain in Mexico after 1866? We could not expect the execution of the treaty of Miramar, the payment of the sums therein promised; so the French treasury would have to pay for the continued occupation of Mexico. That would have been a costly imposition upon France. We would have had to pay and feed the whole Mexican army, the Belgian legion, the Austrian legion, take the direction of the military affairs of that government, direct its finances, and then ask this house for a credit of 80,000,000 at least. This state of affairs irritated public opinion. Our people are restive and impatient.

We had been in Mexico 18 months; nothing had been gained; prospects were not flattering; and the return of our soldiers was urged. What could we do?

Gentlemen, if we had been under that despotic government which the opposition say we have, it would have persisted in the work, and said to you: "I will establish an empire in Mexico; I will support it with my troops; will run all the risks of the perilous situation." But no, it did no such thing. I don't know how ministerial councils used to act, but I know how ours acted on this important question of Mexico. We discussed it sadly and solemnly, consulting public opinion, and at last determined on evacuation. But I do not hesitate to say, if I could have looked into the future to see the abominable assassination that has just been perpetrated, I should have refused my assent to the withdrawal of our troops.

However, the evacuation of Mexico was determined on, as urged by public opinion, in view of the principle that the chief of state, elected by popular will, is obliged to obey the mandates of popular sovereignty. The order for evacuation was issued on the 14th January, 1866.

Was it a hasty retreat from the victorious bands of Juarez? No Frenchman will acknowledge it. Our soldiers did not fear the rabble that followed Juarez and Diaz; we were not retreating from them.

Baron Saillard went to Mexico to study the situation. He found the sacrifices would be too great for us; for we had to pay for the Mexican army as well as for our own. We tried to put off the time fixed for the departure of our troops. At first we arranged three periods, so as to consolidate, if possible, the tottering throne we had attempted to set up; but when distress and want began, when we knew the power must come to an end, we sent an aid of the Emperor, a man of superior mind, to implore Maximilian not to remain in Mexico, but to quit a country where he had already suffered so much.

Maximilian would not take our advice, and I just read in a public paper the motives that determined him not to return to Europe. I will read the article to you as a consolation in your great affliction. In a letter of the 27th September, 1866, to his minister, Marquis Corio, in Brussels, he said:

"France looks to its own interests in withdrawing its troops; I have no interests to care for; and, so long as the Mexican nation adheres to its vow, I cannot and will not abandon a cause I have accepted with its risks. Happen what may, I need not tell you I will be what I was in Milan, in the navy, and at Miramar. I will follow the counsel of my duty and my personal dignity; I will never abandon my post; I will never forget, for a single moment, that I descend from a race that has gone through trials harder than mine; and the glory of my ancestral name shall never be tarnished by my conduct."

These are noble words, that make a giant of the victim before the pigmy assassin who claims to be victor. I will mention that sad event no more; I will examine M. Thiers's arguments in brief, and then conclude.

You were told that "the Mexican expedition was paralyzing France, when great events were occurring in Germany. The failure of that expedition has destroyed our commerce in those distant seas." The minister of state told you "trade with that portion of the western continent was one of the chief motives of the expedition."

No, gentlemen, that expedition did not influence our government in its action towards Germany. No, our strength was not paralyzed by the loss of those 22,000 men and 20,000,000 of francs employed in Mexico. If the country's honor had been concerned in the German question it could have been settled without our troops in Germany. No, French commerce has not been ruined in the New World. A few years ago I spoke of the great commercial interests we ought to have in Central and South America; and I gave you its sum, with Brazil, Chili, and La Plata. I was repeating what I had heard from M Thiers himself, when he told our government that not one Frenchman should be touched in those distant countries without calling the forces of the entire French nation to avenge the insult. M. Thiers understood that commerce was never confined long to one single spot: hence the necessity to look over all America to judge of the importance of our commercial situation. He was right; we must revenge, protect, and sustain our countrymen always and everywhere, without regard to sacrifices. The interests of French commerce, all the industry, prosperity, and power of France depend on those conditions.

I say that the influence of France has not been injured by the Mexican expedition. Our flag has not been insulted once during the four years' occupation of Mexico. We marched over much of that immense territory in weak detachments, meeting the enemy in superior

numbers everywhere, and in a hundred fights we were the conquerors of those brutal bandits.

Central America and South America saw that courage and supreme devotion, and it will teach them the power of our troops. When they saw us leave the shores of Mexico they knew we were leaving with all our strength and all our greatness. Those that dared to insult us for an instant kept away from our soldiers till the last one had quitted Vera Cruz. Yes, the French flag is still respected and revered in the republics of the south, and our commerce will continue to prosper there.

Now what is the lesson taught by this expedition? We have failed. Was that proof wanting to establish human fallibility, to show that the just are not always successful, that the best combinations formed by man often fail, that Providence, for some reason inscrutable to us, often delays justice and punishment for misdeeds and crimes?

Yes, we failed in a grand undertaking; there was nothing mean, little, or selfish in it. Did we go for territorial extension? Did we try to set up a prince of the imperial family? Did we dream of conquest? No; we had none of those designs; our thought was to restore a broken nation to integrity and civilization; we thought to put down anarchy, establish order, and make a rich, prosperous, industrious, and trading neighbor for the United States of the north, that must now regret its shameful conduct in this affair.

Are we to be blamed for wishing all that good? Shame on the nation, rather, that prevented it! What would have been said had we succeeded? We would have earned the gratitude of posterity for restoring that nation to civilization, from constant civil war and perpetual anarchy.

God did not will it; let us respect his decrees. If we had gone against a quiet country of industrious people, it would have been different; but we went to Mexico, where anarchy and disorder prevailed; and we left it filled with crimes from unexpected victories.

Some applaud our defeat and triumph at our return.

I will say but one word more. I do not wish to leave the stain of disgrace upon the Mexican nation. No, nations do not perish. God does not consign them to perpetual expiation. Order will again prevail in that land, and the innocent blood that has been shed will be avenged. I cannot say when that day will come, but I pray for its arrival, with all the fervor of encouraged hope. I cannot say when that nation will regenerate into civilization; but the day when it is free it will look back upon its history, and in the enthusiasm of its deliverance, it will give a shout of sympathy and gratitude for France.

(The minister took his seat amid prolonged applause from every side, and received the congratulation of many members. A recess of twenty minutes then followed, after which M. Jules Favre took the floor.)

Gentlemen, (said M. Favre,) if this serious discussion was confined to the result of a sad event, it would be unnecessary to continue it; but as the orator who has preceded me says, its aim is higher. We are considering, not so much a lamentable check as a system that has caused it. The minister denies the responsibility of the government, for the very reason that its policy originated the expedition. He said it was just, legitimate, well conceived, bravely prosecuted, wisely directed. I ask then, why did it fail? Now, gentlemen, I wish to examine the assertions just presented in the name of the government. I said the reasons given by the minister would have made the success of the expedition certain: but, I say, any prudent, reflecting man could have seen its failure from the beginning. The minister will agree with me, that it is a serious business to govern a nation; to be responsible for its destiny, is to accept one of the greatest duties on earth; and when the ruler of a nation spends 700 millions for nothing, and sacrifices the lives of many thousands of Frenchmen to no profit, his advocate should not come here and proclaim it a mistake, and say the best of men are liable to mistakes, to err is human, and no one is infallible. When ministers place themselves above human frailties, when they call upon you to place entire confidence in them, to believe them upon their word, when they ask for votes without giving a reason, I say it is too much.

I have said, and I still maintain, that we were not sufficiently enlightened upon the real intention of the Mexican expedition; if we had, we never would have consented to it.

The minister said its only end was satisfaction for damages to our countrymen; that there was no concealment, everything was done openly. I still contend that when the Mexican expedition was announced to us in 1862, we knew nothing about its precedents, they had been sedulously kept from us.

Did we ask the government on the 14th March, 1862, what negotiations had been opened with the court of Austria? The minister of state has confessed there were such negotiations. Were they denied by the government organs?

It is my duty to mention these preliminaries to show that the whole truth was concealed from us in the beginning.

This prevarication fixes the moral responsibility of the expedition upon the government. We now hear that as early as 1858 there were diplomatic conversations on the subject between the cabinets of Paris and Madrid.

My assertions are founded on official despatches anterior to 1861, from Thouvenel and Barrot, and were not forged for this discussion. These despatches speak of the question of restoring monarchy to Mexico, discussed between the court of France and Spain at that time.

This is the truth; negotiations were opened previous to 1860 upon that question, and they were not made known to this house. If they had been, we would certainly have forbid the arms of France to join any foreign combination.

So those negotiations existed in 1862, and they were denied.

After simple diplomatic conversations came despatches and a treaty, which has been spoken of. That was in 1861. The treaty contained reservations, which I will point out. They will show that the government undertook, upon its sovereign will, to accomplish an enterprise which was most certainly premeditated, but of which this house and the country knew nothing.

The convention in question was concluded between the three powers in November, 1861, and it contained a clause anticipating defeat. Such an eventuality is not new in the history of nations. The words were: "It is possible that when the French forces land upon the Mexican coast, the sensible portion of the population, weary of anarchy, may initiate a movement to inaugurate a new government, and call upon our forces for assistance." Such a language is insulting to patriotism. The sensible portion of no nation goes to meet the invading stranger. If my country were oppressed by a detestable government, and strangers were to appear on the frontier with the pretext of delivering us from the oppression of that government, I would be the first to shed my blood in defence of my country.

That treaty gave unlimited power to the commander of the French expedition, and the minister of state omitted to tell you what had been done in Mexico to make the chief of the expedition believe that the sensible portion of the people would throw round his colors.

The expedition left France in December, 1861, and reached Mexico in 1862. I was astonished to hear the minister of state say just now that the only way to obtain satisfaction for our wrongs was to go directly to the city of Mexico. If this is so, it weighs heavily upon the responsibility of the government, for it was not only contrary to the law of nations, but contrary to all the interests of France.

Our expeditionary force consisted of 3,000 men at first. I cannot imagine why such a magnificent enterprise was intrusted to such a small body of men. Advocates of the government say that the small number of men shows that conquest was not intended, that no idea of war was entertained. And those 3,000 men were sent to Mexico without provisions, without means of transport, which had to be brought from the United States. And could such a small number of men in such a condition be sent so far to redress the wrongs of our countrymen?

(A voice says: We only sent 2,000 men to China.)

The minister said the original intention was to march into the interior of Mexico, but the small preparation made for it contradicts his assertion. But that is not all: we have official documents to show that such was not the original design of the policy then in vogue.

When our forces joined the Spaniards the convention of Soledad was concluded, allowing the allies to go inland as far as Orizaba, to camp there. This refutes the accusation of strategy or treachery on the part of the Mexicans, for they invited us out of a sickly place to protection in a healthy region.

The minister says our agents would not have been received, and the convention could not have been accepted.

I do not dispute that point; but I must collate with that assertion the ultimatum, so often mentioned. That document, presented by the French plenipotentiaries, was a question of money, reducing the satisfaction for wrongs to a bargain; which, if it had been accepted by the Mexican government, would have avoided every cause of war.

That ultimatum demanded a sum of 60,000,000 for our countrymen and 75,000,000 for the Jecker bonds, and the execution of the Jecker contract. It is something new to see diplomatists, agents of a great power, undertake the execution of a contract between a foreign government and a private individual, and that contract a usurious one. It was on account of that very contract that England and Spain quit us, declaring they could not assent to such frauds.

Now I wish to call the attention of the house to this clause of the ultimatum, inserted just after the conditions mentioned:

"In guarantee for the accomplishment of the financial conditions and others laid down by this ultimatum, France shall have the right to occupy the ports of Vera Cruz and Tampico, and such other ports of the republic it may think proper, and to establish commissaries, named by the imperial government, in them, whose duty shall be to collect the revenues of those ports, for the powers interested, in execution of foreign conventions concerning the returns of the maritime custom-houses of Mexico, and to place in the hands of French agents all sums due to France."

We cannot agree with the minister of state in saying the ultimatum had no meaning. It was intrusted to our agents by the minister of foreign affairs. The amount was in blank, and the minister, in a despatch of the 28th February, 1862, said: "The department does not fix our claim so high: as it was in the first article, but, for want of data, great scope is left you."

On the question of the Jecker bonds there is great latitude left to the French agent also. Those bonds were so cared for by the party that undertook the expedition that they are now the only ones that are worth anything.

A convention was concluded allowing Jecker 26,000,000. It was approved by the French minister, and bears the signature of M. Montholon. Half of that 26,000,000 was paid. Jecker received 13,000,000, and our people are still waiting for their portion of the debt.

When our lamented friend and esteemed colleague, M. Langlais, went to Mexico to regulate the finances of the new government there, he opposed the execution of the scandalous contract, and actually prevented the payment of the second part of the 26,000,000; and only 13,000,000 were paid, through the generosity of the French agent.

(The minister asks permission to make a correction.)

M. ROUHER. M. Favre makes a material mistake. A convention was made in April, 1865, and signed by M. Montholon. In the Jecker affair, that convention reduced it 60 per cent. The 40 per cent. remaining was to be paid at the rate of 1,000,000 per year, without interest, and by adjudication. The convention was never executed. It was about the convention of 1865 that the minister of finance wrote as follows to the minister of foreign affairs, on the 14th October: "Letters just received from Mexico speak of new negotiations opened to liquidate that debt. I don't know what arrangements have been made, but the Mexican government has given drafts for 12,660,000 francs upon the Mexican finance committee in Paris, payable to M. Jecker's order. The sum is actually more than the amount of the last loan. I am surprised that such conventions act without the consent of the French minister in Mexico. I do not like them. They will absorb all the funds obtained by loans, which, I think, could be appropriated with greater profit to the Mexican empire."

I have also the letter of the minister of foreign affairs to M. Dano, in which we protest against the convention, and thus prevented its further execution.

The French government had nothing to do with the last incidents of that affair, and as soon as they were known they were condemned and their execution countermanded.

M. JULES FAVRE (continues.) The minister of state informs you that the French government would not allow its agents to interfere in that negotiation, and yet we find M. Montholon's signature to the paper; and it is upon that signature that Jecker got the pay he received. I was right, then, when I said the Jecker stipulation in the convention was one of the causes of breaking off negotiations between Mexico and France. If Mexico had accepted the amount fixed for the French claims and the 12,000,000, if it had agreed to execute the Jecker contract, there would have been no expedition—there would have been no war; Mexico would have put France in possession of one of the ports mentioned in the ultimatum.

What now becomes of the grand idea of going to Mexico expressly to put an end to anarchy in that republic? The minister of state said there was no other way to obtain satisfaction for our wrongs. I have just shown you there was another way—that laid down in the ultimatum. But I say you were secretly determined, in spite of negotiations, to invade Mexico with force and arms, and to establish there the government you had already agreed on. I still insist that there was a reserve in the convention of 1861, which was, that if a portion of the population favored the expedition, their votes were to be taken. We promised to resort to force in no emergency. Who can say we kept our promise?

Yes, force was the sole agent that favored the enterprise.

You mentioned 5,000,000 of votes for the empire. Where are the proofs? You have never shown us the vouchers. It was an impossibility—such a number of votes. The votes of 215 Mexican notables, assembled in the capital, under the protection of our flag, to vote for the unfortunate Archduke Maximilian, represent the millions of votes you speak of.

And where are the precedents that authorized you to use the reserves contained in the convention of 1861? This is one of the most terrible powers that could be confided to a government; it is the power of making peace or war—the power of engaging the country in undertakings in which its treasures and its blood are to be sacrificed.

If it had been thought possible to follow the will of the Mexican people, in conformity to the convention of 1861, when you had nothing to depend on but French soldiers and their bayonets, where was the pretext for remaining? That is what you have never revealed; for the sword pierced the convention of 1861, and by the sword you marched on to the city of Mexico, where nobody called you. When the allies found the French resolved on that step they withdrew.

You mentioned General Prim, Count Reus; do you remember the letter he wrote to Admiral Graviere, in which he said, "The act of carrying the political refugees into the interior of the country, to organize a conspiracy there against the actual government and existing political system, when you advance as friends and propose conferences, has no example?"

The act was not only contrary to the law of nations, but was contrary to the convention of 1861, behind which you take refuge. There was no reason or pretext for your conduct. Our flag was to shelter refugees and lead them on to the gratification of their personal ambition; and it was in their service that the treasure and blood of France were spilled. Well, when you found out the real wishes of the Mexicans, were you not astonished? Shall I recall the proclamation in which you told our soldiers they would be welcomed joyously to Mexico? What a sad disappointment awaited them!

In debating the address in 1863, after our soldiers had received their first check and had to fall back, I said it would be well to consult the people and treat with their commanders. The expression of such an opinion was unpopular; but I prefer truth to popularity. And this is an eternal truth: no nation has the right to shed innocent blood to avenge its honor.

You insisted on marching directly to the city of Mexico. You wanted, no doubt, to inscribe the history of new victories on the pages of our annals, forgetting that unjust conquests always have sad reverses. However, you went to Mexico and set up a government that had no chance of existence; while we said to you: better remain where you are till you find out the true feelings of the inhabitants.

Unfortunately it is in 1864 that the Archduke Maximilian arrives in Mexico with his troops. He is crowned, and the assembly of notables crowd around him. Then, gentlemen, all was said, and France ought to have retired from her warlike undertaking.

What was the constant thought of the government? It was to consider the people hostile to the emperor Maximilian, and of course as enemies to France; to battle them in their retranchments, to use the money and soldiers of France to drive them into the extreme northern provinces of Mexico, and to destroy every shadow of resistance. It is here that the responsibility of the government is deeply involved; as the trustee of our power and resources it had no right to waste our blood and treasure in a foreign cause.

If Maximilian was the choice of the people, as you said, supported by the notables of Mexico and 5,000,000 of votes, he had no need of our assistance. But you know it was not true when you repeated it from this tribune, and you did it to get the subsidy of men and money you were asking, and I reproach you for that kind of deception. I demonstrated to you yesterday that you might have foreseen failure so early as 1865. There is the diplomatic correspondence to prove it, and it is certain there could be no doubt of it then. Yet at that time the *Moniteur* continued to report the enterprise as prospering; to assert that the throne of Maximilian was firmly fixed, and we had not the least cause of anxiety. But when I complained that no authentic evidence of these facts were given us, that no official documents were exhibited, the minister replied there were none, or at least he knew of none. I know he denies using the language I attribute to him; but the *Moniteur* exists, and the minister of state takes care to have his printed speeches distributed among us, and we always read them with great pleasure, even after we have listened to them here in this house. Here is an extract from a speech of his, made in August, 1865: "You can refer to all those events; there is not a break or an omission in them; and when I want to find anything relating to Mexican affairs I go to the *Moniteur*."

I cannot say if the minister of state agrees with the speaker of 1866; I find a contradiction, and believe my language yesterday was just. I had a right to complain that official papers were not published, for the house ought to know everything that takes place in such an enterprise. We seemed satisfied with articles in the *Moniteur*, and pleased with the pompous declarations of ministerial discourses; but were those declarations consistent with the dignity of France and the government? How could they be, when the minister said in the same speech: "The end must be attained: the pacification must be complete; the dignity of France and of the Emperor demand it. The French army must not return to our shores till its task is accomplished and it has triumphed over every resistance."

Was that plan of the minister of state carried out? Was the task finished? Was Maximilian firmly fixed upon his throne? Did the French forces return in triumph? I have any number of ministerial despatches, all containing the same language. They all say France must not abandon Maximilian, and leave the task unfinished. And yet the failure of the expedition was complete. And the minister tells you France's influence is not injured. I ask him to reconcile the catastrophe of this lamentable drama with the words he uttered in 1866. That pompous eloquence meant nothing, or it had a political meaning; if the latter, how is it that the French army has come back and left our countrymen defenceless, trusting foreign legations to care for them?

In a political point of view the government was responsible, not only for the safety and honor of France, but for its resources and blood; and to waste them was a crime; and to use them in a lost cause was a fault that weighs heavily upon the responsibility of government. The dream is over now.

But you were not satisfied with making war on Mexico; you wanted to weaken America. But the sad result of the expedition has served to strengthen the country you wanted to destroy. In fact, the last word of your false policy is the confession that the final object of the Mexican expedition was to throw the great country you were pretending to save from anarchy, into the hands of America.

The severity of official language ought never to extend to epithets against a government you could not hurt. I find this in the *Moniteur*: "Mexico may consider itself lucky to disappear from the number of nations and be absorbed by its powerful neighbor."

So, political documents that I can produce prove that the result of the expedition is to swell that American power you dread so much, and which you would prefer to see diminished. When you weakened the French finances, when you shed French blood that ought to weigh upon your consciences—and in a free country you would be legally and criminally prosecuted for it—[Those who talk for Juarez ought to be tried for life, said a voice. The president interrupts. M. Favre, you ought to know that pomposity shows the weakness of a cause.]

M. FAVRE continues: You advise me to be more moderate. Is that freedom of speech? Is it a specimen of liberty when the president mutilates the columns of the *Moniteur* that ought to produce our speeches entire? [Great noise and confusion in the house. M. Favre takes his seat. M. Thiers asks permission to make a few remarks.]

M. THIERS: My first remark will be about the origin of the expedition. My second will relate to its finances, which are not as you represent them. In regard to the origin of the expedition, I will say that Spain and England agreed with us perfectly on the justice of the enterprise, and were not satisfied with simple satisfaction for damages. I can produce the orders of the English and Spanish governments forbidding their troops to march to the capital, and their agents to interfere in any way in the internal government of Mexico; and I also have a letter from Admiral Graviere to General Prim, at the time of the rupture, stating that the French intended to march to the city of Mexico for the purpose of establishing a monarchy there.

The sum of the expedition is this: Our claims against Mexico were used as a pretext for converting the first operation into a second, that had nothing in common with the first, which our allies could not consent to, and which was the sole cause of our rupture.

The object of the second operation was to set up a monarchy in Mexico, for which we made very many sacrifices.

I contend that the finances have not been properly represented here. I can prove that the cost of that expedition to France was not 300,000,000, but 600,000,000, double the sum. And add the cost of loans to that and we will have 300,000,000 more. Thus, in my profound conviction, more than 600,000,000 have been spent by France, and the 300,000,000 from the loans being added we have the cost of the expedition to be 900,000,000 from the treasury, or furnished by a few French bankers, who are now much to be pitied. [Many voices for adjournment. M. Emile Allivier asks to make a few remarks against adjourning now. He is permitted to speak.]

We are now in general debate. Other questions might arise, and I wanted this opportunity to say a few words on the internal situation. I move to put off the debate till to-morrow.

The vote on adjournment is put and carried.

BON-EURE LAGACHE,
Chief Reporter.

Annexed to Mr. Romero's letter of July 27, 1867.

[From the Journal des Débats, Paris, Vendredi, July 5, 1867.—Translation.]

If we had been able hitherto to entertain any doubt about the fate of the emperor Maximilian, there has been none for a long time about the definite collapse of the Mexican empire, and it is with that we wish to busy ourselves at present. Now on this point the government journals seem to us to be in danger of committing a gross blunder. Using that system of tactics which consists in taking the offensive when one foresees an attack, they assail the opposition for the disastrous issue of the expedition to Mexico.

Unhappily the cause is not defensible; it was bad from the start. It would have been much better to follow the example of the dead prince, and frankly acknowledge a great error, than to attempt to justify that which is unjustifiable. What man in his senses can they convince that this sad abortion of a transatlantic crusade has fallen only under the blows of an imperceptible minority in the French legislature? Was not the majority there? Did it not vote everything that was asked of it? Has it ever refused anything? The truth is that, even while voting, the majority was opposed to this adventure; public opinion was solidly against it. It is this current of opinion which was not apprehended this time, as it had been in former circumstances.

If, for example, the Italian war had been previously put to vote in the chambers, it is certain that it would not have been voted; and yet, when the Emperor set out, he was carried in the arms of the people to the Lyons depot. He knew and felt that he was carried on the great popular sentiment; while from the beginning this Mexican affair has been an enterprise without visible reasons, incomprehensible by the mass of the people—a paradox inaccessible to the popular intelligence. This expedition could only have had any sense in the case that it had been accompanied by an intervention in the American civil war; and the men who urged the adventure were very logical in allying it to the cause of the south and of slavery. For this reason we have profoundly admired the simplicity with which a venerable senator said the other day that if the triumph of the Mexicans was soiled by cruelties, the United States would be responsible.

With all deference, that is to singularly misplace the responsibility. The United States have done what they could to make the rights of humanity respected. As to their having also done all which they could to hasten the downfall of the new Mexican empire, it would be too strange to attempt to make that a crime, and to reproach them for having wished the failure of an enterprise officially directed against them, and commenced at the very moment of their gravest domestic peril. If, to suppose a case, some country at our gates, living under our influence, gravitating in our orbit, and regarded by us as a future possession, were invaded by an American army, arriving with the programme of erecting an Anglo-Saxon dike, to arrest the invasion of the Latin race, we should like to know with what eye that

Latin race would regard that expedition, and whether it would think itself obliged to salute it with its good wishes. The American republic had a right to regard the Mexican enterprise as a direct attack upon her, almost as direct as an armed intervention in favor of the southern rebellion would have been.

If nothing had been proposed in going to Mexico but to exercise legitimate reprisals, to punish exactions, to chastise acts of brigandage, that was a common right which appertained to all nations, and the use of which the United States were obliged to respect. But it was preferred to aggrandize the question, and to give it all the dress of a principle and of a theory. That is why England, who has little liking for theories, got out of the affair when she saw that it meant not the repression of Mexican piracy, but the restoration of the supremacy of the Latin race with the elements which you knew, and to make a crusade against America. Still, we ought to think ourselves lucky that the influences which brought about the Mexican expedition did not succeed in causing the commission of the corresponding fault, the intervention in favor of the south, which would have been more than a fault. At that time they counted on the triumph of the southern armies, on the rupture of the great federation, on the creation of a new state which would have served as a breastwork, and even as a support of the Mexican empire. All these dreams tumbled in pieces with the establishment of the Union and the reconstruction of the United States. From that day the fate of the new empire was fixed.

We have pronounced the word crusade; it is more exact than is generally supposed.

The party which was most urgent for the founding of the Mexican empire wished to make of it an instrument of theocratic restoration. The republican government of Mexico had become, they said, the spoiler of the church; it was confiscating or pillaging the goods of the clergy. The church, in her turn, agitated in Europe; she set in motion her powerful and manifold influences; and it is in this way that an expedition which should have been nothing but an act of police was turned into a religious and monarchic campaign. They found to erect the throne the arm of France; to fill it, they found a young prince belonging to a sovereign house, the cause of which was intimately bound up with that of the Papacy, and which had given to the church, in the concordat, irrevocable pledges. The young archduke, the future emperor, going to accomplish his new and fatal destinies, passed through Rome, and there took engagements with the violation of which he was afterwards to be bitterly reproached. Arrived in Mexico he was forced to open his eyes and to see what elements he had under his hands, and he tried to cure an incurable country by introducing into it European law—French law. Thence a complete rupture with the party which had summoned him. All Europe has resounded with the outcries of the Mexican clergy, the complaints of the archbishops, the censures of the Papacy: it has witnessed this heart-breaking and terrible drama of a young wife alarming the sacred residence by her mental agony.

To comprehend clearly the true history of the empire of Maximilian it is necessary to follow it in the religious journals—especially in those which can speak freely. The *Catholique*, of Brussels, lately published an article, in which we read as follows:

[The article is here cited in full. Its substance is, that if the result of the Mexican expedition has disappointed Europe, Maximilian's course from the first has disappointed Catholics; that the church had given him her confidence on two grounds, his Austrian nativity and his conferences, before setting out, with the Holy Father; that her disappointment in him is due to three influences: that of Louis Napoleon, that of his Belgian wife, and that of his early residence in Venice, where he imbibed liberal views; that all these influences worked against the church, but especially the second; that Maximilian yielded, alienated the church party, failed to conciliate the liberals, and was regarded in Mexico merely as the representative of a foreign invasion; that his apparent deference to the French generals, and the fact that he was childless, told heavily against him; finally, that the expedition did not succeed because it did not have the blessing of God, and because the policy which had undertaken to protect it was not able to keep its promise.]

We have thought it necessary to cite this article at length, because it very clearly exposes the first causes of the expedition and those of its end. The conservative and catholic party appears to us to have also committed in this circumstance a double error. The first is in having believed that any one could reorganize a people with elements in decomposition, and a church whose clergy even that of Sicily, already the fright of Rome, does not approach. The second error is the same which has already been committed in the Roman occupation; it is in having believed that the France of to-day, revolutionary France, France made over by '89, could be the instrument of reaction (counter-revolution) and theocracy in the world. It is not a marshal's baton, it is the *code Napoléon* which the French soldier carries everywhere in his cartridge-box. The Mexican business is a new and striking demonstration of it. It was thought that in this poor young prince there had been found an instrument of ecclesiastical restoration; he was of the house the most devoted to the Holy See; he received instructions at Rome; he promised the Austrian concordat—that concordat which produced Sadowa—and, barely arrived and installed under the protection of French arms, he found nothing else to do but to promulgate the French civil code, and to decree the secularization of goods held by mortmain, just as the eldest son of the church has done, just as catholic Spain has done, just as Italy is doing.

It is in vain that any one tries to resist the spirit of the times.

And what remains to-day from this sad experiment? The country, which it was wished to regenerate, behold it plunged deeper than ever into the mire, to end soon by falling, not as ripe fruit, but as rotten fruit, into the hands from which it was wished to snatch it.

JOHN SEMOING.

No. 2.

With Mr. Romero's note of July 27, 1867.

[From the Avenir National, Paris, Friday, July 5, 1867.]

EXECUTION OF MAXIMILIAN.

There is no proof that the report of the execution is authentic, and we sincerely hope that the telegrams from New Orleans and New York have also deceived us this time, as they have most always done for the last six months.

We have the honor to belong to that democratic party whose first act, in its brief reign, was the abolishment of the death penalty in political matters. Like those who honored power by the use they made of it in 1848, we love clemency, and we do not believe the foundations of any power can be cemented by bloodshed. Such is the constant elementary instruction of morality, or, which is the same thing, of politics enlightened by experience.

We therefore hope the report of Maximilian's execution may be contradicted; that the conqueror Juarez may show himself generous, heeding the councils that were sent him from Washington and Guernsey. If he follows other inspirations he will be blamed; but we cannot agree that the republic is forever disgraced by the execution of Maximilian.

We ask those papers, particularly La France and L'Union, to tell us if the Bonapartes were lastingly disgraced by having the Duke of Enghien shot at night in the forest of Vincennes, and if the Bourbons are perpetually dishonored by the death of Murat, who was shot at Pizzo as an adventurer and malefactor?

A. PEYRAT.

No. 3.

[From the Avenir National, Paris, Sunday, July 7, 1867.]

POLITICAL REVENGE.

While sincerely regretting that Juarez did not think proper to follow the advice and example of President Johnson, and ennoble the triumph of the republican army by an act of clemency, we protest against the extravagant language of certain journals on hearing of Maximilian's execution. One of those papers, La France, asks us "if the Duke of Enghien, shot at Vincennes, and Murat, shot at Pizzo, Charles the First, beheaded, and Louis the Sixteenth, guillotined, can serve as an excuse to the assassins of Maximilian?" La France makes us say what we did not say. We did not attempt to justify one execution by another; we only asked those who say the republicans of Mexico are disgraced by the death of Maximilian to tell us if the Bonapartes are dishonored by the death of the Duke of Enghien, and the Bourbons by the death of Murat. We await a response. We did not mention Louis XVI nor Charles I. We did not attempt to compare facts so dissimilar, and we are astonished that La France accused us of it. If that paper wants to know what we think of Maximilian's death, it is this: Where certain papers find cause for crimination, we find useful lessons. The sanguinary executions of Maximilian and his defenders is the result of reprisals on account of the decree that outlawed the disaffected, issued on the 5th of October, 1865. What is proved by these reprisals is, that an arbitrary government is not the best; those using it are almost always condemned to suffer, and the excesses of one party prepares the way for the excesses of another adverse party. The party that outlaws is outlawed in turn, and the history of our revolutions plainly proves that he who unjustly takes off one head exposes his own.

It is on occasions of this kind that we must point out these warnings of history, to remind those who forget justice, that people and governments that violate it may expect revenge.

A. PEYRAT.

A correspondent from Mexico writes to the Moniteur Universel, on the 10th of October, 1865, as follows:

"A decree, dated the 30th October, countersigned by all the ministers, and approved by the cabinet and council of state, outlaws all those who may be taken with arms in their hands, or may have been in armed bands, and subjects them to trial by court-martial. *By this single fact they will be condemned to the penalty of death, and the sentence shall be executed within twenty-four hours.*

"The officials, the owners of landed property or mines, who do not inform the supreme government of the approach or formation of bands, shall be subject to fine and imprisonment, from \$1,000 to \$2,000. All able-bodied men between 18 and 55 shall arm for the defence of their localities. *There shall be no pardon for those condemned to death.* Foreigners condemned to other penalties shall be sent out of the country as soon as their sentences are pronounced."

Here is the text of the decree rendered in October, 1865, by the Emperor Maximilian:

"1st. Every individual belonging to an armed band, with a pretext or not, shall be tried by court-martial. If found guilty of belonging to the band, he shall be condemned to death and be executed within 24 hours.

"2. Every individual belonging to a band taken in fighting shall be judged by the chief of the capturing force, who shall hear the case and pronounce sentence within 24 hours.

"5. The following persons shall be tried in accordance with Article I: Those aiding the rangers with arms, or in any other way. Those who give them advice, counsel, or information. Those who sell arms, horses, provisions, or anything for military use, knowingly to those rangers."

We read in the *Moniteur* of the 1st December, 1865:

"Arteaga and Salazar, two rebel chiefs, were lately shot in Michoacan, after sentence by court-martial."

In the *Moniteur* of the 9th December, 1865, we find this:

"Colonel Mendez, the captor of Arteaga, has been promoted to the rank of general, on account of his recent services in Michoacan.

"Marshal Bazaine announces a melioration in the condition of the Mexican empire. The partisans of a strong government, the only kind of government that can regenerate the country, have new hopes from the energetic measures adopted by the emperor Maximilian. Several rebel chiefs have presented themselves to the imperial authorities to profit by the amnesty accorded in the decree of the 30th October to all who lay down their arms before the 15th November. Such facts sufficiently demonstrate how necessary it was for the imperial government to issue the decrees mentioned."

No. 4.

[From the *Avenir National*, Paris, Saturday, July 9, 1867.]

THE DUKE OF ENGHEN AND MURAT.

We recommend what follows to the attention of all those who assert that the Mexican republic is forever dishonored by the execution of Maximilian; we recommend it particularly to the attention of La France and L'Union:

This first is for La France: We read in Napoleon's will: "I have had the Duke of Enghien arrested and tried because it was necessary for the safety, interest, and honor of the French people, at a time when the Count of Artois kept sixty assassins in Paris, by his command. *I would now do the same thing under similar circumstances.*" In the memorial of Saint Helena we read: "If law had not been on my side against the Duke of Enghien," said the Emperor, "I should have had natural law, that of self-defence, in my favor. His constant aim and that of his partisans was to take my life; I was everywhere assailed, and at every moment, with air-guns, infernal machines, conspiracies, plots and ambushes of all sorts. I was tired of it. I took the chance to strike terror among them, even those in London, and I succeeded. From that day conspiracies ceased. And who could blame me? What! they sought to murder me every day, at 150 leagues distance, and no power, no tribunal on earth, would protect me; and would they deny me the right of making war for war? Where is the cool man of the least judgment or sense of justice who would condemn me? Where would he lay the blame, the odium, the crime? Blood calls for blood; it is a natural reaction; woe be to him who provokes it!

"When one persists in exciting civil troubles or political commotions, he becomes their victim. One must be a fool or madman to think any party had the right to peril my existence and I not have the right to defend myself; that any party can place itself above the laws to take a man's life, and then appeal to the laws for their protection. *The chances ought to be even.*"

Now here is something for the Union. It is about Murat and the way in which the royal party, now abusing the republicans for executing Maximilian, received the news of the execution of the ex-king of Naples in 1815. Observe that Murat, like Maximilian, had his Lopez, for he was betrayed by three of his aids, two of his fleet, and condemned to death by a committee of seven officers, who owed their rank and fortune to him. Here is the text of the decree rendered by Ferdinand for Murat's trial:

"ARTICLE 1. General Murat shall be tried by a military commission appointed by the minister of war.

"ART. 2. Only a half hour shall be allowed to the condemned to receive religious help.
" Given at Naples October 9, 1815."

Murat was shot half an hour after his condemnation, and on the 15th of December the *Moniteur* published the following correspondence, which was republished in the *Times* yesterday:

"NAPLES, December 2.

"All the cabinets of Europe are this day officially informed of Murat's crime and its punishment. The wise conduct of his Majesty's government has been unanimously applauded by all. This unanimous approbation of all the European powers is an homage rendered to the justice of the sentence pronounced on the Calabrian coast.

"If saving Murat's life had been compatible with public peace, we are certain the King's clemency would have spared it; but the sacrifice of one man's life to save millions, and to prevent the recurrence of calamities that have long afflicted the whole world, by the reappearance of Bonaparte in France, and the temporary success of his guilty enterprise, have obliged all the Kings to put their nations under arms.

"The plains of Waterloo have been inundated with blood that might have been spared if the prisoner of Elba had been prevented from usurping the throne of Louis XVIII. God has not permitted the acts of France to be repeated in Italy; and now the whole world is grateful for this boon of Providence.

"His Majesty the Emperor of Russia, on receiving the news of the crime and punishment of Murat, ordered 100 sequins to be given to Betz, the cabinet messenger who brought it to him. Count Mocenigo, the minister plenipotentiary of that august monarch, near our court, had the honor yesterday to present to his Majesty our King the felicitations of his imperial Majesty upon the happy issue of that event."

We hope these recollections will serve to calm a little the Union's effervescence. What is astonishing, even shocking, is to see among those who declare the republic eternally dishonored by Maximilian's execution the same party-scribblers who frightened France fifty years ago by the frenzy of their vengeance. Among the thousand facts that we might recall, those writers forget that their friends had a banquet on the very spot where General Mouton Duvernet was executed. At that banquet toasts were offered in joy at the general's death, and the guests insisted upon having *foie de mouton*, pierced with a hundred knife-thrusts, served upon the tables. Did we ever declare the Bourbon monarchy eternally dishonored by that cannibal act?

When political revenge and reprisal is spoken of the royalist party ought to remember 1815 and 1816. Be modest and speak low.

A. PEYRAT.

No. 5.

[From *Le Monde*, Paris, July 6.]

The *Journal des Debats* would like to place the Mexican expedition to the account of the "conservative and Catholic party," and charges it with errors it never committed. We can explain our attitude in this affair, and repeat the advice we gave to the French government. In the first place, we never encouraged the expedition, and we even thought it strange that France should make war on Mexico for the benefit of private individuals. When a Frenchman goes to a foreign country he must submit to all its vicissitude; otherwise France becomes responsible for the slightest incident. If our countrymen suffer losses abroad, that is no reason for France to squander a hundred-fold in war to make good those losses, particularly in a country like Mexico. When England and Spain joined us in the undertaking, we suggested the danger of associating nations with such different tastes, interests, and prejudices in the same enterprise. We demonstrated the impossibility of a perfect understanding, but our advice did not stop the government.

We did not want a war with Mexico, but an alliance with the southern confederacy, while civil war was severing the United States. Then we could have continued the policy of Louis XVI by sustaining the independence of the southern States; and they could have persuaded Mexico to join them against the north, and their resistance would have been successful. The danger of a unity of power in America is a danger for old Europe. It might be put down by France and England combined, but that policy has not been suggested. The *Journal des Debats* itself confesses there was no sense in the Mexican expedition, unless intended to interfere in the American civil war; but that paper is mistaken when it says the Catholics sided with slavery. They defended the independence of the States as laid down in the primitive constitution of the United States, showing the tyrannical principle of unity and centralization on which the government at Washington was acting. That policy had nothing in common with the maintenance of slavery, and they mention no Catholic who spoke in favor of slavery. The victory of the north has been the oppression of the south; and, in fact, it is French policy that has been conquered on that occasion,

because France did not venture to declare for either party, though her sympathies were with the southern confederacy.

As that policy could not be fixed upon the Catholics, the policy pursued in Mexico cannot be imputed to them either; and it is natural that the French government should have adopted the same equivocal policy in Mexico that she did towards the United States. The only difference was we had our flag and our interests in Mexico. It is true Maximilian was invited by the clerical party in Mexico, but that party did not control the empire. The emperor had hardly arrived when he quit the Catholics and took to modern liberalism. It is to be regretted that Maximilian had not the command of our army. The dualism of French and imperial command prevented all decisive and continued action. The French general had force on his side, and Maximilian had the dignity of rank. An instinctive jealousy could not be kept out of those two supreme authorities. The French general should have been better acquainted with the country, and particularly with the general political notions of its inhabitants, to judge properly of such a complicated situation. Everybody is astonished that the army effected so little. The courage and energy displayed by Maximilian in his latter days make it to be regretted that he did not have the direction of military affairs from the beginning. We found that dissension that annuls and paralyzes everything when we first embarked, escorted by the Spanish and English, and we had scarcely set foot in Mexico when power was divided.

The Catholic party would not have committed all those faults; and they have been committed against it. The sovereign pontiff gave Maximilian counsel of the highest wisdom; the prince's fault is that he did not follow it, or that he persevered in an enterprise that did not conform to the intentions of the Holy See. We can do nothing in Mexico without the clergy. Why could not our generals see the absurdity of their acts when they undertook to defend a policy that differed in nothing from that of Juarez, and was founded on the confiscation of church property? We do not say it was easy to regenerate Mexico. There was one chance to do it, and the Catholics showed it to us. We do not know what a Catholic general might have done. The truth is, the Catholics have committed no fault and have suffered everything. Let the responsibility, then, be imputed to modern ideas, to the principles of '89, and to the civil code, in the names of which we attempted to regenerate Mexico.

COQUILLE.

No. 6.

[From the Temps, Paris, Monday, July 8, 1867.]

BULLETIN OF THE DAY.

The *Moniteur* publishes another article on the sad drama at Queretaro. Its first words are:

"In less than half a century from its independence the ancient Spanish vice-royalty, so prosperous, so tranquil under the rule of the mother country, has thrice stained its soil with the blood of the chiefs of its government—Iturbide, Guerrero, and Maximilian." Then it declares that punishment will soon follow, and Mexico will be happy to disappear from the list of independent nations and be absorbed by a powerful neighbor. But the paper adds: "The hour is not yet come; its history since 1810 explains its present and its future. The dispute between Juarez's ambitious hired assassins will soon assume immense proportions and will again inundate the land with blood. Every element of civil power will be destroyed; armed bands will devastate the country and pillage the cities." If it is strange to see the official paper, in the bitterness of its regrets, praise the degrading and oppressive Spanish rule in the New World, causing all the subsequent calamities of Mexico, it is not less curious to see it throw that country as a bait to the United States, when the sole object of our expedition was to prevent Mexico from falling into the lap of the great North American republic. Nothing is more replete with instruction of all kinds than such reflections. What is most striking in the language of the government organ is its pitiless prophecies against Mexico. In its divinations and maledictions the *Moniteur* is almost biblical. The president of the senate said in his speech yesterday, "You may be sure the blood of Maximilian will fall upon those who shed it, for inflexible justice imperiously demands it."

The official journal goes further yet, and smothers the whole Mexican nation in its malisons. If the execution of Maximilian was the work of armed soldiery in revenge, why blame the whole nation for it? But if it was called for by the nation it cannot be true that the nation called him to the throne. However grieved humanity may be for acts like those at Queretaro, that is no reason for blaming and outlawing a whole nation for it. History has never ratified the severity of such judgments. The execution of Charles I did not prevent Europe from seeking Cromwell's alliance. The sentence and death of Louis XVI did not prevent the coalition from recognizing the French republic. General Bonaparte said it was like the sun, and Napoleon surrounded himself with men who had acted in that famous drama. The blood of the most Christian King did not prevent the restoration from accepting Fouché's services. A New York despatch of yesterday says General Santa Anna has suffered the same fate as Maximilian.

ULYSSE LADET.

No. 7.

[From *La Liberté*, Paris, Monday, July 8, 1867.]

STILL TWO TONGUES AND TWO SCALES.

Exaggeration never failed to be followed by counteraction, and hence we mistrust it. The news of Maximilian's condemnation in 1867 made the same impression on us that the news of his sanguinary decree did in 1865. The effects of that pitiless decree were first felt by Generals Arteaga and Salazar, two soldiers of Mexican independence, whose only crime was defending their country against the occupation and rule of strangers.

When the *Moniteur Universel*, the official paper of the French empire, published in its columns, on the 1st of December, 1865, the sanguinary decree of October of that year, and the condemnation and execution of Generals Arteaga and Salazar, whose letters to their mothers we published yesterday, did it find a single word of reprobation, a single word of blame? No, that application of the terms of martial law appeared to it quite legitimate and very simple. As it expressed no indignation in 1865, how is it that it shows so much in 1867?

Is the crime of treason to humanity a less heinous crime than *high treason*, of which Mexico has made itself guilty, according to the official journal's declaration in its number of this morning, the 7th July, 1867?

If the crime of treason to majesty is a greater crime than treason to humanity, what must the *Moniteur* of the 7th of July, 1867, think of the *Moniteur* of the 15th of December, 1815? In the last mentioned number we find the following lines:

"NAPLES, December 2.

"All the cabinets of Europe are this day officially informed of Murat's crime and its punishment. The wise conduct of his Majesty's government has been unanimously applauded by all. This unanimous approbation of all the European powers is an homage rendered to the justice of the sentence pronounced on the Calabrian coast.

"If saving Murat's life had been compatible with public peace we are certain the King's clemency would have spared it; but the sacrifice of one man's life to save millions, and to prevent the recurrence of calamities that have long afflicted the whole world, by the reappearance of Bonaparte in France, and the temporary success of his guilty enterprise, have obliged all the kings to put their nations under arms.

"The plains of Waterloo have been bathed with blood that might have been spared if the prisoner of Elba had been prevented from usurping the throne of Louis XVIII. God has not permitted the acts of France to be repeated in Italy, and now the whole world is grateful for this boon of Providence.

"His Majesty the Emperor of Russia, on receiving the news of the crime and punishment of Murat, ordered 100 sequins to be given to Betz, the cabinet messenger who brought it to him. Count Mocenigo, the minister plenipotentiary of that august monarch near our court, had the honor yesterday to present to his Majesty our King the felicitations of his Imperial Majesty upon the happy issue of that event."

Either these lines of the *Moniteur* of the 15th December, 1815, are the condemnation of the lines in the *Moniteur* of the 7th July, 1867, or the lines in the *Moniteur* of the 7th July, 1867, condemn the former article and the Emperor of Russia, who gives 100 sequins to Betz, together with all the sovereigns of Europe, "who do homage to the justice of the sentence pronounced upon the coast of Calabria."

Silence then to all exaggerations without memory, prudence, or equity, that would tend to draw France into another Mexican expedition if they were listened to.

Let us cease to have two tongues contradicting each other, and two scales that don't agree in weights: one scale to weigh the executions of the 29th October, 1865; another to weigh those of the 19th June, 1867.

We must condemn all or none. But we must save all our severity, all our contempt, for the baseness and infamy of Colonel Lopez, an officer of the Legion of Honor, for if there is a crime that has no excuse it is treachery.

EMILE DE GIRARDIN.

No. 8.

EMILE DE GIRARDIN ON THE ADDRESS OF THE FRENCH MINISTER.

[From *La Liberté*, July 12.]

We must not mistake the abuse of talent for the power of talent. Nothing can be more culpable than the pretension that seeks to transform most reprehensible acts into most praiseworthy deeds. Mons. Rouher persists in glorifying the thought that dictated the undertaking

of the Mexican enterprise. All emphasis being set aside, what was that great thought? We have looked for it in vain in two letters from the Emperor to General Forey, dated respectively July 7, 1862, and June 12, 1863, and in the addresses of Mons. Billault, in those of Mons. Rouher, as also in the discourse pronounced day before yesterday by Mons. Granier de Cassagnac. We have found that great thought nowhere. We are, therefore, warranted in saying, in contradiction to Mons. Rouher's assertions, that it never existed.

If that great thought never existed, where did Mons. Rouher, minister of state, speaking in the name of the French government, obtain the right to insult, as he did, a whole people, and to stigmatize by the word "assassin" the untiring defender of the independence of that people against foreign conquest and tyranny?

The insults thus lavished remind us of those so long heaped upon the Emir Abd-el-Kader, who had also been so infamous as to defend his country and his religion against French invasion and French rule. When at length the day of justice dawned, the Emir Abd-el-Kader was placed on the French pension list.

Mons. Rouher was not even patient enough to await the reception of news that might have shown that President Juarez acted of his own free will in the matter of the execution ere he called the Mexican executive an assassin.

Had Jefferson Davis been tried immediately after his capture and sentenced to death at once, would President Johnson have had the power to save his life? Was it not necessary to wait two years that the feeling of anger and the thirst for vengeance with which the republicans were possessed might be allayed?

What a difference exists between the insulting and impassioned utterances that belittle Mons. Rouher and the dignified and impartial declaration that lends greatness to the emperor Maximilian! Let us compare.

Maximilian, in a letter dated from Mexico, October 2, 1865, thus renders homage to the courage and constancy of Juarez:

"OCTOBER 2, 1865.

"The cause that has been sustained *with such courage and constancy* by Don Benito Juarez."

And in a letter dated February 9, 1867, and addressed by the emperor Maximilian to Mons. Lares, president of the council of ministers, the archduke again renders homage to the bravery and perseverance of a chief impelled to action by one great idea. He says:

"FEBRUARY 9, 1867.

"The republican forces, who were represented as being demoralized, disorganized, and united only by the projects of plunder, prove by their conduct that they form a homogeneous army, whose soldiers are *nerved by the courage and perseverance of a chief impelled to action by one great idea*, that of the necessity of defending the *independence of the nation*, which he believes to be menaced by the establishment of our empire."

What a lesson do these lines give to Mons. Rouher! How clearly they prove that dignity of character, even when uninvested with the prestige of talent, rises far above talent divested of character.

[From Le Temps, July 15.]

While maintaining that the Mexican expedition was all it should be, M. Rouher confesses its lamentable results. We have left Mexico without obtaining any of the guarantees we sought to obtain, after expending 600,000,000, according to the government—upward of 900,000,000, according to M. Thiers. Who is to be responsible for the check? The opposition? That preposterous assertion is no longer ventured, save in some prints whose intrepidity verges on the ridiculous. The minister now prefers laying the blame on Providence. We think M. Thiers was very harsh in threatening the ministers with impeachment. When statesmen raise their hands toward heaven and supplicate, they should be given what they ask—indulgence.

[From La Gazette de France.]

M. Rouher has spoken. What a disappointment for those who would persist in hoping against hope! What! That is really all the government have to say in defence of an expedition undertaken in defiance of public opinion. We expected some revelation, some disclosure which would extenuate the fearful responsibility the government has incurred, but nothing was forthcoming. Words, protestations of patriotism, sentimental utterances, but not one serious refutation! M. Rouher's speech is the last and heaviest blow dealt at this sad Mexican affair.

No. 9.

POLITICAL CONSEQUENCES OF THE EXECUTION OF THE EMPEROR MAXIMILIAN.

[From the *Courrier Français*.]PARIS, *Wednesday, July 10, 1867.*

When the conformation of the tragic end of the emperor Maximilian reached Europe with its sad echo, some persons expressed a fear, we will not say hope, that the French government that initiated the unfortunate expedition might send a fleet to bombard Vera Cruz, which fell into Juarez's hands at the same time as Mexico. We observe this concluding phrase in the *Moniteur*, in its article upon the subject: "The condemnation of all civilized nations will be the *first punishment* of a government that has such a chief at its head." What other punishment will there be? Do we see a menace in this sentence, or simply an imprecation? The second note of Sunday in the official paper gives an answer to the question: "The punishment will certainly come, and Mexico will be lucky to disappear from the list of independent nations, and see itself absorbed by its mighty neighbor." So the French government gives the United States the job of taking vengeance for Maximilian's murder!

This note has relieved our anxiety; it shows that the Napoleonic idea of the triumph of the Latin races in the New World is definitely abandoned. The bullets that destroyed the unlucky emperor's life also killed the unlucky idea that has already cost France so much blood and money; and we are very fortunate in escaping with such cost from the consequences of an expedition that we were once told was the greatest enterprise of the reign.

Who would have suspected to see such an *about-face* in the official papers, after hearing them daily denounce the aggressive ambition of the United States? We now advise the government journals to moderate the expression of their new-found sentiments; in certain delicate and painful situations silence is the best expression of profound emotion. We have already noticed a misplaced exuberance of expression in the pages of the *Moniteur* that is scarcely consistent with official dignity. But *La France* published a dangerous article yesterday evening. That paper says that Maximilian's execution "will sound in North America like a bloody outrage to the cabinet at Washington." "Maximilian's assassination, against the intercession of President Johnson," continues that senatorial journal, "is worse than an insult from Juarez; it is an act of ingratitude towards the great American republic."

Hence the execution of Maximilian is a check to the United States, for which they must draw an exemplary vengeance.

Here is the way *La France* demonstrates the second part of its argument: "If Juarez rules Mexico, he must thank the United States for it; for, without the influence of that nation in his favor and against the Mexican empire, he would never have succeeded. We have sacrificed our Mexican interests for peace with the United States. We retired at the request of a great nation with whom we were at peace, and we have left Juarez a place he could not have acquired otherwise."

Why not say plainly that France betrayed Maximilian to Juarez to please the United States? How can those who pretend to be friends of the government print such stuff?

We are not bewildered by the sound of great words like glory and patriotism; but we have an idea of national honor, and we repudiate any complicity with the policy of *La France* in asserting that there has been any insult to the dignity of our country.

We never approved of the Mexican expedition, and we condemned the idea of the triumph of the Latin races, that was used as an excuse for it. We confess a greater sympathy for the Anglo-Saxon genius that acts instead of talking, while the Latin talent is in talk and not in action.

Not to speak of the result of a contest between the two races, we boldly say a preponderance of the Latin races would be a sad thing for the good of this world, and we advise a miscegenation with the Anglo-Americans and Saxons, so as to improve our diminishing genius.

We think the government did right to give up an impossible undertaking; we are pleased to see it abandon an idea that can produce no good effect; for no alliance can be more useful to us than an alliance with the United States. It must be an alliance of reciprocal dignity, and we must not be ridiculous in showing the world we think the United States will revenge the check of our policy in Mexico, just to please us, when the United States caused that check. If the malevolence of the United States did extend so far, we ought not to be its dupes. To carry out the argument of *La France*, we ought to declare war immediately against the United States for deceiving us in that indignant manner. We ought to have placed Maximilian and our unfortunate countrymen under the protection of the United States, and they would have been safe.

We must cease these deceptions since they deceive nobody; better confess our faults than aggravate the circumstances by trying to conceal them.

What has just happened to us with Prussia ought to serve as a lesson to us. After lauding its action towards Germany, just at a time when its friendship would be most useful to us, we put ourselves in a hostile attitude towards it. We did not present ourselves when our intervention might have changed the aspect of things, and when we would have had all the

friends of liberty and justice on our side; and now we expose ourselves to a universal war, without the support of public opinion. The occupation of Mexico in 1862, our meddling in the affairs of Poland in 1863, and our opposition to Prussia, tempts a triple alliance of the United States, Russia, and Prussia against France. This is the effect of a policy, the chief fault of which was, it appeared to be no policy. I hope we may never be called to atone for such optimism.

A. VERMOREL.

No. 10.

[From the Phare de la Loire.]

NANTES, *Saturday, July 6, 1867.*

But why speak of the future? Our geniuses, though sorry for Maximilian's execution, cannot pause at conjectures when the present offers such a grave subject of reflection. All France wanted Juarez to spare the ex-emperor, and yet the papers use very different words to express the act of Juarez.

The *Moniteur* calls Maximilian's death an "assassination;" the *Epoch* calls it a "crime;" the *Paris Journal*, "a lamentable event;" the *National Opinion*, "a catastrophe;" the *Union*, "an outrage;" the *National Future*, "an execution;" the *Liberty*, "a fault;" the *Morning Post*, "the end of a tragedy that furnishes a good lesson to governments and nations."

We have a correspondence from London, of the 3d, that says the enemies of the Emperor of the French "will try to throw the responsibility of the Mexican expedition upon him." The correspondent says it would be great injustice, and adds: 1st. In offering the crown of Mexico to a prince of the house of Hapsburg, Napoleon III did an act of civility to the vanquished of Solferino; 2d. The chief of state was mistaken in the affair; 3d. Napoleon could not have held Mexico longer without a war with the United States; 4th. Tax-payers demand the recall of the troops and the ceasing of the sacrifice of men and money; 5th. The French government did enough for the emperor Maximilian when it sent the French flag into the most distant provinces of Mexico, and spent 500,000,000 for his benefit.

The young prince thought he could "maintain order in Mexico," if left to himself; but he has "cruelly expiated his error."

The same correspondent goes on to say: "France and Maximilian both erred in treating the men that opposed them as robbers. One who fights for the independence of his country is not a bandit, though he may be in rags and belong to no particular division. Maximilian did wrong to sign the decree of the 2th October against armed men; he did wrong in shooting Arteaga and Salazar, who were taken prisoners by Mendez. He gave the enemy the right of reprisals by that act. We are sorry that Juarez did not spare a man that was betrayed to him: but perhaps he was afraid of seeming weak to his rivals. The execution, that nothing can justify, will not contribute to the consolidation of his government and the re-establishment of order in Mexico."

Our readers may have noticed the sentences "the condemnation of all civilized nations," "the first punishment of the Mexican government." Does that mean that Napoleon has another in store for it?

Contrary to expectation, the Emperor of Austria will come to Paris. An article in the *Debats*, from Vienna, says: "It is to cement the bonds of friendship lately established between Austria and France. The meeting of the two monarchs of France and Austria may produce combinations of great advantage to both countries."

Napoleon III received his guest privately. The two sovereigns spent some days in the camp at Chalons, where there were grand reviews, and the two emperors visited the charitable institutions together.

It is said the committee on appropriations has rejected Mr. Berryer's 28,500,000 amendment, money due from Pinart & Co. as the balance of the Mexican contribution.

We have not space to analyze the speeches, but those of Lanjuinais and Favre deserve particular attention. The speech of the deputy from Nantes was also calculated to give him position in parliament.

E. MANGIN.

The Phare de la Loire publishes the following letter, which is circulating in Paris:

TO THE DEMOCRATS.

The Mexicans have tried and executed Maximilian. French democrats have already expressed the wish that Juarez might pardon his prisoner. We will wait, however, for monarchists, old and new, to accuse us of urging the act, according to our bloody customs.

We will put these two questions to the opponents of democracy:

1st. When the police, in contempt of the law of nations, caught the Duke of Enghien abroad and brought him to France, did Bonaparte the first consul spare his life?

The ditches of Vincennes have the answer.

2d. When the King Murat reclaimed his throne in Naples, did his *lucky rival* the Bourbon pardon him? The Neapolitans yet remember the bloody day of the 13th October, 1815.

And yet Enghien thought he had the hereditary right of his ancestors on his side, and Murat could allege a recent possession of the crown.

Accept the assurance, &c.,

* * *

[From the London News, July 10.]

It is only too easy to account for and excuse the distressing exaggerations into which some of our contemporaries who conspicuously applauded the attempt of the Emperor Napoleon to found a vicarious empire in Mexico, and others who habitually practice upon the ignorance, the credulity, or the forgetfulness of their readers, are descanting upon the deplorable execution of the Archduke Maximilian of Austria. These journals appear to imagine that when they have called President Juarez a "savage" and an "assassin," sentenced him to the execration of the civilized world and of posterity, and invoked the retribution of the United States government—of all governments in the world—on the head of the man who has at least succeeded in clearing the western world of an invading army and of an alien monarchy, history will accept their suppressions and distortions of the truth and their hollow declamation as a conclusive verdict upon a series of transactions of which the court-martial at Queretaro is the last and most lamentable, but not perhaps the most disgraceful. Without surprise, but not without regret and shame, we find English journals vying with the *Moniteur* in veracity, and with the *Constitutionnel* and *Patrie* in expressions of remorse which read like Mr. Broadhead's indignant denunciations of the crimes he ordered and paid for.

Need we protest that there is not a man with a heart in his breast, of whatever political party or opinion, who contemplates without the profoundest pity the tragic destiny of a prince endowed with all the charms and graces of character which in private life win the love of friends, and in public life engage the loyalty of nations! Assuredly if there be any political party, or any portion of the press of Europe, which has a peculiar right to condemn and deplore an act of vengeance and the loss of a rare opportunity and example of mercy and forgiveness, it is the liberal and democratic party, who, in 1848, abolished the punishment of death for political offences—it is that portion of the European press which, in 1864, dissuaded the unfortunate Archduke Maximilian from offering himself as the dupe and the victim of the Emperor Napoleon's dreams and designs. Those dreams and designs depended for their fulfilment on the disruption and subversion of the American republic, and the recognition by force of arms of the slaveholding confederacy, at the cost of untold calamities, for the greater glory of the second empire. Our tory contemporaries are at least consistent. They have seized the occasion of this catastrophe in Mexico to renew their complaints of the shortsighted policy of the liberal English government, which declined to lend the blood and treasure of this country to that Napoleonic "idea;" which consented, indeed, to join with France and Spain in demanding of the Mexican government the payment of certain money claims, and the punishment of outrages committed, not by the acts of President Juarez, but by the promoters of a Mexican empire—by Marquez and Miramon and their accomplices—but declined, thanks to the honesty and prudence of our minister accredited to President Juarez, and to the commander of our naval forces, supported by the Spanish General, (Prim.) to break (after the fashion of the French general at Rome, in 1849) the convention of Soledad, and to convert a limited and defined expedition into an illegitimate, inordinate, and ruinous adventure, begun in perfidy and fated to disaster. Let the official rhetoricians in the corps legislatif, and the official journals of the second empire, pretend to disguise, if they can, the full and absolute responsibility of their master for that enormous conspiracy of factious priests, palace jobbers, imperialist agents and adventurers, and Mexican outlaws, against the independence of the United States, under cover of a crusade against the anarchy of Mexico. Hundreds of innocent French families have paid the penalty of that magnificent romance in the blood of their children and in "bonds" not worth the paper they were printed on. The claims of French merchants upon the Mexican republic were insignificant in comparison with those of English creditors. The Mexican empire has cost France forty millions sterling; and, according to the *Moniteur*, the last state of Mexico is worse than the first. The French army not only did not extinguish civil war in Mexico; it exasperated and inflamed every domestic faction in that distracted country; it brought civil war and left civil war behind. Is it, we take leave to ask, the part of independent English journals to absolve the real authors of this immense calamity, because Maximilian preferred his honor to his safety, and declined to take shelter with his deceivers and betrayers? The true history of all these transactions remains to be written, and we believe the materials for writing it are in sure hands, and will be submitted in due time to the judgment of the civilized world. That

“black spot” in the splendid picture of imperial success, which even M. Rouher confesses will not be wiped out:

I do the wrong, and first begin to brawl.
The secret mischief that I set abroad
I lay unto the grievous change of others.
But then I sigh, and with a piece of Scripture,
Tell them that God bids us do good for evil.

With a strange confusion of ideas, the *Moniteur* describes the sentence of the court-martial which unfortunately followed the instructions of the French generals, as “an act of regicide.” If the native constitutional government of Mexico had been a monarchy, and the Austrian archduke had been the hereditary or even the elected sovereign of that country, defeated and slain by the leaders of a domestic insurrection, then no doubt it would be proper to characterize the sanguinary act of the victorious insurgents as “regicide.” But Mexico was not a monarchy. Maximilian was neither the hereditary nor the elected ruler of Mexico, as the simple fact of the total collapse of his empire within three months of the departure of the French army too clearly proves. At any rate, he was not a monarch in the eyes of the native republican government, which never ceased to exercise its functions, though, as it has sometimes happened to European monarchs, it was temporarily superseded by a foreign prince invited by a rebel faction and imposed by a foreign army. How could the authorities of the Mexican republic be guilty of regicide? Such a crime was unknown to their political calendar. Nor is the name of Yturbide very judiciously cited by the *Moniteur*. Yturbide, it is true, was made emperor by the Mexicans; he was a Mexican born; he was created emperor by his own people, and by his own people deposed and pensioned. It was not as emperor, but as a rebel who had attempted a *coup d'état* against the institutions of his country, that he was subsequently shot; and that, no doubt, is enough to justify the sympathy of the *Moniteur*. While we most heartily subscribe, in common with the whole liberal press of Europe, to the abolition of the punishment of death for political offences—a doctrine, by-the-by, by none more eloquently advocated than by Louis Blanc, in the chapter of his “History of the Revolution” on the death of Louis XVI—we cannot but perceive that the fate of Maximilian of Austria bears no sort of analogy to any of those “judicial murders” of great personages which history records and a milder age condemns. The apologists of that savage decree of October, 1865, which the French persuaded Maximilian to sign, are doubtless justified in asserting that the unhappy and amiable prince was overborne by the pressure of military men, who, as all Europe well knows, are never slow to shed blood, and who have not learnt to respect human life in Algeria or in Paris. Is it, then, unreasonable to suppose that President Juarez, whom those who know him intimately declare to be “a brave, humane, and honest citizen,” was overborne by the military officers who sat on that court-martial at Queretaro, some of whose comrades, friends, and relatives, perhaps, had been shot in cold blood in pursuance of that imperial decree? It is hard to be compelled, in the interests of truth and justice, to recall these facts at the present moment. But if history is philosophy teaching by example, let us at least, whether imperialists or republicans, monarchs or subjects, endeavor to draw some profitable, though bitter, lessons from these sad events.

There is another point in the mournful narrative, which, in justice both to Maximilian and to the Emperor of the French, should be correctly stated. In March last the emperor Maximilian had decided on abandoning Mexico. Two Austrian ships-of-war were ready to receive him at Vera Cruz. An aide-de-camp was actually sent from Vienna to Gibraltar to meet him on his return to Europe. Who detained him? That clerical party which three years ago was intriguing at the Tuilleries, and agitating at Miramar to induce the archduke to embark upon a crusade for the overthrow of the constitutional government of their country; that clerical party from whose counsels the honesty and intelligence of Maximilian, and even the courageous piety of that gentle and admirable lady whose bright young life was destined to set so soon in dark perplexity, recoiled in disgust when they discovered all its foulness and rapacity; that clerical party which denounced the emperor Maximilian at Rome, and withdrew from him the benediction of the Holy Father, in March last, when the French army had precipitately disappeared from the scene of its sterile triumphs and its uncompleted conquests, and Maximilian was abandoned an easy prey to the national forces he had defied; that clerical party which had invited, deserted, and denounced him, intercepted him on his way to Vera Cruz, and, with offers of a new treasury and a new army, entreated and persuaded him to retrace his steps to the capital and pursue the war in that quarter. And who were the generals of this clerical party? The notorious Miramon and Marquez: Miramon, who had broken into and pillaged the British embassy; Marquez, a man of a thousand murders. But the clerical piastres were not forthcoming, and the clerical army was a handful of desperate outlaws, led by men of infamous reputation. Thus, as even a semi-official compiler of news for the French public is fain to acknowledge, “those who first invited Maximilian to Mexico retained him there; and as they deceived him when they said that the whole country awaited him as its saviour, they likewise deceived him when, at the last moment, they persuaded him that he might hold the country by force of arms, although the French themselves admitted that this was impossible.” This semi-official historian of course forgets that M. Rouher himself, over and over again, in the corps législatif, has said and written precisely what the clerical party in Mexico told the ill-fated Maximilian

last March, and what the French themselves then admitted was impossible. Our duty as simple servants of the truth is to take care that neither the clerical party nor the second empire shall be defrauded of its just share of responsibility. The task is not a happy or a grateful one, and were it not for the ill-judged attempt of certain of our contemporaries to assist the *Moniteur* in darkening knowledge, we would gladly leave it to the passionless and tearless tribunal of history.

[The Evening Star, London, Tuesday, July 9, 1867.]

The journal which is the official organ of the French government has just published its own version of the recent history of Mexico. Of course that version is a heavy and wholesale condemnation of the Mexican people. It is but natural that the *Moniteur* should write in this style now, just as it was natural that three years ago it should describe the Mexicans as a noble race, flocking devotedly round the prince who came to deliver them from the tyranny of native republicanism. But however we may all lament the fate of the deceived and betrayed Maximilian, we must not accept a court elegy as history, or take a historiographer's romance as a correct statement of facts. Perhaps our readers, before quite making up their minds that the Mexican republicans are mere murderers and their President only a captain of cut-throats, will allow us to invite their attention to the circumstances, now conveniently set aside, out of which the whole of this Mexican imbroglio arose. We are perpetually being told just now that the outrages upon the property and the persons of Europeans perpetrated by the republican government of Mexico provoked and justified the determination of the Emperor of the French to establish a strong and orderly government in that country. But those who tell us of this do not always take the trouble to explain that the perpetrators of the outrages were the government of Miramon and Marquez, whom Benito Juarez overthrew.

Juarez, the first native President, established the first really constitutional government known in Mexico. He upset the infamous and blood-stained rule of Miramon and the church party. The British representative in Mexico, writing in May, 1861, to the English cabinet, thus spoke of the new government—that of Juarez: "They who witnessed the murders, the acts of atrocity and plunder, almost of daily occurrence, under the government of General Miramon and his counsellors Señor Diaz and General Marquez, cannot but appreciate the existence of law and justice. Foreigners, especially, who suffered so heavily under that arbitrary rule and by the hatred and intolerance towards them which are a dogma of the church party in Mexico, cannot but make a broad distinction between the past and the present." The same authority wrote thus: "I do not believe it possible that the church party, or that the former reign of intolerance and superstition, can ever be restored to power; so far, at least, has been secured by the result of the late civil war—the first contest for principles, it may be remarked, in this republic." It was thus the English representative in Mexico regarded the installation of the Juarez government. He viewed it as a triumph of principle, and as the inauguration of a reign of freedom and peace in Mexico. How does the same writer—how also does Sir Charles Wyke, our plenipotentiary during the Mexican intervention—speak of the men Juarez had driven from power, the men whom the Emperor Napoleon restored to power, the men who, we grieve to say, were the counsellors and colleagues of Maximilian, and who dishonored him even in death by sharing his fate? Over and over again, in official despatches, do our diplomatic representatives describe these men as infamous and bloodthirsty miscreants. "The infamous Marquez is still pursuing his course of murder and rapine," writes Mr. Mathew, the British chargé d'affaires. The open robbery of the British legation by Miramon is a fact no one can have forgotten. When at an early stage of the European intervention Miramon made his appearance under French protection, the British admiral in command of our ships declared that if this man did not leave the country he must be at once arrested and tried as a robber and a murderer; and Miramon, declining the alternative, actually did quit the country, and did not dare to return until the English had gone, and the emperor Maximilian had come.

These are facts which do not rest upon unofficial authority. They are to be found in the formal reports of our own diplomatic representatives. All the outrages, plunders, debts, for which Juarez was called upon to make reparation, were the doings of his predecessors—of his enemies whom he had driven from power. It was not unfair that he should be made to compensate for them. He succeeded to the debts as well as to the power of his predecessor. But what the English representative said at the time, what we ourselves said then and say now, is that he only wanted time to pay all: or, at most, that the occupation of the Vera Cruz custom-houses by the European allies would have secured proper and prompt liquidation of the debts. Has the world forgotten the famous Jecker loan business? This loan was one of the grand claims which France made war on Juarez to enforce. Listen to the account of the transaction given by Sir Charles Wyke, our plenipotentiary, in a despatch to Earl Russell:

"When the Miramon government were on their last legs, and utterly penniless, the Swiss house of Jecker & Co., in Mexico, lent them \$750,000, and received in return for the advance bonds to be payable at some future period to the amount of \$15,000,000. Shortly after this outrageous proceeding Miramon was upset, and succeeded by his rival Juarez, who was then called upon by M. Jecker, who was under French protection, to pay the above

named enormous sum, on the plea that one government must be held responsible for the acts and obligations of the other. Juarez refused to do so, and in this resolution was supported by the opinion of all impartial people in Mexico. I have always understood that his government were willing to repay the original sum lent of \$750,000, with five per cent. interest thereon, but repudiated the idea of their being liable for the \$15,000,000."

To enforce this monstrous claim France made war on Juarez. She brought back to power Miramon, and Marquez, and Mejia. She forced an emperor on the Mexicans—an emperor, with Miramon, and Marquez, and Mejia for counsellors. The word "forced" is literally correct. The Juarists defeated the French invaders before Puebla, and for one long year the French besieged that city in vain. At last, having got heavy re-enforcements, they assaulted and took it after a desperate struggle, and with fearful slaughter. Then Maximilian was called to the capital, and crowned by the conquerors. Then he issued the unfortunate decrees, of which we publish a copy to-day; and the Paris Moniteur coolly notified the execution of two of the principal Juarist generals, and commended the strong and severe policy of the new emperor. Now these things are facts which defy all contradiction. No ravings about Juarist savagery and Indian monstrosity can get rid of any of them. It would be well for English readers to think over them a little. We do not say they justify the execution of Maximilian. In our eyes nothing whatever could justify such a deed. In our eyes it must always seem a dark stain on Mexican republicanism. But these things at least show that there was a good deal to be said upon the other side, and that human nature being what it is, there is nothing, perhaps, very surprising in the fact that men on whom three years of civil war—and such civil war!—had been forced by an invader, should in the hour of their triumph have sunk to the level of their enemies, and forgotten to be merciful.

THE EXECUTION OF MAXIMILIAN.

KEMPTOWN, July 8.

SIR: Opposed as I am to capital punishment, especially for political offences, I cannot sympathize in the violent outcry now raised against Juarez and the Mexican government. It is worth nothing that those who denounce the Mexicans so violently were conspicuous among the most ardent defenders of Mr. Eyre, and of the miscreants who aided and abetted him in shooting "niggers," in flogging women, in burning negro huts, and in laying waste a whole district, leaving hundreds of families homeless and destitute.

The Mexican republicans have dealt somewhat roughly with foreign invaders, animated by sordid or ambitious motives. But is that a reason for breaking off diplomatic intercourse with their government? We can easily understand why the Moniteur endeavors to lash the public mind to fury, and to divert the current of popular indignation from Napoleon and direct it against Juarez; but what is that to us?

The reactionary party in the Old World failed to break up or divide the great American republic, and now, in the same spirit and in the interest of the priest party, urge on the United States government to crush the republicans in Mexico. But in this odious attempt I trust they will also be defeated, and that the Mexicans, like the Americans themselves, may be allowed to settle their affairs without foreign intervention.

I remain, sir, yours faithfully,

WILLIAM CONINGHAM.

The EDITOR of the Star.

Mr. Romero to Mr Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, August 26, 1867.

Mr. Romero's respects to Mr. Seward, and has the honor to send him a copy of a communication from General Berriozabal, commander on the Rio Grande, dated the 9th instant, in Matamoros, and annexed documents, in one of which Mr. Manuel Z. Gomez, governor of the State of New Leon, denies the authenticity of a letter attributed to General Escobedo, in which he gives utterance to remarks against foreigners residing in Mexico.

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

HEADQUARTERS OF THE RIO BRAVO LINE,
Matamoras, August 8, 1867.

GENERAL: I have the honor to inform you that my attention has been called to a singular article lately published in the *Ranchero*, of Brownsville. It is in the form of a document said to have been written by General Escobedo, and addressed to Governor M. Z. Gomez, of the state of New Leon, and is very expressive of views highly hostile to foreigners in Mexico, which views are said to be entertained in an elevated degree by Escobedo. I regret that the article herein mentioned has already gained a wide circulation, both in the United States and Europe, though it was natural it should, as it bore the signature of one of the leading men of this country. However, in order that such a calumny against General Escobedo personally, and against all Mexicans generally, should not go abroad uncontradicted, I took the trouble of requesting Governor Gomez, as being the gentleman said to have received this imaginary document, asking him for an explanation. It affords me great pleasure to enclose you herewith a translation of the answer to my inquiries received from Mr. Gomez on the 6th instant. By the communication of Governor Gomez you will perceive that the so-called official letter of General Escobedo, as published by the *Ranchero*, is a falsehood, a fabrication, and a libel, invented and published by that paper for the unworthy purpose of calumniating Mexico and the Mexicans in the eyes of the civilized world, by attributing to her most distinguished defenders a narrow-minded and selfish policy, which they have never for a moment entertained. As long as a journal antagonistic to republicanism confines itself to the mere fabrication of fictitious news of the country, or to the exaggeration of what contains a shadow of truth, there is no reason to take notice of it; but when a periodical so far forgets its dignity and honesty as to descend to the commission of the crimes of forgery and libel, as has been the case here, crimes indictable and punishable by the laws of all lands, I should say it would be justifiable to put a stop to such outrages against the community, public opinion, and common decency. I am aware that the free institutions of the United States give every reasonable scope and latitude to the press of the country; it is right that it should be so: yet sure it can never be a good thing to permit irresponsible editors to run riot with their neighbors' fair fame, even to the extent of falsifying signatures, without calling them to account for their reckless conduct. Even the continuance of such an abuse as that here spoken of could never create any estrangement between our two governments; but the circulation of such libels tends to impress the people of the United States, whom we look upon as our particular friends and sympathizers, with the idea that Mexicans are averse to foreigners seeking homes in the republic. Quite the contrary is the case, I assure you, for every intelligent Mexican whose opinion is worth having fully recognizes the importance of immigration and the advantages of an increased population to assist us in developing the immense resources of our virgin soil. We are now more than ever desirous that all industrious foreigners who choose should make their homes in our country, identifying themselves with its interests as adopted citizens, and share with us the same liberties and free institutions which we have conquered for ourselves.

Independence and liberty! Matamoras, August 9, 1867.

FELIPE B. BERRIOZABAL.

Major General J. J. REYNOLDS,
Commanding the Sub-district of the Rio Grande, Brownsville, Texas.

HEADQUARTERS OF THE RIO BRAVO LINE,
Matamoras, August 9, 1867.

CITIZEN MINISTER: I have the honor to enclose to you a copy of the communication that the citizen Manuel Z. Gomez, governor and military commander of the State of New Leon, has addressed me with a view to demonstrate the inaccuracy of the news set afloat by the *El Ranchero*, published in Brownsville, Texas, and the bad faith it shows against our country.

Governor Gomez contradicts in the most formal manner the authenticity of a letter supposed by the *Ranchero* to have been written by General Escobedo to General Gomez. That pretended letter, as all that is published in the *Ranchero* in relation to Mexico, has for its principal object to discredit our country abroad and create in the American people feelings of antipathy against us.

I addressed myself to Major General Reynolds, military commander of the sub-district of the Rio Grande, requesting him to take such steps as he might think consistent with his duties to avoid the repetition of such abuses on the part of the *Ranchero*. Although General Reynolds will probably not take any measure under his own responsibility on this subject, I thought it convenient to do so.

I must also state that it is equally untrue what the *Ranchero* affirmed and was reproduced by other newspapers, viz: that we celebrated in this city the death of Maximilian.

I have thought it fit to address you this note, accompanied with the enclosed copies, in

order that you may use them in the manner you may deem most convenient to the interests of the republic.

Be pleased to accept the assurances of my esteem and consideration.
Independence and liberty !

FELIPE B. BERRIOZABAL.

Señor Don MATIAS ROMERO,
Mexican Minister, Washington, D. C.

OFFICE OF THE GOVERNOR OF THE STATE OF NUEVO LEON,
Monterey, August 4, 1867.

GENERAL: The Picayune of the 24th ultimo reproduced a letter said to have been written by General Escobedo to me, and which was first published by the *Ranchero*, a newspaper of Brownsville, Texas. The bad faith with which the *Ranchero* manufactures news injurious to the good name of the republic and its defenders is well known to you and to anybody familiar with Mexico. The *Ranchero* publishes now a paper, supposing it to have been written by one of our generals, and this renders it improper to be silent any longer. We must say, in self-defence, that said paper is a fabrication and a libel. The letter which the *Ranchero* avers was addressed to me by General Escobedo, which begins with the following words: "The execution of the traitors," and ends, "God and liberty," is altogether a fabrication and a slander. You are authorized to make of this communication any use you please.

General Escobedo knows full well that a true republic must only hate vice, and that all laborious *bona fide* persons are his brothers, whatever their nationality may be. He knows, too, that it is the interest of all nations to have the friendship of the others, and that the moral support which the United States rendered to Mexico during the struggle with France by the fact of not ceasing to recognize President Juarez, and withholding all recognition from Maximilian, have a real value which will make us feel grateful toward that powerful country.

MANUEL Z. GOMEZ.

Major General FELIPE B. BERRIOZABAL,
Commanding the line of the Rio Grande, Matamoros.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 29, 1867.

SIR: The Prussian minister, Baron Gerolt, has just presented to me a despatch, which he has received by the cable, from the head prince of the house of Salm-Salm, in Prussia, in which he implores the baron to put forth his best efforts to save the life of his brother, Prince Salm-Salm, who was an adherent to the late Prince Maximilian, and was captured with him at Queretaro. The prince, as you know, was an ardent and efficient volunteer in our late war for the defence of the Union, whereby he entitled himself to the sympathy and friendship of this government. For this reason, as well as that of comity towards the Prussian government, I beg leave to commend the case of Prince Salm-Salm to the humane and liberal consideration of the government of Mexico.

I avail myself of this occasion to offer to you, sir, the assurance of my most distinguished consideration.

WILLIAM H. SEWARD.

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

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, August 29, 1867.

SIR: I have just received a private, unofficial letter from Mr. Sanford, United States minister at Belgium, of which I give you a copy.

The letter came to me accompanied by a letter of Mr. Jules Devaux, chief

of the cabinet of the King of Belgium, the effect of which is stated in Mr. Sanford's letter. Certainly, neither the republic of Mexico nor the United States have reason to feel themselves obliged by the proceedings of Mr. Eloin, the secretary of the late Prince Maximilian. But Mexico, as well as the United States, can now well afford to practice magnanimity to the followers of that fallen leader. I think it inexpedient to make an official intercession in behalf of Mr. Eloin, but I am permitted by the President to address you this informal note, recommending through your good offices the indulgence of clemency in Mr. Eloin's case by the Mexican government.

I am, very respectfully, your obedient servant,

WILLIAM H. SEWARD.

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

BRUSSELS, August 16, 1867.

DEAR SIR: The enclosed note is from Mr. Jules Devaux, chef de cabinet of the King, asking for your intervention in behalf of his friend M. Eloin, late secretary of Maximilian, and a Belgian, who is in imminent peril in a Mexican prison.

If you can be instrumental in saving his life, while the act will but be in keeping with your life-long principles, it will also be highly appreciated here, where he has many friends, especially in the court and government, and the occasion to show magnanimity on the part of the republican government is a good one, now that the opportunity is lost in a higher case.

Very respectfully and truly yours,

H. S. SANFORD.

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

AUGUST 15TH.

MY DEAR SANFORD: One of my best friends whom I consider as my brother, and whom I knew since I was born, has been consigned to prison at Mexico, by order of Porfirio Diaz, as a victim of the last revolution, had under the stupid accusation of dilapidation; it is exactly as if they should tell me that my father or my brother was robbed.

Hooreis, our chargé d'affaires, asked for him the protection of the United States consul, and I don't know whether it has been granted to him. But I address myself to your friendship and sense of humanity to ask that you would do whatever you can to save my friend M. Eloin. You are a personal friend of Mr. Seward, and I ask as a personal service from you that you should write a line to him and ask him to direct his consul at Mexico to act in favor of my friend. Eloin is now *à terre* quiet, inoffensive to the Mexicans; there can be no harm for them in saving his life, and if it can be obtained it is by the American authorities. Pray, my dear Sanford, do what you can, and I shall be eternally grateful to you.

Yours, truly,

JULES DEVAUX.

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, August 30, 1867.

Mr. Romero's compliments to Mr. Seward, and has the honor to send him the copy of a letter, dated in Mexico, the 9th instant, containing important news from that republic, which was published in the New York Herald of this date.

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

MEXICO CITY, August 9, 1867.

We are astounded by an effort being made by Don Miguel Lopez to convince himself and the world that he did accomplish a high act of treachery to his leader at Queretaro on the

15th of May last. He has already addressed the public three times through the press on the subject, but no answer is needed. The fact that he is living quietly and peaceably at Puebla, undisturbed by the liberal government, while his fellow-officers are worrying themselves away in the prisons of Mexico city and Queretaro, is sufficient to convince ordinary intelligence. It is stated here that his wife, of whose child Maximilian became godfather, and which has received the name Maximilian, refuses to live with him in consequence of his bad faith.

General Marquez has succeeded in escaping thus far, and now but little hope is entertained of his capture.

The body of Miramon has been removed to the city, and was buried in the San Fernando burial-grounds a few days since. His brother, Carlos Miramon, is on the mountains at the head of about eight hundred men, and it is said by some intends to pronounce, or at least avenge the death of his brother. Although he has had ten years' of military experience with the late general, he has not exhibited as yet any talent which would make him feared by the government.

In the case of General O'Horan, it is stated that the evidence is now before the court, and that it is of a conclusive character. Very strenuous efforts are being made by his individual friends to have his expected order for execution commuted to imprisonment. The punishment of generals of division, captured at Queretaro, has been commuted to imprisonment for seven years, and generals of brigade to imprisonment for six years. This order is specially agreeable to Prince Salm Salm, who had been expecting to be shot.

There appeared in the papers of Mexico a rumor that Captain Roe, of the Tacony, had asked for the body of Maximilian. No such letter of request has been received by the government here. The Austrian fleet is looked for daily, and the body will be surrendered to the family, and every aid given for its safe and proper transportation to the sea.

It is the present intention of the government that Santa Anna shall be tried by court-martial, under the laws of September 15, 1857 and January 25, 1862.

The government have not fully organized their various departments and have a great work before them. President Juarez has ordered to be vacated many of the convents, which formerly comprised nearly one-half of the city, and has taken active steps towards lessening the power of the church. Four new public schools have been opened in this city, and in the third district of the state schools have been opened for the primary instruction of young girls.

The medical university of Mexico is now in full operation, daily lectures being given in all of the various branches of medicine, surgery, &c. The school of mines is also an institution of great value to the country and is a credit to the people. It should be remembered that in Mexico there exist one hundred and ninety-seven different kinds of minerals, among which are gold, silver, iron, copper, lead, zinc, mercury, tin, &c. The following also exist, and are said as yet only to be found in this country: Rhodium, gold, silenid of mercury, zochiliane, jalapite, iodyrite, cochinele, plumbic ochre, silver, obsidian, and vanadite.

The prospects of the railroad from Vera Cruz to Mexico are not unfavorable. Although the government two months ago was reported to look unfavorably upon the road, in consequence of supposed complicity with the empire, since the arrival of the President and cabinet here they have received such information as has induced them to take a favorable consideration of the case, and it is most likely that arrangements will be made to aid the road.

General Lozada, who has commanded some five thousand men on the Pacific coast, in the state of Durango, Zacatecas, &c., has given in his adhesion to the government, so that there now remains no formidable party of armed men in the country opposed to the government.

On a recent occasion in this city General Diaz, among other remarks, said:

"The republican army of Mexico is of recent creation. Our old army, vitiated by pernicious habits and corrupted by political factions, has fortunately disappeared; but new and recent as may be the existence of the army that has replaced it, it contains within itself that element of great and heroic action—patriotism. This very powerful motive fully explains the triumphs recently gained by the soldiers of the republic. To accidental circumstances may be attributed my participation in their great success, and any merit that I may be entitled to is reduced to some efforts on my part to introduce order and discipline in our military system; but I should have achieved nothing without the patriotic abnegation and the simultaneous support of all my subordinates in fulfilling my ideas and wishes. To their glory, and as a dry tribute of justice, I must proclaim that when a strong and firm will acts in conformity with a true sense of order and morality it finds no obstacle, no resistance in the Mexican soldier. The citizens in whose hands Mexico has confided her arms cannot avoid noting, as a heroic example, the conduct of the army that saved the integrity of the North American Union, and they have the hope, as a dream of glory, of fighting side by side with the sons of Washington the day the common interests of America shall be menaced."

The following is an official list of executions under the order of October 3, 1865, reported

by Maximilian from his headquarters; also of actual and approximate numbers killed or executed immediately after battle by imperialists under the order:

Month.	Year.	No. admitted to have been executed and published by order of Maximilian in Mexico city.	Actual or approximate number executed by officers of Maximilian under the decree of Oct. 3, 1865.
October.....	1865	221	800
November.....	1865	26	370
December.....	1865	7	450
January.....	1866	18	200
February.....	1866	58	700
March.....	1866	10	623
April.....	1866	-----	470
May.....	1866	22	290
June.....	1866	7	600
July.....	1866	27	300
August.....	1866	41	900
September.....	1866	1	1,000
October.....	1866	136	390
November.....	1866	60	495
December.....	1866	7	374
January.....	1867	6	682
February*.....	1867	-----	400
March*.....	1867	-----	200
April*.....	1867	-----	100
Total.....	-----	650	9,244

* No official report made.

The first list was carefully kept by a gentleman of Mexico city, Señor Basillo Perez Galardo, and the figures taken from the official reports published at Maximilian's headquarters. The executions were all along so contrary to humanity that it would appear that Maximilian was ashamed of them, and that either he or his officers suggested that the captured Mexicans be shot immediately upon capture, so as virtually to carry out the order and they would not know it. I give the number of Mexicans who have each month been shot since the issue of the decree of October 3, 1865, as correctly as I can learn. Many here put the figures at over 20,000, and I am myself inclined to believe that the number is underestimated. As the question of the barbarity of the Mexican people, and especially of the party now in power, is being generally discussed, I must call attention to the opinion upon the subject of two hundred or more Belgian officers and men who were captured by the liberal army, and who were so disgusted with the conduct of their fellow imperial officers as to address the following letter to the emperor Maximilian:

"SIRE: We have learned with horror and consternation the act committed by Colonel Mendez, (afterwards General Mendez, who was captured at Queretaro and immediately shot,) who, in violation of every law of humanity and of war, has put to death a certain number of officers of the liberal army whom he had made prisoners. The liberal army, to which you even refuse to give the name of army itself, professes a greater respect for these laws than do the chiefs of your forces; for we, who are prisoners, are respected by all, from the general to the common soldier. If we did not find ourselves in the hands of troops sincerely liberal, the act of Colonel Mendez would call forth a bloody retaliation; and we, Belgians, who have come to Mexico solely with a view to act as a guard of honor to our princess, but whom you have forced to fight against principles identical with our own, might have expiated with our blood the crime of a man who is a traitor to his own country.

"We hope, sire, that the barbarous act of Colonel Mendez will not remain unpunished, and that you will have the kindness to give orders that the laws between nations shall be observed. We energetically protest against the nameless act.

"BRUER, GUYOT, FLACHOT, VAN HOLLENBECK,
and two hundred others."

Notwithstanding this representation to Maximilian by officers and men of his own army the same executions of prisoners continued, and the inhuman colonel referred to in the above

letter was not only unrebuked by Maximilian, but promoted to rank of general. He was captured at the fall of Queretaro, and died at the hands of an outraged army a less painful death than his beastly rage had inflicted upon so many of his countrymen. I append a list of some of the executions of officers which took place under the special order of Maximilian, and which were officially announced from his headquarters in Mexico and elsewhere during the enforcement of his decree of October 3, 1865:

Rank.	Name.	Month.	Year.	Manner of execution.
General	Arteaga	Oct. 13	1865	Shot.
General	Salasar	Oct. 13	1865	Shot.
Colonel	Milcua	Oct. 13	1865	Shot.
Chiefs and officers besides the above, 32.				
General	Stillardi	Oct. 13	1865	Shot.
Colonel	Romero, of Mexico city	Oct. 13	1865	Shot.
Governor	Chavor, of Zacatecas	Oct. 13	1865	Shot.
Colonel	Lopez	Oct. 16	1865	Shot.
Colonel	Fonseca	Oct. 30	1865	Shot.
Colonel	Vatela	Oct. 26	1865	Shot.
Major	Guerrero	Nov. 16	1865	Shot.
Captain	Ortez	Nov. 19	1865	Shot.
Captain	Ponce	Nov. 19	1865	Shot.
Major	Cortez	Nov. 28	1865	Shot.
Major	Gonzalez	Dec. 26	1866	Shot.
Major	Arelis	Dec. 31	1866	Shot.
Major	Beltram	Dec. 31	1866	Shot.
Colonel	Cano	Jan. 5	1866	Shot.
Colonel	Palomeno	Jan. 10	1866	Shot.
Major	Soto	Feb. 10	1866	Shot.
Colonel*	Mendez	Feb. 21	1866	By burning
Colonel	Sanchez Romam	May 25	1866	Shot.
Colonel	Jacome	June 7	1866	Shot.
Colonel	Sylvester Rojas	June 23	1866	Shot.
Major	Castal	June 23	1866	Shot.
Colonel	Azpier	July 3	1866	Shot.
Captain	Moreno	July 6	1866	Shot.
Major	Gonzales	July 31	1866	Shot.
Major	Plata	Aug. 8	1866	Shot.
Colonel	Martinez	Aug. 18	1866	Shot.
Captain	Garcia	Oct. 2	1866	Shot.
Major	Villanueva	Oct. 24	1866	Shot.
Major	Segeroff	Nov. 9	1866	Shot.
Major	Bravo	Nov. 12	1866	Shot.
Major	Rodriguez	Dec. 20	1866	Shot.
Captain	Ramon	Dec. 30	1866	Shot.
General	Herrera y Cairo	Feb. 4	1867	Shot.
Captain	Lugo	Feb. 27	1867	Shot.

* Wounded and pursued to a house and burned to death.

These officers and the 650 in the tabular list above were tried, condemned to death and shot by Maximilian, as reported by his minister of war, under articles first and second of the decree, which are as follows:

"ARTICLE 1. All persons belonging to armed bands or corps not legally authorized, whether they proclaim or not any political principles, and whatever be the number of those who compose the said bands, their organization, character, and denomination, shall be tried militarily by the courts-martial, and if found guilty even of the fact of belonging to the bands, they shall be condemned to capital punishment within twenty-four (24) hours following the sentence.

"ART. 2. Those who, belonging to the bands mentioned in the previous article, will be captured with arms in their hands shall be tried by the officer of the force that had captured them, and he shall within a delay, never extending over twenty-four (24) hours after the said capture, make a verbal inquest of the offence, hearing the defence of the prisoner. Of this inquest he will decree an act, closing with the sentence, which must be to capital punishment, if the accused be found guilty, even if only of the fact of belonging to the band. The officer shall have the sentence executed within the twenty-four hours aforesaid,

seeing that the criminal receive spiritual assistance. The sentence having been executed, the officer shall forward the act of inquest to the minister of war."

Under the following law of January 25, 1862, Maximilian, Miramon, and Mejia were tried, condemned and executed. The court-martial, according to the law of September 15, 1857, consisted of a colonel or lieutenant colonel, and six captains:

"Benito Juarez, constitutional President of the United States of Mexico, to his country men:

"By virtue of the ample powers with which I am invested I have decreed the following law providing for the punishment of all crimes against the nation, order, public peace, and individual guarantees.

"Among the crimes against the independence and national security are comprehended the following:

"ARTICLE 1. Armed invasion brought by foreigners and Mexicans on any territory of the republic, or by foreigners alone, without previous declaration of war on the part of the powers or power to which they belong.

"ART. 2. The voluntary service of Mexicans in the service of the foreign enemy, whatever be the character in which they are found among the enemy.

"ART. 3. The invitation of Mexicans or foreigners residing in the republic to subjects of other powers to invade any territory of the republic or change its form of government on whatever pretext.

"ART. 4. Any kind of complicity in aiding or countenancing the invasion or favoring its realization.

"ART. 6. The respective military authority is the only one competent to have cognizance of the crimes specified in this law; for the effect of which, so soon as said authority have knowledge, be it through report, accusation, denunciation, or through any other means, that any of the specified crimes have been committed, shall proceed to make the necessary inquiry, according to the rule of the general ordinance of the army and law of the 15th of September, 1857; and the cause when established shall be brought before the ordinary council of war, without any distinction of the character, station, employ, or commission of the accused. In places where there are no military commanders or generals-in-chief, the governors of the respective States shall act in their places."

Punishment for above crimes as prescribed in same law of January 25, 1862: Invasion made on the territory of the republic, of which the first paragraph of article one of this law speaks, and the services of Mexicans in the forces of the foreign enemy, of which the second paragraph speaks, shall be punished with death. Invitation to invade the territory, of which paragraphs three and four of article one speak, shall be punished with death.

Mr. Romero to Mr. Seward.

[Translation.]

WASHINGTON, August 31, 1867.

MY DEAR MR SEWARD: To-day I have had the honor to receive the letter you pleased to address to me on the 27th of the month now closing, with copy of a letter from Mr. Sanford, minister of the United States in Belgium, dated at Brussels, 16th instant, which is accompanied by another from Mr. Devaux, (Jules,) chief of the cabinet of the King of the Belgians, in which he begs the United States may intercede in favor of Don Felix Eloin, one of those Belgians who labored in Mexico to consolidate the order of things which the French intervention pretended to establish.

You are pleased to make known to me that neither the Mexican republic nor the United States have any reason to be pleased with the proceedings of Mr. Eloin, as secretary of the deceased Prince Maximilian, adding that Mexico, as well as the United States, can now be magnanimous to the partisans of that leader, for which reason, and not thinking it advisable to interfere officially in favor of Mr. Eloin, you tell me the President has authorized you to address a note to me, of informal character, asking my good offices that the government of Mexico may act with clemency in the case of Mr. Eloin.

In reply, it is satisfactory to me to make known to you that this very day I have sent to my government a copy and translation of your letter, and of the copy annexed to it.

I am, sir, very respectfully, your obedient servant,

M. ROMERO.

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

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION OF THE UNITED STATES OF AMERICA,
Washington, September 8, 1867.

MR. SECRETARY: On the 15th and 25th July I wrote to the governor of the State of Yucatan, enclosing him a copy of the memorandum you sent me in your note of the 13th July, about Santa Anna's going to Vera Cruz and Sisal and his arrest in the latter port, requesting him to have the affair investigated, as it was not exactly just, in your opinion.

I received an answer to-day from that official, dated at Merida, the 21st of August last, with which he sends me the original of a judicial investigation of the subject made by the district judge of that State. From this it appears that the said judge took the affidavits of the following persons: Louis Y. Gomez, commander of a war canoe, Mariano Romero and Gumesindo Mendez, of the guard, living in Sisal; Olegaris Molina, collector of customs at Sisal when the capture was made; Manuel Mendoilea, the interpreter; and Cirilo T. Gutierrez, secretary of the port of Sisal.

From the concurrent testimony of all these witnesses, the three following points are clearly demonstrated:

1st. That when Antonio Lopez de Santa Anna landed at Sisal, the steamer Virginia was anchored in that port, at less distance than the mail steamers generally land, and of course less than three miles from shore.

2d. That Colonel Santiago Medina, then military commander of the port, went on board the Virginia to invite Antonio Lopez de Santa Anna to land, which he did voluntarily, as he confessed to several persons in Sisal.

3. That Santa Anna landed while the Virginia was receiving cargo, with the knowledge of the custom-house officers, and of course was at the usual anchorage, within Mexican jurisdiction.

This last fact is proved by a certificate of the collector and cashier of the Sisal custom-house, which says that the steamer Virginia arrived at Sisal on the 11th of June last, and opened its register the next day, at 7 in the morning, and closed and cleared by 3, on the same day, the 12th.

The importance of these documents induced me to send you copies of them for the information of the government of the United States.

I am gratified to have this opportunity of renewing to you, Mr. Secretary, the assurance of my distinguished consideration.

M. ROMERO.

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

GOVERNMENT OF THE STATE OF YUCATAN.

To the Civil Magistrate of 1st Instance in this Department, acting Judge of the District Court.:

For the better service of the republic this office desires you to obtain information relative to the arrest of ex-General Antonio Lopez de Santa Anna, on the following points:

1st. Was the steamer Virginia anchored, on the 11th of June of the present year, when Santa Anna left it, in the bay of Sisal, at a less distance from the shore than the mail steamers usually anchor, and, of course, less than three miles off?

2d. Did ex-General Santa Anna, when invited to land by Colonel Medina, express a desire to do so, and did he do it willingly, without insulting the American flag in the act?

3d. Was the said steamer Virginia's register open when the landing took place? (Was her departure announced?)

On the above interrogatives you will please take the depositions of the following persons, namely: Santiago Medina, captain of the port at that time, and now civil chief of the district of Sisal; Luis Y Gomez, commander of the war canoe; Mariano Romero, and Gumesindo Mendez, members of the civil guard, and living in Sisal; Olegario Molina, col-

lector of customs of that time; Manuel Mendiola, interpreter, and Cirilo T. Gutierrez, secretary of the port.

Having taken the depositions of these persons in a legal form you will send the documents to this office for public use.

You will also get a certificate from the collector of customs at Sisal, stating the day and hour that the steamer Virginia opened her register, when it was closed, and when she cleared; and you will annex it to the depositions and send all the papers to me. Trusting to your alacrity and patriotism, I hope you will do what I have requested as soon as possible.

Country and liberty! Merida, August 18, 1867.

A. O'HORAN.

FRANCISCO GIL, *Chief Official.*

GOVERNMENT OF THE STATE OF YUCATAN.

CITIZEN MINISTER:

In reply to your notes of the 15th and 25th July last, containing two newspaper slips of resolutions by the government of the United States of America, relating to the arrest of ex-General Antonio Lopez de Santa Anna, I must say that this government was sure the American cabinet would examine the question carefully, and defend our right to prosecute an intriguer that has done so much harm to the nation. This just result is due to the interest you have always taken in anything within the duties of your office, and which has gained you the esteem of all good Mexicans.

In compliance with your request, I ordered an examination of the business you mention, and now enclose you the papers. They do justice to the truth. I hope they will be as serviceable to you as other documents from this office have been.

I could not send Colonel Santiago Medina's affidavit, because he is absent on duty, and I send the other papers because I know you will want them immediately.

I have the honor to answer your notes because General Manuel Cepeda, governor of the State, whose place I now fill, is absent.

I thank you in the name of the State for your good services to the republic, and repeat the assurances of my particular esteem.

Country and liberty! Merida, August 21, 1867.

AUGUSTIN O'HORAN.

FRANCISCO GIL, *Chief Official.*

CITIZEN MATIAS ROMERO,

Minister of Mexico near the Republic of the United States of America.

Second class. Seal five, half a real. Chief office for stamped paper. Licensed for the years 1864 and 1865, according to law of common usage, by the chief office in Yucatan at Merida, on the 4th of December, 1863.

PEDRO RIVAS Y PEON, *Clerk of the Revenuc.*
EUSEBIO R. DE LEON, *Chief Director.*

MERIDA, June 21, 1867.

Licensed for the balance of the years 1866 and 1867.

RAMÓN SERRANO É ITURRALDE, *Clerk of the Revenuc.*
FELIPE VADO, *Chief Director.*

SISAL, August 19, 1867.

Let the despatch addressed to this court by the citizen governor of the State be placed at the head of these proceedings, and let the information therein demanded be obtained by summoning for that purpose the persons mentioned in it residing in this port; and send a despatch to the citizen collector of customs ordering him to send to this court a certificate of the day and hour when the steamer Virginia opened her register for her operations, and of the hour when she closed, to be annexed to these proceedings.

LICENCIADO JUAN J. HERRERA.

Examined and signed by Licenciado Juan José Herrera, first civil judge of this department, acting as district judge.

I certify the above.

MANUEL AVILA MALDONADO.

NOTA.—In compliance with the above order, the despatch mentioned was made out and sent to the citizen collector of customs in this port.

AVILA MALDONADO.

SISAL, *datum ut supra.*

On the same day were summoned Luis Y. Gomez and Mariano Romero, residing in this port. The others were not notified because Santiago Medina was at the town of Isla Mujeres, and Gumesindo Mendez had started to the capital. This I certify.

AVILA MALDONADO.

In the town and port of Sisal, on the 19th day of August, 1867, before Juan José Herrera, first civil judge of this department, appeared Luis Y. Gomez, who swore to tell the truth to the interrogatories put to him, deposed as follows:

Answer to 1st interrogation. On the 12th of June last, when ex-General Antonio Lopez de Santa Anna landed in this port from the steamer Virginia from Vera Cruz, the vessel was anchored in this bay, within three miles from shore, not so far as the mail steamers anchor, as everybody in the town knows.

Answer to 2d question. Colonel Santiago Medina, military commander of this port, went on board the steamer Virginia that same day to invite ex-General Santa Anna to land, which he did voluntarily, saying he was glad to get on Mexican soil once more, and among Mexicans, as many persons present can prove, and no insult was offered to the American flag on landing, as Santa Anna himself stated in a letter, which he wrote on the 12th while on shore, to Martin Peraza.

Answer to 3d question. Santa Anna landed after the Virginia had opened her register, for many canoes were alongside with cargoes brought from shore for the vessel. And all this is true. He says he is of age, a resident of this city, and I certify to his signature.

LICENCIADO HERRERA.

LUIS Y. GOMEZ.

MANUEL AVILA MALDONADO.

On the same day, and before the same judge, appeared Mariano Romero, who, having been sworn, deposed as follows:

1st question. On the 12th of June last, when ex-General Antonio Lopez de Santa Anna landed from the steamer Virginia in this port coming from Vera Cruz, the vessel was anchored in this bay, within three miles of shore, and not so far as the mail steamers anchor, as everybody in the town can testify.

2d question. Colonel Santiago Medina went on board to invite ex-General Santa Anna to land, which he did voluntarily, saying he was glad to be among Mexicans, and offering no insult to the American flag.

3d question. Santa Anna landed after the Virginia had opened her register, for many canoes were alongside with cargo for the vessel.

And he affirms the truth of all he has said, is of age, a resident of this city, and signs this affidavit, to which I certify.

LICENCIADO HERRERA.

M. ROMERO.

MANUEL AVILA MALDONADO.

MERIDA, August 20, 1867.

Let the certificate from the collector of customs to this court be hereunto annexed and the witnesses mentioned in the despatch be examined upon the points in question found in the order of the governor of the State.

JUAN J. HERRERA.

Before me:

MANUEL AVILA MALDONADO.

The above writ was immediately served on Gumesindo Mendez.

AVILA MALDONADO.

Manuel Mendiola was also notified, as well as Olegario Molina; and subsequently Cirilo Gutierrez.

AVILA MALDONADO.

The certificate of the collector of customs was also filed.

AVILA MALDONADO.

MEXICAN REPUBLIC, SISAL CUSTOM-HOUSE,

Sisal, August 19, 1867.

In execution of your order of this date I enclose the certificate of the time when the American steamer Virginia, from Vera Cruz the 11th and bound to New York, opened and closed her register in this office. Country and liberty!

RAMON MOLINA.

SISAL CUSTOM-HOUSE.

We, the collector and accountant of the customs of this port, certify in due form that, from evidence on record in this office, the American steamer Virginia, Captain Deaken, from Vera

Cruz, anchored in this port on the 11th June last, opened her register in this office the next day, the 12th, at 7 in the morning, and closed and cleared at 3 in the afternoon of the same day. To be sent to the judge of this district, in obedience to his orders of this date. We deliver the present at Sisal, on the 19th day of August, 1867.

R. MOLINA.

FELIPE DE JESUS MORENO.

In the city of Merida, on the 20th August, 1867, before the first civil judge of this department, appeared Oleagario Molina, who, being duly sworn, deposed as follows:

To the 1st question. On the 12th June last, when Antonio Lopez de Santa Anna landed at this port from the steamer Virginia, coming from Vera Cruz, the vessel was anchored in this bay within three miles of shore—not as far as the mail steamers anchor, as everybody in the town knows.

To the 2d question. Colonel Santiago Medina, military commander of this port, went on board the steamer Virginia that same day to invite Santa Anna to land, which he did voluntarily, saying he was glad to be among Mexicans once more, as many persons present can testify; and no insult was offered to the American flag on landing, as Santa Anna stated himself in a letter which he wrote on the 12th, while on shore, to Martin Veraza.

To the 3d question. Santa Anna landed after the Virginia had opened her register, for many canoes were alongside with cargo brought from shore for the vessel, &c.

LIC'O HERRERA.

O. MOLINA.

MANUEL AVILA MALDONADO.

Afterwards, before the same judge, appeared Manuel Mendiola, who, having been duly sworn, deposed as follows:

To the 1st question. The steamer Virginia arrived from Vera Cruz on the 11th, and anchored at Sisal, nearer the shore than the mail steamers generally anchor; and General Santa Anna, who came in that vessel, landed at Sisal.

To the 2d question. When Colonel Santiago Medina went on board the Virginia to invite Santa Anna to land he did so voluntarily, and when on shore said he was glad to be on Mexican shore once more, as expressed in a letter to General Peraza, published in the official paper; and no insult was offered at any time to the American flag.

To the 3d question. Santa Anna landed at 11 o'clock in the morning of the 12th June, when the Virginia had her register open, and was receiving cargo from canoes. He says he is of mature age; a resident of this city; and he signs this with the judge and one witness.

LIC'O HERRERA.

MANUEL MENDIOLEA.

MANUEL AVILA MALDONADO.

On the same day, and before the same judge, appeared Gumesindo Mendez, who, being duly sworn, deposed as follows:

To the 1st question. When Antonio Lopez de Santa Anna landed from the steamer Virginia, coming from Vera Cruz, on the 11th of June last, the vessel was anchored nearer shore than the mail steamers generally anchor; about two miles, he thinks, as is known to all the inhabitants of Sisal.

To the 2d question. When Santa Anna was invited to land by Colonel Santiago Medina, he did so voluntarily, declaring he was much pleased to be on Mexican soil once more, among his own people; and no insult was offered to the American flag at the time by any one.

To the 3d question. Santa Anna landed at 11 o'clock on the 12th of June, while the steamer's register was open, and was receiving cargo from canoes alongside.

He says he is of mature age; resident of Sisal; and signs this affidavit with the judge and one witness.

LIC'O HERRERA.

G. MENDEZ.

MANUEL AVILA MALDONADO.

Afterwards appeared before the same judge, Cirilo Gutierrez, who, being duly sworn, deposed as follows:

To the 1st question. When Santa Anna landed from the steamer Virginia, coming from Vera Cruz, at 11 o'clock on the morning of the 12th of June, the vessel was anchored less than three miles from Sisal, near where the mail steamers generally anchor.

To the 2d question. When Colonel Santiago Medina went on board of the Virginia to invite Santa Anna to land, he did so voluntarily, saying he was glad to be once more on Mexican soil, which he affirmed in a letter to General Peraza, published in the official paper; and no insult was offered to the American flag at the time.

To the 3d question. The steamer's register was open when Santa Anna disembarked, which was about 11 o'clock on the 12th of June. He says he is of mature age; a resident of this city; and signs this with the judge and one witness.

LIC'O HERRERA.

MANUEL MENDIOLEA.

MANUEL AVILA MALDONADO.

MERIDA, August 20, 1867.

The deposition of Santiago Medina could not be taken, because he was absent from the city, and it was not known when he would return.

And now the investigation ordered by the governor of the State being finished, it is sent to its destination, as requested in the despatch.

LIC. JUAN J. HERRERA.

Before me,

MANUEL AVILA MALDONADO.

MERIDA, *datum ut supra*.

NOTE.—In compliance with orders from supreme authority, this investigation is closed, and the report of the proceedings is sent to the governor of the State, with respectful attention.

AVILA MALDONADO.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
Washington, September 9, 1867.

MR. SECRETARY: I have the honor to inform you that I received to-day your note of the 29th August, stating that Baron Gerolt, the Prussian minister, had shown you a telegram from Prince Salm-Salm, heir of the house of that name in Prussia, requesting you to use your influence to save the life of his brother, the Prince of Salm-Salm, a partisan of Maximilian, who was captured with him in Queretaro. You add that the prince was an ardent and effective volunteer in defence of the Union during the late civil war in the United States, by which he gained the sympathy and friendship of this government. You conclude by saying that, for that reason as well as in deference to the Prussian government, you recommend Prince Salm-Salm's case to the humane and liberal consideration of the government of Mexico. I sent the verbal communication you made me on the 29th August last, the same you now make in writing, to the Mexican government on that day, and now I transmit a copy and translation of your note on the subject which I am answering.

I have learned since then, in an unofficial way, that the court-martial which tried Prince Salm-Salm condemned him to capital punishment, but that the President of the republic, as another proof of his magnanimity and humane sentiments, commuted the sentence to a few years' imprisonment, as he did that of several other persons who were condemned to death.

I am pleased at this occasion to renew the assurance of my distinguished consideration.

M. ROMERO.

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

Mr. Romero to Mr. Seward.

[Translation.]

Mr. Romero's respects to Mr. Seward, enclosing the speech of General Bazaine made at a meeting in the city of Mexico, on the 14th of January last, to decide whether the empire that the French Emperor tried to found in that republic had power to sustain itself or not.

The speech was published in *La Liberté*, Paris, 28th August last, and is worthy of preservation as a historical document, showing the insincerity of the French government in its intervention in Mexico.

WASHINGTON, *September 14, 1867.*

[From *La Liberté*, Paris, Wednesday, 28th August, 1867.]

INQUEST ON THE MEXICAN EXPEDITION.

Marshal Bazaine's speech read at the meeting of the 14th January, 1867 :

The peaceful evacuation of the principal forts armed by the imperial garrisons, whenever the enemy appeared, has destroyed the little confidence we had in the military protection of the empire. The people are now all against the empire. Every State has resumed its rank in the federation. The elections, by the constitution of '57, have restored most of the federal authorities after the departure of the imperial officials, and thus federal rule is re-established all over the country. What good would it do to try to reconquer, at a great cost, the lost territory? It would be vain! After waiting two years the people are not disposed to favor a continued support of the empire.

Troops sent into the interior would imbibe the same feeling and rebel, or thinned by garrisons they would be obliged to leave in large towns, they would see their weakness and give up. The garrisons would be constantly harassed, and their communication with the central government would be cut off. Commerce, manufactures, and agriculture being entirely stopped, the people would become dissatisfied, and, as an immediate consequence, the means to sustain an army would fail.

A republican form of government seems the only kind to secure the country from hostility with the United States, and that consideration has much influence upon the people, who have reason to fear their neighbors of the north, under any other form of government.

First. In a military point of view, I do not think the imperial forces can keep the country quiet enough for the emperor's government to be fully in power; the military operations will only be small fights without result, calculated to keep up civil war by the arbitrary measures necessary, and certainly to demoralize and ruin the country.

Second. In a financial point of view. As the country cannot be properly governed, it cannot possibly furnish the means to support the empire, whose agents will be obliged to resort to forced loans that will increase the people's dissatisfaction.

Third. In a political point of view, the majority of the people is republican, and I am sure they would not vote for the empire. They might not even respect a call for a national vote on that point.

In fine, I think his majesty cannot continue to govern the country properly without becoming a partisan leader, and I think it best for his honor as well as his safety to resign his charge.

After this speech, so full of late confession, what are we to think about the truth of the boasting bulletins of our occupations, published in 1863 and 1867, in the two *Moniteurs*, the big and the little? What are we to think of the unanimity of those millions of electors they said voted for the empire against the republic, and for the Austrian archduke against President Juarez?

A. DE FONVIELLE.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, September 14, 1867.

SIR: I have the honor to acknowledge the receipt of your note of the 9th instant, in reply to my communication of the 29th ultimo, relative to the request made by Baron Gerolt, the minister of Prussia, in behalf of Prince Salm-Salm, recently made prisoner at Queretaro, and the subsequent friendly interposition solicited, in the same connection, by the government of the United States for that person.

A copy of your letter has this day been communicated to Baron Gerolt.

You will be pleased to accept my acknowledgments for the promptness with which you have made known the wishes of the government of the United States to that of Mexico on this subject.

I am, sir, with the highest consideration, your very obedient servant,

WILLIAM H. SEWARD.

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

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, September 20, 1867.

SIR: I have the honor to communicate to you that information has been received at this department, to the effect that the Austrian war steamer Elizabeth arrived at Havana on the 10th instant from Vera Cruz, and that it is stated she brought orders for the steam frigate Novara, recently arrived at Havana from Europe, to convey thither the remains of the Prince Maximilian, to proceed to Vera Cruz for that purpose.

The Novara, it is understood, had been awaiting these orders from Admiral Tegethoff, before proceeding to Mexico. This vessel is the one in which Maximilian went to Mexico, and upon which he had previously, it is stated, made a voyage around the world, and is said to have been his favorite ship. It is on account of these associations, doubtless, that she has been selected for the duty upon which she is now engaged. It is stated that a chapel has been fitted up on board in which the remains of the prince are to lie in state during the voyage. I am also informed that Admiral Tegethoff had been received in Mexico "with the greatest consideration, and that every attention had been extended to him by the authorities." The Novara, it was understood, was to leave for Vera Cruz about the 13th of September, and the Elizabeth for New York.

From the foregoing information it would appear probable that the mission of Admiral Tegethoff has met with no obstructions, and that the remains of Maximilian will soon have left Mexico on their way to Europe.

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

WILLIAM H. SEWARD.

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

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,
New York, October 1, 1867.

MR. SECRETARY: I have the honor to transmit to you, for the information of the government of the United States, the copy of a communication from Mr. Lerdo de Tejada, minister of foreign relations of the Mexican republic, dated in the city of Mexico, the 9th of September last, and marked No. 14, with which he sends me numbers of the official paper of the same date, containing the official documents relating to the petition made by Vice-Admiral Tegethoff to carry back to Austria the mortal remains of the Archduke Maximilian.

I also enclose a number of the official paper mentioned, in which you will find the documents alluded to, and from which it seems that the Mexican government is disposed to permit the removal of the corpse, if certain becoming formalities are complied with in the case, by which my government manifests its willingness to allow the removal, if it is asked for, in a regular and becoming manner. I am pleased to have this occasion to renew the assurances of my most distinguished consideration.

M. ROMERO.

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

No. 14.]

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT,
Mexico, September 9, 1867.

I send you copies of the Diario Oficial of the supreme government, containing an account of Vice-Admiral Tegethoff's petition to carry the mortal remains of the Archduke Maximilian to Austria.

You will see that the government is disposed to permit the removal of the corpse, if certain due formalities in the case are complied with. By this, the government shows its good will to allow the transfer, if permission is asked in a regular and convenient manner.

I protest to you my very attentive consideration.

LERDO DE TEJADA.

Señor Don MATIAS ROMERO,

Envoy Extraordinary and Minister Plenipotentiary of the Republic in Washington.

[From the Diario Oficial—Mexico, Monday, 9th September, 1867.]

THE MISSION OF VICE-ADMIRAL TEGETHOFF.

We publish below all the official documents relating to the mission of Vice-Admiral Tegethoff, and the correspondence with the supreme government about the removal of the remains of the Archduke Ferdinand Maximilian to Europe.

These documents will show that the government has given no more importance to this business than it deserves. They also refute the absurd and coarse comments of the foreign press, as well as some frivolous observations of the national papers.

[Telegram from Vera Cruz to Mexico. Received in Mexico the 26th August, 1867, at 7.29 p. m.]

To the Citizen Minister of War :

The Austrian Admiral Tegethoff arrived at Sacrificios this morning in the Elizabeth, a war steamer of his nation.

He sent a message to this military command, asking permission to proceed to the capital to solicit the body of Maximilian from the supreme government, for the purpose of taking it away. I desire to know if he may be permitted to go to the city of Mexico.

ZEREGA.

[Telegram.]

MINISTER OF WAR AND MARINE,
*Mexico, August 26, 1867.**To the Military Commander in Vera Cruz :*

The citizen president of the republic learns that Admiral Tegethoff has arrived at your port, and that he wishes to come to this capital. You may let him pass without hindrance.

MEJIA.

[Memorandum.]

MINISTRY OF FOREIGN RELATIONS AND GOVERNMENT,
Mexico, September 3, 1867.

Señor Don Mariano Riva Palacio and Don Rafael Martinez de la Torre, who were defenders of the Archduke Maximilian of Austria, visited the department yesterday, to say that Vice-Admiral Tegethoff, of the Austrian navy, had come to Mexico, and desired a conference with the minister of relations.

At the fixed hour to-day, the vice-admiral, accompanied by Mr. Riva Palacio and Martinez de la Torre, presented themselves.

The vice-admiral said he had come to Mexico to ask the government of the republic to allow him to carry the remains of the Archduke Maximilian to Austria.

The minister of relations replied that he would present the petition to the President of the republic, and to consider it, he desired to know in what quality the vice-admiral presented it.

The vice-admiral answered, that, on determining to come to Mexico, he thought the government of the republic would prefer that he did not come with an official mission from the government of Austria, but only with a private message from the family, which, from the natural sentiments of affection and pity, desired to have the mortal remains of the archduke.

For that reason he had only come with a private message from the mother of the archduke, and his brother, the Emperor of Austria.

On being questioned by the minister of relations, the vice-admiral said he brought no written document, and only brought a verbal message from the family of the archduke; adding, that if necessary, he was willing to give a writing to say he had come for that purpose.

The minister of relations repeated that he would hand the petition to the President of the republic, and a reply might be expected the next day.

LERDO DE TEJADA.

MEXICO, *September 4, 1867.*

Vice-Admiral Tegethoff, accompanied by Mr. Riva Palacio and Martinez de la Torre, came to the department to-day.

The minister of relations told Mr. Tegethoff that the same request had already been made by Baron de Lago, the Austrian chargé, Baron Magnus, the Prussian minister, and Dr. Basch, the archduke's body physician; that the government told them the petition could not be granted without an official request from the Austrian government, or a writing from the archduke's family, soliciting the body from the government of the republic; that although Admiral Tegethoff, from his social position in Austria and his personal circumstances, is deserving of the consideration of the government of Mexico, yet he cannot be permitted to take the body of the archduke to Europe, because he has brought no document authorizing him to do so; that the President has authorized the minister of relations to say to Vice-Admiral Tegethoff that when he complies with the requisites, by official act from the government of Austria or from the family, asking for the body of the archduke, the government of the republic will be disposed to allow the remains to be carried to Austria in respect to the natural sentiments of pity; that the government has had the body embalmed and placed in a proper place, with care and decorum due to any corpse, from the natural sentiments of commiseration.

LERDO DE TEJADA.

[Telegram.]

SAN LUIS POTOSI, *June 18, 1867*—9 o'clock a. m.

To Citizen General Mariano Escobeda, Queretaro:

The government has been asked for the body of Maximilian, as soon as he is executed, to be prepared for transportation to Europe.

The request has not been granted, but on account of the petition the citizen President of the republic has instructed you to obey the following orders:

1. As soon as the condemned are executed, if the relatives of M. Miramon and T. Mejia ask for their bodies, you may let them take possession of them as soon as possible.
2. You alone shall have charge of the body of Maximilian, and will allow no other person to do anything with it.
3. You will have coffins of wood and zinc made to preserve Maximilian's body in a proper manner, and also similar receptacles for the bodies of M. Miramon and T. Mejia, if their relatives do not ask for them.
4. If any one asks permission to embalm or inject the body of Maximilian, or do anything else to it that is not improper, you shall have it done for them by Mexicans in whom you have confidence, and in the presence of foreigners if they choose to appear, and at the expense of the government.
5. As soon as the execution has taken place you shall take care of the body of Maximilian and the others, and preserve them in a becoming manner, after justice has been satisfied, provided their relatives do not call for them.
6. You shall order that Maximilian's body be preserved in a convenient and safe place under the vigilance of the authorities.
7. If their friends do not call for the bodies of Maximilian and his associates, you will have the customary religious ceremonies performed over them at the place of their deposit.

LERDO DE TEJADA.

[Telegram from Tacubaya to San Luis Potosi. Deposited at Tacubaya on the 19th of June, 1867; received in Potosi at 25 minutes after 9 on the 20th of June.]

CITIZEN PRESIDENT: I beg you to give me the body of Maximilian, to be carried to Europe.

BARON DE LAGO.

[Telegram.]

SAN LUIS POTOSI, *June 20, 1867*—10.15 p. m.*To Baron de Lago, in Tacubaya :*

The President of the republic has instructed me to say to you, in reply to your telegram of yesterday, which was received this night, that, for important reasons, you cannot have the disposal of Maximilian's body.

S. LERDO DE TEJADA.

SAN LUIS POTOSI, *June 29, 1867.*

SIR: The prince who was taken prisoner in Queretaro wrote a letter the day before his death, signed by his hand and addressed to General Escobeda, requesting that his mortal remains be delivered to me and Doctor Samuel Basch, his family physician. Dr. Basch is to carry them to Europe, and I am to attend to everything concerning them here, as embalming the body and preparing it for transportation.

By the wish of the deceased prince, verbally expressed to me, his remains are to be moved without the pomp of ceremonies, avoiding everything that would excite the people or even public curiosity.

On repeating my request I beg you will give orders that the mortal remains be delivered to me, and I will comply with all requisites for their transfer to the sea-coast and on board one of the ships of the Austrian navy stationed at Vera Cruz.

I embrace the occasion to repeat to your excellency the protests of my high consideration.

A. V. MAGNUS.

His Excellency SEBASTIAN LERDO DE TEJADA.

SAN LUIS POTOSI, *June 30, 1867.*

SIR: I received your communication of yesterday, saying that the Archduke Ferdinand Maximilian, of Hapsburg, expressed the desire before his death that his mortal remains be intrusted to you and Dr. Samuel Basch, to be transported to Europe.

As I have already informed you, the government of the republic, for good and sufficient reasons, cannot allow the body of the archduke to be carried to Europe. Therefore I regret to say to you that the government cannot issue the orders you request for that purpose.

I take the occasion to repeat to you, Baron, that I am your very obedient and respectful servant,

S. LERDO DE TEJADA.

Baron A. V. MAGNUS, &c., &c.

Citizen Lerdo de Tejada, Minister of Government and Foreign Affairs :

The undersigned, with due respect, has the honor to represent to you, citizen minister, that as private physician to the late Archduke Maximilian, I have been requested by him to transport his body to Europe, to be delivered to his family. The letter signed by him on the 16th of June last, addressed to Carlos Rubio in Queretaro, a copy (A) of which is enclosed, shows that such was his desire; also, one written the 18th of the same month, the original of which is in the hands of General Escobeda, and the letter of Colonel Ricardo Villanueva, which is enclosed, (B,) are sufficient evidence of his wishes.

I consider my compliance with this request as a sacred duty, and in fulfilling it I beg leave to request you, citizen minister, to order that the body be delivered to me; and in support of my request I will say that the bodies of his two companions in misfortune have been given up to their families by supreme command, and that the supreme government has never at any time refused to give dead bodies to friends who asked for them.

I beg you will reply to this my respectful petition, so that whatever may be the result, I can return to my country and justify myself before the family of the archduke, for having done my duty in requesting his dead body for transportation to Europe.

It will be a signal favor conferred upon your obedient servant,

DOCTOR SAMUEL BASCH.

The Citizen MINISTER.

DEPARTMENT OF FOREIGN RELATIONS AND GOVERNMENT—SECTION FIRST.

MEXICO, *July 27, 1867.*

In view of your petition of yesterday for the mortal remains of the Archduke Maximilian, to be carried to Europe, the citizen President of the republic has determined for good and sufficient reasons not to grant the petition.

Independence and liberty! Mexico, July 29, 1867.

LERDO DE TEJADA.

Doctor SAMUEL BASCH.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION OF THE UNITED STATES OF AMERICA,
Washington, October 4, 1867.

MR. SECRETARY: As the war which the Emperor of the French waged against my country has happily ended in the complete triumph of the Mexican cause, and as peace is now restored over the whole extent of the national territory, I have thought it a convenient occasion for me to return to Mexico, to attend to some personal business, and to restore my health, which has been somewhat enfeebled by the labors of an eight years' residence in this city, during the most critical period in the history of my country, and, at the same time, to assist as much as I can in the consolidation of the peace that the Mexican people have conquered at the cost of much blood and countless sacrifices.

For these reasons I have solicited leave from my government to return to Mexico, and I received a communication by the last steamer, from Mr. Lerdo de Tejada, dated the 28th of August last, in the city of Mexico, in which he informs me that the President of the republic has been pleased to grant me the leave I requested, and charges me, on quitting this legation, to leave it in the care of Mr. Ignacio Mariscal, as chargé d'affaires.

On informing you that I will begin my leave by embarking on the 12th instant for Vera Cruz, I cannot refrain from expressing my regret to suspend my official relations with you; relations that have not only been important but very agreeable during the seven years in which our respective countries have passed through serious difficulties and experienced transcendent events. Neither can I refrain from expressing my gratitude for the kindness with which you have been pleased to treat me, and for the prompt attention you have always given to all the requests I have deemed it my duty to make of you.

The success of the cause that our respective governments have been called upon to defend, and in which we have both been identified, is one link more in the chain of inoblivious memories that binds me to the Secretary of State of the United States.

If circumstances prevent my immediate return to the United States, I will do all I can in my country, as a simple citizen, who desires the welfare of his country, to promote the best understanding between the two republics, to cause that each may be better known to the other, and that there may exist between them sentiments of mutual confidence, consideration and respect, that cannot fail to produce the most favorable results for the interests of both, as well as the other republican institutions in America.

It is with regret that I accept this occasion to renew to you, Mr. Secretary, the assurances of my distinguished consideration.

M. ROMERO.

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

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, October 5, 1867.

SIR: I have the honor to acknowledge the receipt of your note of the 4th instant.

It gives me pleasure to recognize Mr. Ignacio Mariscal as chargé d'affaires of the republic of Mexico during your absence from this capital. While that absence will be for me an occasion of personal regret, no effort will be spared on my part

to contribute to Mr. Mariscal's success in transacting such business as he may have with the United States.

I am permitted by the President to express to you my grateful acknowledgments for the very kind assurances of esteem and friendship contained in your letter. I need not say that I am gratified in placing those expressions upon the archives of this government.

My sentiments of respect and of esteem for yourself, Mr. Romero, as well as my good wishes for the success of republican institutions of Mexico, have already been written and promulgated in so full a manner that nothing more remains for me to say on this occasion than that I wish you a pleasant sojourn in your native country, and a safe and speedy return to resume the duties of the post you have so honorably filled in the United States.

I am, sir, with distinguished consideration, your obedient servant,

WILLIAM H. SEWARD.

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

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,

Washington, October 7, 1867.

SIR: You are aware of the intention of this government to provide you with a passage to Mexico in a public vessel of the United States. I now have the honor to acquaint you that, in a letter of this date, the Secretary of the Treasury informs me that the revenue cutter *Wilderness* will be ordered to Charleston, South Carolina, for the purpose of receiving you and your friends and of making the voyage referred to. If, therefore, you should reach Charleston by the 14th of this month, it is probable that you may then embark in the *Wilderness* there.

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.

Mr. Romero to Mr. Seward.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES OF AMERICA,

Washington, October 7, 1867.

Mr. SECRETARY: I have the honor to acknowledge the reception of the note which you were pleased to address me this day, informing me that the government of the United States intends to furnish me a passage to Mexico in a national steamer, and that the Secretary of the Treasury informs you that the revenue steamer *Wilderness* will receive instructions to proceed to Charleston, South Carolina, to receive me and my friends for that voyage. You are pleased to add that the *Wilderness* will be at that port on the 14th instant.

Very grateful for this delicate proof of consideration with which I am honored by the government of the United States, I respectfully inform you that I accept the offer of the passage with great pleasure, and will be ready at Charleston on the day appointed, to embark with my family and the friends whom I have invited to accompany me.

I have already informed you verbally that I had invited the Hon. Oliver P.

Morton, senator from Indiana, and the Hon. Nathaniel P. Banks, member from Massachusetts, to visit Mexico with me. Both gentlemen have accepted my invitation, and in accordance with the permission which you gave me to offer them a passage in the government steamer which is to carry me to my home, I now notify them both by telegraph and mail that the steamer Wilderness will leave Charleston for Vera Cruz on the 14th instant.

I am pleased to have this occasion to renew to you, Mr. Secretary, the assurance of my distinguished consideration.

M. ROMERO.

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

N I C A R A G U A .

Mr. Dickinson to Mr. Seward.

No. 123.]

LEGATION OF THE UNITED STATES,
Leon, Nicaragua, December 20, 1866.

SIR: I transmit herewith a copy and translation of a note received from the minister of foreign affairs of this government, in answer to your despatch relative to filibustering expeditions against this country.

I am, sir, respectfully, your obedient servant,

A. B. DICKINSON.

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

Señor Cortez to Mr. Dickinson.

[Translation.]

NATIONAL PALACE, MANAGUA, *November 30, 1866.*

MR. MINISTER: I have the honor to answer your excellency's valuable despatch of the 22d instant, enclosing a copy of a note from the office of the honorable Secretary of State of the government of the United States, and to inform your excellency that by the reading of them his excellency the President has manifested much satisfaction, and approved in a high degree the solicitous and patriotic proceedings of your excellency in the discharge of a subject the bare announcement of which was an affliction to Nicaraguans, and presaged great calamities for the country; in consequence of which I have been directed by his excellency the President to manifest to your excellency his most sincere expressions of gratitude, and at the same time you will receive from the people of the republic the most unequivocal proofs of their regard.

I am, with every consideration, your excellency's very obedient servant,

ROSALIO CORTEZ.

Hon. A. B. DICKINSON,
United States Minister Resident, &c., &c., &c.

Mr. Dickinson to Mr. Seward.

No. 124.]

LEGATION OF THE UNITED STATES,
Leon, Nicaragua, January 8, 1867.

SIR: I transmit herewith a copy and translation of a note which I have received from the Nicaraguan government, narrating a late unsuccessful attempt to subvert this government, and a copy of my answer thereto.

I am, sir, very respectfully, your obedient servant,

A. B. DICKINSON.

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

Señor Cortez to Mr. Dickinson.

[Translation.]

NATIONAL PALACE, MANAGUA, *December 27, 1866.*

Mr. MINISTER: In the midst of peace, which has been so happily enjoyed, a lamentable and criminal incident occurred on the 25th instant, at 11 o'clock at night, which was perpetrated by a small number of men who, abusing the lenity with which the government has treated them, and blinded by party passions, have not stopped short of carrying their opposition into crime in their disgraceful attempt, although the authorities have made justice their exclusive profession. The combined plan was to assault the *cuartel* of this capital by means of bribing the soldiers on the outposts of the garrison, for which purpose they prepared a sufficient quantity of opiated liquor to put the guard to sleep, as they could not otherwise count on men enough with good arms.

Everything was prepared on the night indicated, and about 30 of the conspirators had met in a particular house, when the plot was discovered and disclosed through the activity of the military authorities, who surprised them in the act of carrying out their intentions, and, after meeting with a little resistance, captured nearly all of them, resulting in two deaths and a few wounded of the party.

The government being then at Masaya, and on its return from a visit to San Juan del Norte, accelerated its march to this capital, arriving the morning of the 26th, and immediately proceeded to take the necessary measures for the punishment of such of the conspirators as were discovered, and to prevent a repetition of similar acts.

In the other portions of the republic there has not been the least disturbance of order, the people showing themselves to be obedient to the constituted authorities, and indignant at the disturbers who would by paltry passions subvert the peace and the tranquillity which have been so long and happily enjoyed.

I have the honor to put you in possession of these facts that you may impart them to his excellency the President of that republic, reiterating the distinguished consideration and esteem with which I subscribe myself,

Your obedient servant,

ROSALIO CORTEZ.

Hon. A. B. DICKINSON, *Minister Resident, &c., &c., &c.*

Mr. Dickinson to Señor Cortez.

LEGATION OF THE UNITED STATES,

Leon, January 8, 1867.

Mr. MINISTER: Your esteemed note of December 27 is received, and it is with profound satisfaction that I learn from it that the present able and vigilant chief magistrate of this republic has again suppressed the vain attempt to subvert his government.

I forward by this mail the agreeable news to my government, and sincerely hope that a long and happy peace may be in store for this republic.

I am, sir, very respectfully, your obedient servant,

A. B. DICKINSON.

Señor ROSALIO CORTEZ,

Minister for Foreign Affairs, &c., &c., &c.

Mr. Dickinson to Mr. Seward.

No. 128 *bis.*]

LEGATION OF THE UNITED STATES,

Leon, Nicaragua, March 6, 1867.

SIR: I transmit herewith a copy and translation of a note which I have received from the minister for foreign affairs of this government, reporting the capture by revolutionists of the two forts on the transit route, and a copy of my answer thereto.

I am happy to say, however, that the report has turned out to be entirely false, and that the forts referred to have not been assaulted or disturbed, or the transit steamers interfered with, either by revolutionists or other hostile parties.

I am, sir, respectfully, your obedient servant,

A. B. DICKINSON.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Señor Silva to Mr. Dickinson.

[Translation.]

NATIONAL PALACE, MANAGUA, *February 13, 1867.*

MR. MINISTER: According to the report received to-day from the alcalde of Pueblo Grande of Ometepe, Castillo Viejo and Fort San Carlos have been assaulted and taken by the enemies of the peace of Nicaragua; and as it is certain that for this operation the revolutionists have made use of some of the Transit Company's steamers, his excellency the President has ordered me to communicate this news to your excellency, and such as shall be hereafter received, as I have the honor of doing, availing myself of the honor to assure your excellency of the sentiments of esteem and respect with which I sign myself your excellency's very attentive and obedient servant,

A. SILVA.

Hon. A. B. DICKINSON, *Minister Resident, &c., &c., &c.*

Mr. Dickinson to Señor Silva.

LEGATION OF THE UNITED STATES,

Leon, February 15, 1867.

SIR: I received to-day your excellency's note of the 13th instant informing me that Castillo Viejo and Fort San Carlos had been assaulted and taken by revolutionists, and that some of the Transit Company's steamers had been made use of by the revolutionary party to effect this result.

It is so clearly against the interests of the Transit Company to aid the enemies of the peace of Nicaragua that I cannot believe that the company or any of their agents have been in the least accessory or instrumental in bringing about this result, and I therefore do not believe it possible that any of their steamers have been voluntarily used to assist the revolutionists to the command of two of the most important positions on their route, thereby giving the revolutionists the complete control of the transit.

It is so easy to capture the boats while under the guns of either of these forts that it is quite possible that some of them may have been forcibly taken and used after one of the forts had been captured.

I shall await further news of this deplorable event with much anxiety, as I am satisfied that it will endanger the interests of the Transit Company even more than it is likely to jeopard the peace of Nicaragua; for while the transit will be interrupted and disarranged, to its very serious detriment, the government, with its present excellent military status, will undoubtedly be able to keep the peace within the remaining portions of the republic, and to retake the forts in due course of time.

Meantime, rest assured that I shall spare no exertions on my part to aid the government in its just endeavors to preserve its authority, even to the calling, if necessary, for the support of my government to keep the transit from being broken up by lawless violence.

I have the honor to be, with sentiments of the highest esteem and respect, your excellency's very obedient servant,

A. B. DICKINSON.

His Excellency ANTONIO SILVA,
Minister General, &c., &c., &c.

Mr. Dickinson to Mr. Seward.

No. 130.]

LEGATION OF THE UNITED STATES,

Leon, Nicaragua, March 20, 1867.

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 84 and 85, dated February 2d and 13th last, respectively, and also of a circular from the department dated January 17th last, relative to the coolie trade.

I enclose a translation of the manifesto of Señor Francisco Guzman, who was inaugurated as President of Nicaragua on the 1st instant, at Masaya.

I am, sir, respectfully, your obedient servant,

A. B. DICKINSON.

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

[Translation.]

NICARAGUANS: Elevated by your suffrages to the presidency of the republic, and highly grateful for the distinguished honor conferred upon me by placing in my hands your dearest interests, I am in duty bound to make known the rule of conduct which I propose to pursue, my opinions, my desires, and my hopes.

In commencing my administrative period I am certainly very far from considering myself the chief of the nation, with the right of command over my compatriots. I am simply a citizen charged to watch over the common welfare, the responsible and removable agent, with no more power or force than the power and the force of my fellow-citizens, without other influence, without other prestige than I may have gained by the justification of my acts and the love and sympathy of the Nicaraguan people.

I desire to be, above all, a civil agent, disposed always to amalgamate, avoiding the shock of clashing interests; I desire to be the link of union between opposing parties, to unite the miserable rivalries of localism, the exaggerated passions which the pertinacious spirit of party imposes upon true public interests; I desire to smother, if possible, by an open conciliatory course, the principal cause of our misfortunes, the origin of our evils, that black political intolerance which envenoms the air of the country and declares irreconcilable enmity to a dissenting brother.

Though as a private man I can give my sympathies to whatever political faction of the country I choose, as a public man I know no party colors, none but Nicaraguan brothers; and in every instance during my administration the most meritorious shall always be preferred to the most attached.

I am called to govern a people educated in the scale of misfortune, but always disposed to work and to sacrifice, and capable, therefore, of improving in a high degree their actual condition. I do not wish, however, to dress up the national pride by presenting a brilliant situation unattended with embarrassments, neither do I wish to dazzle with vain and pompous promises which rarely come to be fulfilled.

In my conception the progress of the nation should be the nation's proper work; the government neither can nor ought to be more than one of the elements of such a work, even though it be the most powerful. When the state, trespassing certain limits, carries its influence into the commerce, the agriculture, the industry, and all the branches which form the elements of culture of a country, making itself their protector and centralizer, apparently guiding while it is only dragging the nation along, it creates those odious monopolies and their sad train of consequences which result in paralyzing the fountains of wealth.

I believe that the principal need of the republic is to secure upon solid bases its proper tranquillity. This result, in my opinion, can only be secured by the absolute dominion of the constitution and the laws, and to these I propose to subject myself in the strictest manner. The administration of justice and of the public treasury will occupy my very particular attention; absolute independence in the first and every possible economy in the second; in these essential branches judge me, Nicaragua. To enlarge the power of the magistrate, the municipal power, from the first to the last of its agents, the power of all those who are charged to watch over the security, the honor, the life, and the property of Nicaraguans; exemplification and honesty in the management of our scanty treasury, suppression of those employés who are judged to be unnecessary; order and the severest rigor in case of the least shade of dishonesty in the management of the revenues—such are my opinions on these two points.

I know very well that in the position which I am to occupy for the next four years I am to be the target of rough criticism, but instead of fearing, I desire, on the contrary, to hear perpetually the authorized and free voice of the supreme judge of the term, the sovereign tribunal of civilization, public opinion; the opinion that has its voice, and that voice the press, which I love and reverence and which I call to my aid, desiring its counsels, its severest criticism, and invoking it for my guide in my rough path, not as a servile and adulatory press, sold always to power, and submitted in advance to the eyes of the mandatory, a dense cloud of incense hiding from the sight the sufferings, the necessities, and the true aspirations of the country. Republican by conviction and by character, I desire to hear the counsels of the press, which criticises with moderation and independence, to listen to its judgments, however severe they may be; and you need not fear that an agent of the government will ever go around, with iniquitous laws of circumstance, to put his hand upon him who has energy and patriotism enough to censure the abuses or the equivocations of power. Its calmness I shall meet impassively, despising, but never persecuting for it.

Finally, I call upon all men to help me in my task by their example and their light. I call upon all honorable men, without distinction of political opinions, who carry in their souls the true sentiments of progress and love of country, the pacific and laborious people who desire liberty and order, who love work, and who will be always the best props of my government. I desire, also, that the active and enterprising foreigner, who wishes to make ours his second country, shall come and co-operate with us in the common work, in which he will always find me the first to welcome him when he comes to bring to Nicaragua the examples, the population, and the spirit of enterprise which we lack. With this object, we ought to cultivate with earnestness our foreign relations, principally with the great republic

of the United States, with which, unfortunately, we have not as yet any treaty; and not for one moment ought we to neglect what is so necessary for the future of our country, or move slowly in uniting our interests with those of the other Spanish American republics, and especially with our sisters of the centre, to-day more than ever bound together by a common destiny.

Fellow-citizens, as the simple delegate of the people, charged with strange interests, which to me are so dear, I hope to return the power which is confided to me with the tranquil conscience of an honest man who has endeavored to comply with his duty. My programme is the form of oath which I am to take; my most ardent desire is to secure the happiness of the many, even in spite of the opposition of the few, and the grandest of my aspirations shall be to contribute to the last as the most devoted in the holy enterprise of making of Nicaragua a true republic, where reigns in all its purity the constitutional system, where liberty, security, and order shall not be a chimera, and where, in fine, whoever may desire it may find among us a tranquil and hospitable asylum.

MASAYA, March 1, 1867.

FERNANDO GUZMAN.

Mr. Dickinson to Mr. Seward.

No. 132.]

LEGATION OF THE UNITED STATES,
Leon, Nicaragua, May 8, 1867.

SIR: Since the inauguration of President Guzman, the cholera has driven the government from place to place, and kept it partially disorganized. But the government is now settled down at Managua, and the cabinet, though not completely organized, will soon be together, ready for business.

Ex-President Martinez is still at Managua, but having accepted the appointment of minister to England, he expects to take his departure for that place some time during the present summer, and will be accompanied by Señor Antonio Silva, now minister-general, who will go out as secretary of legation.

The President has appointed Señor Tomas Ayon, a lawyer of Leon, as minister for foreign affairs, but fear of cholera at present prevents his going to Managua to enter upon the duties of his office.

The administration of President Guzman is not in perfect harmony with that of Martinez. The first decree issued by Guzman was a general amnesty to all political offenders, which let loose upon the country a great many of Martinez's enemies; and some official appointments under the present administration have not been entirely satisfactory to Martinez. But I have reason to believe that the wise counsels of both, and the relationship existing between them, will eventually induce these two leading men to act in harmony, especially as both of them have the best interests of their country at heart.

I am, sir, respectfully, your obedient servant,

A. B. DICKINSON.

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

Mr. Dickinson to Mr. Seward.

No. 135.]

LEGATION OF THE UNITED STATES,
Leon, Nicaragua, June 24, 1867.

SIR: I transmit herewith a copy and translation of a note which I have received from the minister for foreign affairs of Nicaragua, complaining that the English residents on the Mosquito coast are governing, instead of being governed by, the Indians of that territory, and setting up various other pretensions on that coast, which Nicaragua believes to be an infringement upon her sovereign rights over the Mosquito territory, as defined by the treaty between Nicaragua

and Great Britain of 28th January, 1860; and alleging also that those foreign residents are sustained in their proceedings and pretensions by the British government.

The note requests that the subject be communicated to the Department of State at Washington, and solicits the good offices of the United States in behalf of the efforts of Nicaragua to effect a peaceful settlement of the disputed questions.

At the time the note was handed to me, ex-President Martinez was about taking his departure from Managua, as envoy extraordinary and minister plenipotentiary to England, for the purpose of arriving, if possible, at some pacific solution of the questions in dispute, and I, therefore, at the verbal request of the minister for foreign affairs, sent a note to Mr. Adams, our minister at London, enclosing a translation of the note before mentioned, a copy of which I transmit herewith.

I also append hereto a copy of my note in answer to that received from the government of Nicaragua.

In order that the subject may be presented in full, I append a translation of the Mosquito treaty hereinbefore mentioned, from which it strikes me that Great Britain has a little the best of the argument. But, nevertheless, I was willing to go as far as possible in my own good offices without compromising our government, and had no doubt that my government would also be willing to interpose its friendly mediation, to bring about, if possible, a settlement of these complicated questions.

I am, sir, very respectfully, your obedient servant,

A. B. DICKINSON.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Señor Ayon to Mr. Dickinson.

[Translation.]

NATIONAL PALACE, MANAGUA, June 13, 1867.

MR. MINISTER: The government of the United States, which your excellency so worthily represents, as well as the other American governments, ought to remember how many efforts and how great sacrifices Nicaragua has made to recover her sovereign rights over the Mosquito coast, which the government of Great Britain disputed in the character of protector of a nation which it supposed to be formed by the Indians residing in that place; and that after a prolonged diplomatic discussion, in which Nicaragua was judged to have demonstrated by evidence the effectiveness of her ancient rights, with the much that was written for the American and English press elucidating the points controverted by Nicaragua and England, it resulted at last in the celebration of the treaty of the 28th of January, 1860, with which it was believed that those difficulties were satisfactorily settled.

My government remembers with satisfaction and gratitude the good offices which were then exerted by the United States to conduct the question to a reasonable termination, and the consideration of these services induces it now to acquaint you with the new emergencies which are arising with the British government in the execution of the treaty.

It has always been with my government a chief object to prevent the intervention of England which would establish in this republic a protectorate over those Indians, subjects of Nicaragua; and especially after the British government has acknowledged in the said treaty the sovereign rights of Nicaragua in the territory and on the coast of Mosquito, and the government of Nicaragua agreed therein that the Indians should govern themselves and govern the residents in the reserved territory according to their own customs or the regulations which from time to time might be adopted, provided they should not be opposed to the rights of Nicaragua.

But far from complying with the treaty in the essential point that the Indians should govern themselves and the residents within the reserved territory, it has come to pass that a reunion of English residents on that coast have elected as chief of the Mosquitoes an Indian child, giving him for guardian one of the same foreigners, who is to govern until the child becomes of age. It is now pretended by the English cabinet that Nicaragua must accept such election, and is obliged to comply with the treaty in favor of the foreigners who are governing in the name of the Indians.

My government maintains that by the treaty the Indians ought to govern themselves according to their customs, and to govern the residents in the reserved territory; and that it is in contravention of that stipulation, and also endangering the sovereign rights of Nicaragua, to permit those foreign residents to govern there instead of being governed by the Indians. Such proceedings lead to the belief that England wishes to continue the old intervention, changing only the name, for the reason that that of protectorate is thought to be odious and alarming.

And not solely to that are the pretensions of the British agents limited. Notwithstanding the fact that England has acknowledged in the treaty that the Mosquito coast, including the reserve, is an integral part of the territory of Nicaragua, and also that in the same treaty it is stipulated that Nicaragua can collect duties on the goods imported at San Juan del Norte for consumption in the republic, it is pretended now by the ministers of her Britannic Majesty that the same rights do not exist over those which are consumed in the territory referred to, and that this government cannot dispose of the woods along the banks of the river Wava belonging to Nicaragua.

His excellency the President desires to preserve the good relations which are happily cultivated with the government of her Britannic Majesty, but at the same time it is made his imperative duty to defend the sovereign rights of Nicaragua, with which object he has seen fit to accredit a minister plenipotentiary and envoy extraordinary to that court, to depart in a few days.

It is also believed that the government of the United States, from whose profound penetration the importance of these questions cannot be concealed, will lend its good offices to induce the British cabinet to comply literally with the treaty of January 28, 1860, of which I have the honor to transmit a copy.

And with the object that your excellency may submit the whole to the knowledge of the honorable minister of state in the department of foreign affairs of the government at Washington, I have received orders to address the present communication, in which, at the same time of complying, I have the honor of subscribing myself your excellency's very attentive and obedient servant,

TOMAS AYON.

Hon. A. B. DICKINSON,
Minister Resident, &c., &c., &c.

Translation of the treaty between Great Britain and Nicaragua relative to the Mosquito territory.

ARTICLE 1. At the exchange of the ratifications of the present treaty, her Britannic Majesty, in conformity with the conditions and agreements specified in the same, and without affecting any questions of boundary between Nicaragua and Honduras, will recognize as an integral part and under the sovereignty of the republic of Nicaragua, the country occupied or reclaimed, up to this time, by the Indians of Mosquitia, within the frontiers of said republic, whatever that frontier may be. The British protectorate over said part of the Mosquito territory shall cease three months after the date of the exchange of the ratifications of said treaty, in order that the government of her Majesty may have time to give the necessary instructions to carry out the stipulations of said treaty.

ART. 2. There shall be assigned to the Indians of Mosquitia, within the territory of the republic of Nicaragua, a district of country which shall, as stipulated above, remain under the sovereignty of the republic of Nicaragua. Said district shall be embraced within a line which shall commence at the mouth of the river Rama in the Caribbean sea; thence up the middle of said stream to its source; thence westwardly with the meridian of Greenwich to 84° 15' longitude west; thence north along said meridian to the river Hueso, and down said river, in the middle of the stream, to its mouth at the sea, according to Bailey's map, to latitude 14° 15' north and 83° longitude west from the meridian of Greenwich, and thence south, along the Caribbean coast, to the point of beginning. But the district thus assigned to the Mosquito Indians shall not be granted by them to any person or foreign State, but on the contrary it shall be and remain under the sovereignty of the republic of Nicaragua.

ART. 3. The Mosquito Indians residing within the district assigned to them by the foregoing article shall enjoy the right to govern themselves and all persons residing within said limits, according to their own customs and in conformity with rules which they may adopt from time to time, not incompatible with the sovereignty of Nicaragua. In conformity with the foregoing reserved right, the republic of Nicaragua covenants not to oppose said rules and customs thus established, or which may be established within said district.

ART. 4. Nevertheless, it is understood that nothing contained in this treaty shall at any time hereafter be interpreted to be an impediment to the full and absolute incorporation of the Mosquito Indians in the republic of Nicaragua upon the same footing as other citizens of the republic, to be governed by the laws and general rules of the republic in lieu of their own rules and customs.

ART. 5. The republic of Nicaragua, desirous of promoting the social condition of the Mos-

quito Indians, and to provide for the maintenance of the authorities to be established according to article third of this treaty, in the district reserved to said Indians, agrees to concede to said authorities, for such purpose, during the term of 10 years, the annual sum of \$5,000. Said sum shall be paid at Greytown, in half-yearly payments, to the person authorized to receive it by the chief of the Mosquitoes, and the first payment shall be made six months after the exchange of the ratifications of this treaty. To pay this sum, Nicaragua shall levy and specially assign a tax on the weight of all bales and goods imported through that port for consumption in the territory of the republic; and in case the amount received from said tax shall not be sufficient for said purpose, then the said amount shall be taken from the other revenues of the republic.

ART. 6. Her Britannic Majesty agrees to use her good offices with the chief of the Mosquitoes in order that he shall accept the stipulations contained in this convention.

ART. 7. The republic of Nicaragua will constitute and declare the port of Greytown, or San Juan del Norte, a free port, under the sovereign authority of the republic. But the republic, taking into consideration the immunities which the people of Greytown have enjoyed up to this time, consents to the trial by jury in all civil and criminal cases, and to perfect liberty in religious belief, and to the free exercise of public and private worship; the same shall be guaranteed to them in future in the same manner as they have enjoyed them up to this time. Vessels arriving at or sailing from said free port of Greytown shall be taxed with such charges only as shall be necessary to maintain safe navigation, such as light-houses, and to pay the police expenses of the port. Neither shall there be imposed duties or charges in said free port upon merchandise arriving there in transit from ocean to ocean.

But nothing contained in this article shall be interpreted to prevent the republic of Nicaragua from imposing the customary duties upon merchandise destined for consumption in the territory of the republic of Nicaragua.

ART. 8. All alienation of lands made in good faith and for just value by authority of the Mosquito Indians since the first day of January, 1848, situated outside of the limits of the territory reserved to said Mosquito Indians, shall be confirmed, provided the same shall not contain more than one hundred yards square within the town of Greytown, and one league square if situated outside of said limits: *And provided further*, That said alienation is not in contravention with anterior legal transfer made under the authority of Spain, the republic of Central America, or the State of Nicaragua: *And provided further*, That neither of said transfers includes territory that the government of Nicaragua requires for the construction of forts, arsenals, or other public buildings. This stipulation only includes those transfers of land made since the first day of January, 1848.

Nevertheless, in case any of the transfers referred to in the foregoing paragraph of this article shall be found to exceed the stipulated extent, the commissioners hereafter to be named, if they shall be convinced of the good faith of any of said transfers, shall concede to the holder or holders of the same, or their representative, an area only equal to the extent stipulated. And in case that any lands alienated in good faith shall be required by the government for forts, arsenals, or other public purposes, then an equal area of land shall be given to the holder in lieu of that taken.

It is understood that the alienations mentioned in this article shall not extend west beyond 84° 30' of longitude of the territory reserved to the Mosquito Indians by article 2d. And should it be found that alienations have been made beyond that point, then the same shall be replaced by lands embraced within the limits of the territory agreed upon.

ART. 9. The republic of Nicaragua and her Britannic Majesty, within six months after the exchange of ratifications of the present treaty, shall name each one commissioner to decide upon the good faith of the alienations mentioned in article 8th, made by the Mosquito Indians, of lands up to this time possessed by them, and situated outside the limits of the territory described in article 1.

ART. 10. The commissioners mentioned in the preceding article shall meet as soon as practicable after receiving their appointment in the places hereinafter named; and before commencing business they shall make oath to decide formally, carefully, and impartially, according to their knowledge and belief, in accordance with justice and equity, without fear, favor, or affection to their own country, all the cases brought before them for their decision; and said decision shall be written in a book kept for registering their decisions. In all cases wherein said commissioners shall differ, they shall, before proceeding in any other case, name a third person, who shall act as arbitrator and best friend. In case they do not agree in the nomination of the third person, then each one of the commissioners shall name one person, and in all cases wherein the commissioners differ in opinion as to their decision, it shall be determined by lot which of the two persons thus named shall act as arbitrator or best friend in that particular case.

The person thus chosen, before proceeding to act, shall make oath in the form prescribed by the commissioners. This declaration shall be written in the registry of proceedings. In case of death, absence, negligence or declination, or incapacity of said persons to act or serve as arbitrator or best friend, other persons shall be named in their place as aforesaid for the same purpose, and shall sign the beforementioned declaration. The republic of Nicaragua and

her Britannic Majesty agree that the decision of the two commissioners, or of the arbitrators or best friend, shall be final, and shall be put in immediate execution.

ART. 11. The commissioners, arbitrators and best friend shall keep an exact register of all their proceedings, and shall name all the clerks and assistants necessary to assist them in their proceedings.

The salaries of the commissioners and clerks shall be paid by their respective governments, and the salary of the arbitrators shall be paid one-half by each government.

Dated Managua, January 28, 1860.

PEDRO ZELIDON. [SEAL.]
CHAS. LENNOX WYKE. [SEAL.]

Mr. Dickinson to Señor Ayon.

LEGATION OF THE UNITED STATES,
Managua, June 17, 1867.

MR. MINISTER: I have the honor to acknowledge the receipt of your excellency's esteemed note of the 13th instant, relative to the pretensions of British subjects and agents in the Mosquito territory and their growing tendency to encroach upon the sovereign rights of Nicaragua, and to say that I am preparing to send by the next steamer a copy and translation of the same to the Secretary of State at Washington. I also send by your minister to England, who goes out by the same steamer, a note to the minister of the United States at London, commending the subject to his good offices, and enclosing to him a translation of your note.

Sincerely hoping that the questions may be amicably settled, I have the honor to be your excellency's very obedient servant,

A. B. DICKINSON.

His Excellency Señor TOMAS AYON,
Minister of Foreign Relations, &c., &c., &c.

Mr. Dickinson to Mr. Adams.

LEGATION OF THE UNITED STATES,
Managua, June 17, 1867.

SIR: I transmit to you a translation of a note which I have received from the minister for foreign affairs of this government, showing that certain agents of the British government are disposed to revive their old protectorate over the Mosquito coast, which Nicaragua regards as an infringement upon her sovereignty.

I also transmit the same to the Department of State at Washington.

Should you be able, by your good offices, to contribute in any manner towards a settlement of this vexed question between the two countries, you would be not only preventing much future trouble, but acting, as it seems to me, in accordance with the uniform policy of our government.

I am, sir, &c.,

A. B. DICKINSON.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c., *London.*

Mr. Seward to Mr. Dickinson.

No. 93.]

DEPARTMENT OF STATE,
Washington, August 13, 1867.

SIR: Your despatch of the 4th of June, No. 135, has been received. It is accompanied by a copy of a note which was addressed to you on the 13th of June last by Señor Tomas Ayon, minister for foreign affairs of the republic of Nicaragua, your acknowledgment of that communication, and a copy of a letter founded thereon, which you have addressed to Mr. Charles Francis Adams, minister of the United States in London.

Señor Ayon announces in his communication that the government of Nicaragua entertains fears of a departure of the government of Great Britain from some important stipulations in the treaty between Great Britain and Nicaragua, rela-

tive to the Mosquito territory, concluded on the 28th of January, 1860. Mr. Ayon asks the good offices of this government in inducing an adherence and faithful fulfilment of the treaty on the part of Great Britain.

Your note to Mr. Adams recommends Mr. Ayon's application to his favorable attention. Your proceedings in the matter, as well as your note to Mr. Adams, are approved by the President.

I observe that Mr. Ayon's note, while it is quite general in its terms, is at the same time unaccompanied by proofs to sustain the views which it presents; nor has this department been furnished with any information concerning the subject from her Majesty's government.

Mr. Adams will be immediately instructed to express to Lord Stanley the President's earnest desire that the whole subject may be amicably adjusted. It is proper, however, that you should inform the government of Nicaragua that more explicit information will be required before any urgency in the matter can properly be adopted by the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. B. DICKINSON, Esq., &c., &c., &c.

Mr. Dickinson to Mr. Seward.

No. 142.]

LEGATION OF THE UNITED STATES,
Leon, Nicaragua, October 22, 1867.

SIR: I transmit, herewith, translations of a note and memorandum which I received some days ago from Señor Tomas Ayon, the minister for foreign affairs of this government, in regard to the Mosquito questions pending between Nicaragua and Great Britain. I also enclose a copy of my note to the minister for foreign affairs in answer thereto.

It is proper that I should state for your information the reasons which induced me to assume in that note that the action of the United States government in regard to the Mosquito questions would depend somewhat upon that of the government of Nicaragua in regard to the Nicaraguan transit.

In the month of May last the Central American Transit Company, through their political agent here, applied to the government of Nicaragua for certain amendments to the company's contract, which the government at first refused to grant. But in the month of June following, after the government became convinced that it was impossible for the company to make the necessary improvements in the route without having the amendments granted, the President of Nicaragua, through his minister, Antonio Silva, agreed to grant them on condition that the company would obligate itself to restore the harbor of Greytown.

Although the government was not legally bound by this agreement, as it was not formalized into a written document, the President well understood it, for he had made substantially the same promise to me. Since then the company has put in operation a powerful dredging machine, and commenced the work of opening the harbor. But, meantime, on the 30th of August last, this same Antonio Silva, commissioned by the President, has made a contract with a German by the name of Maximilian Sonnenstern, giving to the latter and to the company which he might form thereafter, the exclusive privilege of establishing a line by canal between the two lakes of Managua and Nicaragua, by way of the Tipitapa river, and extending it for interior traffic down the San Juan river to Greytown. This latter contract cuts off one of the proposed amendments to the Central American Transit Company's contract, which covers precisely the same ground between the two lakes that the Sonnenstern contract does.

In a conversation between the President and myself in June last, he stated

to me that the government would, among other amendments, concede to the transit company the right to extend its line between the two lakes, by way of the river Tipitapa, on condition that the company would build a wharf at Granada on Lake Nicaragua, and restore the harbor at Greytown. It now turns out that both the wharf and the work at Greytown are to be done for the benefit of the Sonnenstern project. I have lately learned from a reliable source that a German friend of Sonnenstern recently took the contract to Panama to make some arrangement with the Panama Railroad Company.

Unless the Sonnenstern contract is defeated in Congress it will not only seriously interfere with existing rights of the transit company, but will make the proposed amendments worthless to that company. The bad faith of this government toward the transit company has therefore induced me to write the note before mentioned, which I think will have the effect to bring the government to terms on transit matters.

A day or two ago I was invited to a conference with the President and minister of foreign affairs upon transit questions in connection with the Mosquito difficulties, and the President then stated that Mr. Antonio Silva was not authorized to make the agreement which he did with the political agent of the transit company. It appears, however, that the same Antonio Silva was the person commissioned by the President to make the Sonnenstern contract. At this last interview the President expressed much solicitude in regard to the Mosquito questions and earnestly desired the interposition of the United States government. On my representing to him the troublesome questions that would arise out of the Sonnenstern contract in connection with the Central American Transit Company, in case that contract should go into effect, he replied to me that it could be defeated in Congress, and that the government was still willing to make a liberal contract with the transit company and grant them all the privileges necessary to put the route in successful operation, and that there would be no doubt of its ratification by the Nicaraguan Congress. An unofficial communication upon transit questions, a copy of which I enclose, undoubtedly led to the request for the official conference upon transit matters before alluded to.

I am, sir, respectfully, your obedient servant,

A. B. DICKINSON.

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

Señor Ayon to Mr. Dickinson.

[Translation.]

GOVERNMENT HOUSE, Leon, October 3, 1867.

SIR: Very grateful to his excellency the President of the republic have been the sentiments contained in the official letter which your excellency addressed to me on the 25th ultimo, in virtue of a despatch received from the Department of State of the United States, communicating that your note to Mr. Adams, as also your proceedings in relation to the pretensions of the government of Great Britain over the Mosquito territory, had been approved by his excellency the President of the United States; and that Mr. Adams had received instructions to express to Lord Stanley the most ardent desire of the President of the United States that the subject may be treated amicably, but that before the United States can properly adopt more urgent measures, it is necessary to receive more explicit information from this government. I beg your excellency to make known to the minister of state that the government of Nicaragua appreciates the just value of and correspondingly acknowledges the important offices which the American Union has seen fit to interpose in its behalf to induce the government of Great Britain to treat amicably the questions which its agents are exciting against Nicaragua in regard to their rights in the Mosquito territory; and with the object of giving to your excellency the information desired by the minister of state in order to adopt more urgent measures, I remit to your excellency a memorandum which I have made upon those questions, promising to transmit other important documents thereon when the government returns to the city of Managua.

I beg your excellency to make known to the minister of State the memorandum referred to, and to accept the assurances of esteem and consideration of your obedient servant,

TOMAS AYON.

[Translation.]

Questions in relation to the sovereignty of Nicaragua in the territory of the Mosquito Reserve:

FIRST QUESTION.

First. Upon the payment of the subvention offered by the government of Nicaragua to the Mosco Indians.

We must examine beforehand what are the bases on which Nicaragua grounds her right of defence against the pretensions of the British cabinet.

In article 1st of the treaty which this government celebrated with Great Britain the 28th of January, 1860, the country then occupied or reclaimed by the Mosquito Indians within the frontier of the republic of Nicaragua is recognized by the British government as an integral part, and under the sovereignty of the republic; and by article 2d the district reserved to the Mosquito Indians is particularly recognized as territory of the republic of Nicaragua and under its sovereignty.

It is undisputable, then, that the British government recognizes in general the sovereignty of Nicaragua over all the coast occupied by the Mosquitoes, and also recognizes in particular the sovereignty of the republic in the territory of the reserve. This recognition is the fundamental principle of the rights of Nicaragua.

Second. In order to understand the questions pending we should examine as fundamental circumstances what is the extent and what are the limitations imposed in the treaty as to the sovereignty of Nicaragua over the territory of the Mosquito Reserve, so that we shall not lose sight of the fact that the exercise of sovereignty is susceptible of divers forms, but that the form does not alter the substance, which, according to the principles of international law, consists in the existence of a supreme authority which directs and represents the nation in its moral personality.

By article 3d of said treaty Nicaragua agrees that the Mosquito Indians shall govern themselves and govern all the residents within the district designated in article 2d, according to their own proper customs and in conformity to the regulations which they might from time to time adopt, not being incompatible with the sovereign rights of the republic of Nicaragua.

In order to give clearness to the matter we are aiming at in article 1st: Great Britain recognizes in general terms, and without any limitation, the sovereignty of Nicaragua over all the coast occupied by the Mosquitoes; and Nicaragua, by article 3d, delegates to the Indians the power of government by which they are within the reserved district to govern themselves and the residents according to their proper customs, &c. But if it is true that Nicaragua delegates to the Indians the power to govern for themselves, it is also true that Nicaragua reserves the full sovereignty, as in article 2d it is said definitely thus: "There shall be assigned to the Mosquito Indians within the territory of the republic a district which shall remain, as stipulated above, under the sovereignty of Nicaragua." And it could not be otherwise, because if it is considered that Nicaragua could not retain said sovereignty, the recognition of this right which the British government explicitly gives would be void of all signification, which could not be supposed of a stipulation intended to establish positive rights and obligations. From which it is deduced that the Indians are subjects of Nicaragua; that they do not form an independent nation, and that the Mosquito territory is an integral part of the territory of this republic.

The government of Nicaragua was informed by the governor intendant of San Juan del Norte (Greytown) that the election of the chief of the Mosquitoes was not by the Indians of that place, but by a party of foreigners, putting in nomination as chief a child, and appointing as his tutor one of the foreigners. Hence the government of Nicaragua declines to give the pension of five thousand dollars annually to the authorities thus constituted—not the Indians, but the foreigners. The British minister claims that sum, with interest, alleging that to decide as to the mode in which the chief of the Mosquitoes is elected is contrary to the rights of this republic, even when thus practiced; that formerly, as now, the votes of the principal chiefs were cast for the person designated by the predecessor in office; that then, as on the present occasion, the election was in favor of a child, and the public business was directed by a tutor (guardian) until the chief became of legal age; that article 3d of the treaty secures to the Indians the right of governing themselves according to the regulations from time to time adopted. Deducing from which, that although the election was disapproved by the government of Nicaragua, and of a character entirely new and unusual, the Indians were justified, by virtue of the treaty, in adopting that mode, which, even though of an extraordinary nature, was not incompatible with the sovereign rights of Nicaragua. The British minister adds that in regard to this reserve the republic of Nicaragua, in article 3d, agrees to respect and not to interfere in such customs and regulations thus established, or which may be established within the Mosquito territory. From all which it is concluded that the refusal to make the payment is contrary to the tenor of the treaty, and that England has the right to reclaim the sum unpaid as one of her powers of intervention.

All these reasonings of the British minister are contested by the tenor of the treaty itself.

The British government, by a condition imposed by the Congress of this republic, recognized, in terms absolute and without any limitation, the right of sovereignty in favor of

Nicaragua over all the Mosquito territory. This recognition should produce its legal effects between England and Nicaragua. By consequence England has no power to make reclamation in favor of the Mosquitoes, because they are not subjects of England, but of Nicaragua.

The government of Nicaragua recognized its own sovereignty in conceding to the Mosquito Indians within the district designated in article 2d the right of governing *themselves, and of governing all persons residing within said district, according to their own customs and in conformity to the regulations which might from time to time be adopted by them, not being incompatible with the sovereign rights of the republic of Nicaragua.* With this reservation of not to be incompatible with her sovereign rights, Nicaragua agrees to respect, and not to oppose, such customs and regulations thus established or which may be established within said district.

It is seen, then, clearly, that what Nicaragua agreed was to concede to the Indians the power of self-government, according to their usual and proper customs, not being contrary to the sovereign rights of the republic. If the Indians, wanting the faculty to govern themselves, consent that a foreigner shall come among them and govern them with the name of guardian, authorized by other foreigners, and also contrary to stipulated terms, then, instead of the Indians governing the residents in the reserve, the residents are the governors of the Indians.

Moreover, if Nicaragua agreed to concede solely to the Indians the right of governing, and not to foreigners of any other nation, because one of the principal purposes of the treaty was to remove every foreign influence from the governments of the Indians, it is evident that the fact of foreigners coming to govern them, besides being opposed to the terms of the treaty, is contrary to the sovereign rights of Nicaragua recognized by England, and consequently the government of the republic can neither recognize such authority nor pay the pension offered to the Indians.

This is the proper ground of the question.

Fourth. The British minister, conceding the importance to Nicaragua of the question considered under the aspect of the foregoing article, in a note of the 19th May, 1866, denies that the government of Nicaragua has the right to allege anything against the election of the chief of the Mosquitoes. In respect to which he says that the information which the government has received is inaccurate; that in regard to it the list of the individuals who composed the electoral college is clear; that the Mosco Indians were on that occasion represented by their lesser chiefs; that it is a point of little importance whether the chief was elected according to the ancient customs of the Indians, or according to new ones adopted, in both cases the election being valid according to the treaty; and that by the latter mode, although there should be faults in the election, the correction should be made by the Mosco Indians, and not by the government of Nicaragua, which would have no reason to interfere, as is said, because the sovereignty would not be affected thereby.

In this reasoning of the British minister there are various things to observe. In the first place, there is no denial of having named for chief of the Moscos a child, and for tutor of this child a foreigner, who is to govern during his minority. This sole circumstance is a manifest infraction of the treaty, wherein it is agreed that the Indians shall govern for themselves, in order to remove every intervention or foreign protectorate. In the second place, it is not stated whether the lesser chiefs who represented the Indians in the election were Indians also, thus evading the assertion of this government that the election was by foreigners. And in the third place an inconsequence of the minister is noticed which is offensive to good sense, as I shall proceed to demonstrate.

By note which the minister of relations for this government addressed on the 29th of November of last year, answering the reclamation for the pension and interest already referred to, it is said that, even on the supposition that the subvention to the Indian chief should be refused without just cause, the British legation would have no right to ask indemnification for it, because it would be equivalent to a continuation of the protectorate, against the provisions of article 1st of the treaty.

In note of the 10th of May of this year the British minister answered, saying that every nation which is a party in a treaty with others has, first of all, the obligation to see that its stipulations are complied with, and that in a case like the present, international as well as national duty is compromised to it; and adds that he cannot observe without extreme surprise and regret the assertion made by this government that Great Britain has no right of action in the matters pending between the Mosco Indians and the republic of Nicaragua.

In the first place, I should say for Nicaragua that Great Britain, as well as any other nation, has the right to claim the fulfilment of a treaty in regard to her own rights, but not in regard to those which are alien, over which we should suppose that the owners possessed the exclusive power either to reclaim or renounce, as they should judge more or less convenient; and that it is evident that Great Britain, without the Mosquitoes having made reclamation of any sum, and without their having notified this government in the name of their authorities to whom the subvention should be delivered, appears defending with such zeal those supposed rights to the subvention and its interest, even though not demanded by those who are really interested; whence it appears that it is not the Mosquitoes who are making the claim, but the English subjects who made the elections, and who desire, under the shelter of the treaty, to prolong the English protectorate and govern that coast.

In the second place, I would say, that if England has the right to claim the fulfilment of the treaty in regard to the subvention of the Indians, notwithstanding that this subvention is not for the English government nor for their subjects, then also Nicaragua, and with greater reason, has the right to claim the fulfilment of the treaty to the end that the Moscos shall be governed by themselves and not by foreigners; for Nicaragua delegated the government of the reserve on condition that the Indians should govern themselves and the residents within it, and not that foreigners should come among them to seize the power against the purpose of the contracting parties, and principally of Nicaragua, whose sovereignty is concerned. Wherefore it follows that the claim for the subvention and its interest made by the English government is inadmissible: 1. Because having recognized the power of full sovereignty of Nicaragua in all the territory of the Mosquitoes they implicitly recognized the Indians as subjects of the republic; consequently, from the moment that England made that acknowledgment she has nothing to do with the relations of Nicaragua with her Indian subjects, because by such intervention England attributes a superiority over Nicaragua offensive to the sovereignty which she has recognized. 2. Because if England sees fit she can claim perpetually the fulfilment of the treaty according to her understanding of how much of the rights belong to her or spring from the treaty in favor of her subjects, but not as to those belonging to other nations, though having concurred in the celebration of the treaty, or to the subjects of another nation, as the Mosquitoes of Nicaragua, because the said treaty has not named or recognized her as a protector of alien rights. How would it appear to the government of England if Nicaragua should reclaim against the provisions which they made, or the conduct which they observed in respect to their own subjects, because such provisions and such conduct should not be in consonance with the treaty? The relations of a sovereign with its subjects belong to a category independent of all foreign intervention, and the interests and relations between them can only be the object of a treaty. Otherwise, the British protectorate over the Moscos would only be a change of name. 3. Because no nation is permitted to call another to account for what passes between its citizens, or between the government and its citizens. The same government of England says to the courts of Europe, in a circular of January 19th, 1821, in consequence of the principles of intervention proclaimed by Russia, Prussia, and Austria in the circular of Laybach:

"That no government was more disposed than it to interfere in the conduct of another state when its immediate security or essential interests were seriously compromised. This right was an exception to general principles emanating solely from the circumstances of the case, the danger making the exception to the general rule, and was incorporated as such in the institutions of the law of nations. The principles on which this rule is based (says Great Britain) sanction an intervention too frequent and extensive in the internal affairs of other states, nor can this intervention be arrogated by a diplomatic concert without attributing a supremacy irreconcilable with the rights of sovereignty of the other states, and with general interests, and without establishing an oppressive system attended with the gravest consequences."

England gave them a noble example, protecting the independence of the great nations of Europe. Has she in the course of time changed those principles? Does she recognize the right of independence for the powerful nations, but not for the weak? If England, then, recognized the sovereignty of Nicaragua in the Mosquito reserve, she ought to cease all intervention on her part in the relations of this government with the Indians, because that intervention is irreconcilable with the rights of sovereignty which the British government recognized in favor of Nicaragua, and because she thus establishes an oppressive inspection, while she has declared that her protectorate over the Moscos should cease after three months from the celebration of the treaty. Therefore, Great Britain can only reclaim her own proper right or those of her subjects, but never those of foreign subjects. 4. Because, even conceding that England, as a party to the treaty, has the right to claim the fulfilment with regard to the subvention conceded to the Moscos for their social improvement, and to provide for the maintenance of the authorities, neither the persons who are now acting as such authorities, nor those who conducted the election, nor the chief who rules as tutor, are acting in accordance with the treaty, but as strangers, and consequently Nicaragua is not obligated to give them the subvention which was offered to the Indians, and not to the strangers who have come among them arrogating the sovereign rights of election and command which belonged originally to Nicaragua and to the Indians by delegation. 5. And finally, because the example which the English minister has presented in his note of May 10th of last year, that if the Turkish government were accused of infractions of the rights guaranteed by a treaty with another power to Wallachia or Moldavia, over whom Turkey exercised the sovereignty, it would be a case in point, is not applicable to the present case, for the reason that it does not appear in the treaty of January 25, 1769, that Nicaragua submitted the rights of the Mosquitoes to the guarantee of Great Britain. So far from being a similar case, Nicaragua in that treaty sought to remove the intervention of that power which had been endeavoring to establish itself under the name of protectorate.

SECOND QUESTION.

Claim of the English minister for the duties which Nicaragua collects upon the goods introduced into the reserve.

1. The government of the republic, in view of article 1st and the latter part of article 2d of the treaty celebrated between this republic and her Britannic Majesty the 28th of January, 1860, issued a decree on the 4th of October, 1864, declaring that the maritime importation of foreign effects for consumption within the territory assigned to the Mosquito Indians should be made through the port of San Juan del Norte, subject to the same rules and imposts established for those to be consumed in the said port. This disposition has been the subject of a new reclamation. By note of the English minister, Mathew, addressed to the minister of relations of this government, dated May 10, 1866, it is said, "That for the first time it is known, and with some surprise, that the merchandise brought into the Mosquito reserve had been introduced as contraband at other points; but that with respect to the imports for consumption by the Indians it was unnecessary to say that they would have to pay more by reason of the duties imposed on transit in addition to those necessary charges, and that their cost would be less for the charges of freight if disembarked in their old and proper ports instead of Greytown."

Four months after that note was addressed by Mr. Mathew, Mr. Wallis, in charge of the legation, in the absence of the first, in a note of the 5th of September of the present year, says that, speaking of the imports collected in Greytown upon merchandise destined to be consumed by the Mosquito Indians, the object of every tax was to procure the necessary funds to sustain the expenses of the State; that all the inhabitants contribute more or less to the common welfare, and all should equally enjoy the benefits which the imports produce in the protection of their persons and property. But under what aspect do the Mosquito Indians have the benefit of the duties collected by the government upon the merchandise which is consumed in the reserve? Mr. Wallis adds, alluding to a despatch from this ministry, that if contraband is introduced through the reserve into the interior of the republic, the remedy would be for the government to appoint employes to look out for it.

It is seen, then, that Mr. Mathew recognizes the power of Nicaragua to collect duties upon merchandise destined for consumption in the reserve, and that the single question he treats is the diminution of costs by disembarking in the reserve, to avoid the freight from Greytown; while Mr. Wallis, officiously constituting himself a business attorney of the Mosquito Indians, denies that right to Nicaragua, alleging as a reason that the Indians receive no benefit from the product of the tax.

In the first place we should repel as illegal this intervention of the English agent in the relations of this government of Nicaragua with its subjects, the Mosquito Indians. What Great Britain has pretended in this matter is to procure the fulfilment of the treaty as a power that concurred in its celebration, and not to ask any privilege in favor of the Indians, as that they shall not pay duties on the importations into the reserve. This is not a right springing from the treaty, and Great Britain cannot pretend such exemption.

The reason of the English agent for that exemption should not be admitted as a consequence of the treaty, because there is no such consequence; and because, if we were to widen that stipulation and open its consequences, we should go from one to another to the remotest, thus authorizing to England an intervention extensive and prejudicial to the sovereignty of Nicaragua.

This is not a mere fiction. In the organization of a state all its interests are so interwoven that they form a unity so inseparable that one cannot be touched without more or less affecting the whole.

2. But, moreover, in the same treaty it is stipulated that Nicaragua shall collect those duties. By articles first and second Great Britain recognizes as an integral part, and under the sovereignty of the republic, the country up to that time occupied or reclaimed by the Mosquito Indians within the frontier of said republic wherever that frontier should be; and it is agreed that there shall be assigned to the Mosquito Indians within the territory of the republic a district that shall remain, as stipulated, under the sovereignty of Nicaragua.

In article fifth of said treaty, speaking of the subvention to be given by Nicaragua to the Indians, in the final paragraph it is said: "*To pay this sum Nicaragua shall impose and especially assign a duty upon the weight of all bales of goods which shall be imported through that port for consumption in the interior of the republic, without prejudice to the right to make up the deficit from the other revenues of the republic.*"

If the reserve, then, is an integral part of the republic of Nicaragua, and under its sovereignty, according to articles first and second, it is evident that the goods consumed in it should pay the duties imposed upon those for consumption in the territory of the republic, of which said reserve is an integral part. This is not simply a consequence more or less forced, but a literal test of the treaty, as it should, above all things, be understood when the purpose of the stipulating parties is inquired into.

3. But there is another question no less legal than the preceding to repel the pretension of the British agent.

By article seventh of said treaty it is declared that Greytown, or San Juan del Norte, shall

be a free port under the sovereign authority of the republic, which is compromised not to impose any duties or charges upon the vessels which arrive at said free port, or depart therefrom, except enough for the due maintenance and security of navigation for light-houses and to pay the police charges of the port. It is also declared that no duties or charges shall be imposed in that free port on the goods which enter it in transit from sea to sea. These are the only limitations accepted by Nicaragua upon the imposition of duties either on vessels or goods entering the port.

Now, then, if the goods passing from the port to the reserve are not included in the single limitation of goods passing in transit from sea to sea, why should there be imposed upon Nicaragua another limitation contrary to its sovereignty and to article seventh of the treaty?

If Nicaragua should consent not to collect duties upon goods carried into the reserve, it would lead to the idea that she considered the Mosquitoes an independent nation, and would also authorize in that territory considerable deposits of merchandise to be introduced as contraband on a large scale impossible to prevent, except with a force so numerous and extensive as to depopulate the country.

It is, then, established that Great Britain has no right to intervene in representation of the Mosquito Indians, nor to reclaim privileges not comprehended in the treaty; that Nicaragua has the right to collect the tax upon goods destined for interior consumption, and that the reserve being an integral part of Nicaragua, its part of the consumption is subject to the payment of duties as well as the rest of the republic; and finally, that the single limitation recognized by Nicaragua in the treaty is not to collect duties on goods passing in transit from sea to sea, which cannot be considered as comprehended with those destined for consumption in the reserve, which is an integral part of the territory of Nicaragua.

THIRD QUESTION.

Reclamation of the British minister for the concession to cut woods, made to Mr. Wm. Vaughan.

1. On the 28th of February, 1866, the government of this republic, by a contract celebrated to that effect with Mr. William Vaughan, jr., conceded the exclusive right for ten years to cut mahogany and other woods on the river Wava and its tributaries on lands belonging to Nicaragua, within five English miles of the margins of said river. This concession has given place to a new claim of the British agent.

By note addressed to the ministry of relations, on the 5th of September of last year, Mr. Allen Wallis says that the Mosquito Indians suffer great damage by the government of Nicaragua disposing of the wood within their district, as it is the single branch of their finances; that if the government of Nicaragua is considered by the treaty as having the right to make concessions for the cutting of wood in the Mosquito reserve, it would also have the right to impede the Indians in making use of the wood and other products of that country.

The government of Nicaragua sees with just surprise to what lengths the British agents go with the stipulations of the treaty in their desire to form out of the district conceded to the Indians an independent nation with rights opposed to the sovereign rights of Nicaragua. By this manner the protectorate of Great Britain, whose suppression was the principal object of the two contracting nations, would continue under the cloak of the treaty, giving to it an elasticity inconsistent either with the purpose to remove all foreign intervention from the government of the Indians, or with the sovereign rights of the republic in the territory of the reserve.

To all the reasons anteriorly expressed which are also applicable to the present question, should be added that Great Britain recognized the sovereignty of Nicaragua over all the coast then occupied by the Mosquito Indians belonging to the sovereign, the mountains, woods, rivers, and other things of a public denomination, which can only be disposed of by the sovereign, whether for the common use of the inhabitants or for those objects of public interest which are considered most expedient.

With this right the sovereign regulates game-laws and fisheries, grants public lands, decrees imposts, tolls, and land taxes, and declares its right of property in all mines of fossils and metals, or in a portion of their products.

These rights are founded on original occupancy, which could not be supposed to be effected by one or several subjects, but by the sovereign.

Furthermore, no clause being embraced in the treaty referring to the cutting of woods, or in which the sovereignty of the republic is limited in that particular, there is no foundation whatever for the claim made by the British minister in opposition to the concession which this government authorized to Mr. William Vaughan, jr., to cut woods on the river Wava, within the territory of Nicaragua, a pretension which has caused the utmost surprise to the government of the republic, because it is in all aspects opposed to its sovereign rights and foreign to the stipulations agreed upon by the two contracting parties.

AYON.

Mr. Dickinson to Señor Ayon.

LEGATION OF THE UNITED STATES,
Leon, October 21, 1867.

SIR: I have very carefully examined and considered your excellency's very clear and able exposition of the questions in dispute between the governments of Nicaragua and Great Britain, in regard to the Mosquito territory, which I received on the 3d instant from your excellency in the form of a note and memorandum upon the questions pending between the two governments.

It has necessarily occupied considerable time to make the translations and copies and properly prepare the papers for the Department of State at Washington, and it was therefore impossible to transmit them by the last mail. But the further time which I have been able to bestow upon the subject has more than compensated for the delay by giving time for the whole case to be properly laid before the Secretary of State in connection with a copy of this communication, which I now have the honor of addressing to your excellency, explaining, as I shall proceed to do, my own views as to the position which I conceive the United States government will be justified in assuming in regard to these important questions.

From the time when the Spanish-American States first proved to the world that they had attained their independence, the United States have asserted that the American continents, by the free and independent condition which they had assumed, were thenceforth not to be considered as subjects for future colonization by any European power.

In furtherance of this principle, the Clayton-Bulwer treaty of 1850, between the United States and Great Britain, declared that neither one of the parties would ever occupy, or fortify, or colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America. But it will be remembered that this stipulation was made with direct reference to an interoceanic communication across the territory of Nicaragua, and for the purpose of guaranteeing such encouragement and protection to the said interoceanic route as the two governments could extend to it consistently with their attitude of neutrality.

The action of the United States government, then, in regard to the Clayton-Bulwer treaty must depend very much upon the action of the government of Nicaragua in regard to the transit route; and when the government of Nicaragua gives practical evidence of its intention to remove all obstacles to such route on its part, by granting the necessary concessions for a successful transit, there will then be sufficient inducement for the government of the United States to insist upon a strict observance of the stipulations of that treaty. But if the present American company are denied privileges and concessions which have been freely granted to the English and the French, there is little inducement left for the United States to interfere in the settlement of the Mosquito questions.

With regard to the treaty of the 28th January, 1860, between Nicaragua and Great Britain, and the pretensions of the latter growing out of that treaty, a careful consideration of the whole subject in all its bearings leads very forcibly to the conclusion that it is of the utmost importance to the future welfare, if not the very existence, of Nicaragua to retain its sovereignty unimpaired over the Mosquito territory and not allow it to be undermined and gradually alienated by the influences now at work to transfer it to foreign hands. And it only remains for Nicaragua to prove her good faith and her friendly disposition to citizens of the United States to secure the good offices and the lasting friendship of the government of the United States.

With the earnest hope that these questions may result favorably to Nicaragua, I beg to subscribe myself, &c., &c.,

A. B. DICKINSON.

His Excellency Señor THOMAS AYON,
Minister for Foreign Affairs, &c., &c., &c.

Mr. Dickinson to President Guzman.

LEON, September 28, 1867.

MR. PRESIDENT: Permit me to address your excellency again upon a subject which I believe we both have very much at heart: the success of the Nicaraguan transit. Letters recently received from the transit company convey the gratifying intelligence that the company had not only concluded to accept the obligation to open the harbor of San Juan del Norte, but had actually commenced the work, with powerful machinery and a strong force of men, on the faith of the proposition made by Mr. Silva to the political agent of the company in June last, that, on such condition, the amendments to the contract before then proposed by the company should be granted.

But I fear that the contract celebrated between the government of Nicaragua and Maximilian Sonnenstern on the 30th of August last, which I have recently had an opportunity of examining, will prevent the company from enjoying the proposed concessions in their full spirit and intent.

Even should the company of the interior line be confined strictly to the internal com-

merce of the country, without any design on the part of the government that it should interfere with a transit line over the same route, there would still be clashing interests and many difficult questions to settle before two separate companies could run harmoniously over the same line.

Supposing, for instance, that the two companies should be established over the same line, one for interior traffic and the other for transit purposes, would the transit company be excluded from carrying any of the interior commerce or way passengers of the country? or would the transit company, after spending vast sums of money and making great and valuable improvements on the river and harbor of San Juan, to be freely enjoyed by the other company, be excluded from the free enjoyment of the canal between the two lakes?

These are grave questions, and if they should be answered in the negative I fear that the transit company would be defeated in their enterprise.

The transit company could hardly consent to make one end of the line of the other company, and that much the costliest and most difficult part, and then be prohibited from running on the other end of the line. It will readily be seen that in that view of the case the company of the interior line would be deriving immense advantages from the works and expenditures of the transit company without rendering to the transit company any equivalent whatever in return.

I do not wish to be understood as saying anything against the internal improvements of this country; on the contrary, I desire to favor such improvements in every possible manner. But the first great improvement to be made is the restoration of the harbor of San Juan del Norte; and this must be done by the transit company, aided by such concessions from the government as will enable them to compete successfully with the Panama Railroad Company, now more than ever to be feared as a formidable rival. Whatever obstructs their free course over the best route which Nicaragua affords will have a tendency to defeat the great work on which all the others depend for their success.

I was led by the liberal and enlightened views expressed by your excellency during my last visit to Managua, to feel the utmost confidence that nothing could transpire to prevent the company from obtaining a liberal and perfect contract, with all the concessions that would be required to make the transit a complete success; and I therefore assured the company that they could go on at once with their improvements without waiting for the formal amendments, and that they need have no fears as to the result; that the government would grant all the essential amendments, and the company would be required to fulfil their part of the contract and make a good and reliable transit.

The company have acted on my advice in so promptly commencing the improvements which they are now making without waiting for the formal contract. They have thereby shown their entire faith in the Nicaraguan government, and the whole system of works which they propose are so evidently for the benefit of Nicaragua that they can hardly conceive it possible for Nicaragua to refuse to give them every possible assistance. So well known is it to them that every railroad or similar public improvement in the United States receives, not only from its government but from every town or city through which it passes, large contributions in lands and in money, and every possible support and encouragement in the way of legislation, that they feel every confidence that when the case is properly understood, and when the government of Nicaragua feels confidence in the company, they will receive a like encouragement and support in this country.

What the views of the company may be when they receive notice of the contract lately made with Mr. Sonnenstern I cannot tell, but I fear that it will have a very discouraging and damaging effect upon the company, and it may compel them to abandon the undertaking, the consequences of which to Nicaragua your excellency can better imagine than I can express.

I trust now that the company may not form the opinion that Mr. Sonnenstern is working against their interests, because I hoped and believed that he would be selected as the company's engineer in their great works. His knowledge of the country and his experience as an engineer would, I thought, make it better for the interests of the company, as well as of the republic, that he should be their principal engineer.

I beg to assure your excellency that in all these transit matters I study the interests of Nicaragua quite as much as I do those of the company, and I believe that such a contract can and ought to be made as will give the company every guarantee of success, and at the same time be directly beneficial to the republic in every respect.

I do not ask for a contract that will in any single particular work against the direct interests of the republic. I only ask for such a one as will guarantee the success of the transit, and thereby secure the success and prosperity of Nicaragua.

But I refrain from further remarks upon this interesting subject until I shall be more fully advised of the views of the government as to whether the contract recently celebrated with Mr. Sonnenstern is designed or calculated to interfere with the full scope of the transit amendments which have been proposed by the political agent of the company. At the same time permit me to express the hope that nothing may transpire to prevent the great transit enterprise from being realized to the fullest extent compatible with the interests of the republic.

With assurances of the highest consideration, permit me, &c. &c., &c.,

A. B. DICKINSON.

Mr. Seward to Mr. Dickinson.

No. 98.]

DEPARTMENT OF STATE,

Washington, November 23, 1867.

SIR: Your despatch of the 22d of October, No. 142, has been received. It is accompanied by a statement from the minister of foreign affairs of Nicaragua of the questions which are in debate in reference to the sovereignty of Nicaragua in the territory of the Mosquito reserve, together with the correspondence concerning that statement which has taken place between yourself and the minister for foreign affairs. The statement has been carefully considered, and it will be immediately transmitted to Mr. Adams for his information, with instructions to inquire concerning the antagonistic positions which may be assumed by the British claimants, and in a spirit of friendship for Nicaragua, to exercise good offices with sound discretion, referring, if necessary, to this department for special instructions.

You are quite right in insisting that the government of Nicaragua shall not violate, by legislation or otherwise, either in letter or spirit, its contract with the Nicaraguan Transit Company. My instructions to Mr. Adams concerning the Mosquito question are given in the confident expectations that your suggestions in respect to the Nicaraguan Transit Company will have been complied with.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. B. DICKINSON, Esq., &c., &c., &c.

PARAGUAY.

Mr. Seward to Mr. Washburn.

No. 59.]

DEPARTMENT OF STATE,
Washington, December 15, 1866.

SIR: Your despatch of the 22d of October, No. 74, has been received. Your determination to proceed to Asuncion in the manner therein mentioned is approved. The President sanctions the direction which was given by Admiral Godon to Commander Crosby, of the Shamokin, not to take on board any Paraguayan on his voyage to or from Asuncion. This government owes it to the belligerents, as well as to its own dignity, to abstain from everything which could be, or even could appear to be, a departure from neutrality in the unhappy contest which is going on between Paraguay and her allied enemies. You will be expected to conform your proceedings rigidly to the principle of non-interference.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

Mr. Washburn to Mr. Seward.

[Extract.]

No. 76.]

HEADQUARTERS OF THE PARAGUAY ARMY,
Paso Pucu, December 25, 1866.

SIR: In my last despatch, dated at Humaita, November 6th, 1866, I mentioned the illness of President Lopez, as the probable reason why he did not invite me to visit him at his encampment. Since then there has been no opportunity to communicate across the lines, and, of course, I could send nothing further to you. The sickness of President Lopez was very severe, and from all I learn, I conclude he was very near dying. On his recovery I was invited to visit his encampment, and a steamer was furnished me to come down the river. I accordingly left Asuncion on the evening of the 20th instant, and reached Humaita on the morning of the 22d, and came out to this place in the afternoon.

I had a long interview with the President the same evening, and learned what I could from him in regard to the prospects of the war. Since the 22d of September, when the allies made an attack on Curupaiti and were defeated with a loss of from seven to ten thousand, the Paraguayans losing less than a hundred, there has been no fighting of any importance.

There are little skirmishes quite frequently; and nearly every day the Brazilians throw a lot of shot and shell towards the encampment at Curupaiti but having no other effect than to amuse their enemies by their bad firing. The latter always answer back, probably with little more effect. What the allies are doing during all this long delay since the repulse at Curupaiti is not well known here, but it is supposed they are waiting for re-enforcements. Lopez is confident he has sufficient force to beat them back again, but this he can hardly do many times. Of the troops raised, the larger part have already fallen in battle or by

disease, and I don't think it would be possible to raise five hundred more men in the whole country, able to carry a musket. The country is thoroughly exhausted. All the manual labor is done by women. The women must plant what of corn or cane or mandioca there is planted, or nothing can be raised. Women yoke the oxen and serve as teamsters; women are the butchers to slaughter the cattle, take them to market, and sell the beef in the stalls; they do all the rough labor that elsewhere is done by men, for there are no men to do it. Of course, this state of affairs cannot always endure. President Lopez, however, seems to be in full faith that he can hold his enemies at bay a good while longer. But it is clear that, if the allies continue united in prosecuting the war, Paraguay cannot always hold out. By the terms of the triple alliance, the allied governments cannot treat with President Lopez; the first condition being that he shall resign his power and leave the country. This, he says, he will not do; but will fight to the last corner, and till the last man is gone, and then he won't do it. So now it looks as though it were meant to be a war of extermination to this nation, at least to the whole male population. This will be a sad termination, for these people have shown a courage and endurance during this war deserving of a better fate. In fact, their fighting qualities are most astonishing: whether it be the discipline or the natural valor of the race that renders them so, their insensibility to fear, and their courage to obey orders in the face of certain death, almost exceed belief. No Paraguayan ever retreats without orders. They are commanded to fight to the death, and they obey, and it is only by dint of their fighting valor that they have held out so long.

It has been the hope of President Lopez that even should the allies keep united, some foreign intervention would take place. The prospect that it may come in time to avert the final catastrophe appears to me very slight unless the Brazilians show less activity than they have yet done. They have done nothing for the last three months, but I apprehend another general attack soon, and, most likely, another defeat to them. But these people cannot stand many more victories.

In view of the events that may happen soon, it seems to me to be highly necessary that there should be some neutral war vessels in the vicinity. I apprehend there would be little difficulty in going up the river to Asuncion now, as the river is some ten feet higher than when I came up in the Shamokin, and the obstacles that at low water rendered the navigation dangerous have since been carried away, probably by the force of the current.

This despatch I shall send through the lines by flag of truce. President Lopez has offered to send out such a flag, and pass over to the other side any despatches I may have to send, and I avail myself of the offer, as I hope at the same time to receive my correspondence from below. I have received nothing from you of a later date than May or June, (I am not able to say precisely, as my papers are not here,) and therefore I know not what subsequent instruction you may have sent me. I shall therefore write to General Asboth to send up whatever there may be for me by special messenger, or, better, to come up himself if possible.

I have thought it probable that my long detention by the allies would call for further explanation and satisfaction than were given in the bare permission to allow me to pass without firing into me, and when I know how that affair is regarded I can judge better how to act in contingencies yet to arrive, when it is reasonable to suppose I may be called upon to take some part.

I therefore make this effort to get any later instructions, and, to be more sure of them, shall request that a special messenger be sent from Buenos Ayres.

My arrival here was hailed with great delight by the people of all classes. It was the first ray of light from the outer world they had had for a long time, and as I came on a national war vessel forcing the blockade, they seemed to think that peace was at hand. The question I am asked by all is, Can I not do something to bring about peace?

I can give them no hope, though God knows I would be glad to do so, for if suffering and valor entitle them to rest they surely deserve it. The Paraguay people have always treated me with great kindness, and especially since my return have they tried in every way possible to show attentions to myself and family. Is not some intervention possible whereby Brazil may retire without too great a sacrifice of pride, and these people spared further sacrifices? If intervention is out of the question, and the war should last for several months longer, can there be no such thing as mediation offered that may promise to be successful? On this point I would ask for some instructions.

* * * * *

I am, sir, very respectfully, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Washburn to Mr. Seward.

No. 77.]

LEGATION OF THE UNITED STATES,

Asuncion, December 30, 1866.

SIR: Soon after my return to this capital I addressed a formal note to the minister for foreign relations, alluding to my long absence and the causes thereof, and expressing my satisfaction that he still retained his former position in the government, as our official relations had always been of the most frank and friendly character. The minister answered my note at considerable length, speaking in a very complimentary manner of our government and country, and especially of the great ability with which our foreign relations had been conducted since you have been at the head of that department.

Copies of both notes are forwarded herewith.

I am, sir, very truly, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Washburn to Señor Berges.

LEGATION OF THE UNITED STATES,

Asuncion, November 12, 1866.

SIR: It is with extreme satisfaction that I find on returning to my post, as minister resident of the United States near this capital, after the long absence of one year and ten months, the important office of minister for foreign relations is still occupied by your excellency, as at the time when I left. As in the past my relations with you were always, both personally and officially, of the most pleasant and agreeable character, I confidently expect they will be so in the future.

During the time of my long absence, a large part of which, as your excellency is aware, has been forced upon me by the illegal and discourteous conduct of the three powers now allied in war against Paraguay, there have occurred various events in my own country of such great importance as would have been properly subjects of separate notes to your excellency had I been here at the time of their occurrence. The most important of these is the suppression of the gigantic rebellion got up and carried on with great courage and energy by certain ambitious persons in the United States for the purpose of extending and perpetuating the practice of human slavery. After a fierce and terrible strife of four years the rebellion was completely crushed, and now the entire country, being freed from the burden of slavery, is enjoying a degree of prosperity and security before unknown. This glorious consummation of so terrible a struggle was not achieved without great losses and sacrifices, and the loss of our great and good President, Abraham Lincoln, by the hands of a foul and hateful assassin, served much to dim the general joy. But under the republican system of our government a new President, as by law provided, was sworn into office on the very day of Mr. Lincoln's death; the laws were regularly and firmly executed without interruption or

hindrance, administered as our government then was by the conciliatory policy and tried patriotism of Andrew Johnson.

Other events of great importance have likewise occurred, but they are of such general notoriety that I need not allude to them. I cannot forbear, however, making mention of the fact that under the able and statesmanlike management of our foreign relations by Mr. Seward, the policy known as the "Monroe doctrine" has been steadily maintained, and that by moral force alone the attempt by European powers to force a monarchical government on the neighboring republic of Mexico has been abandoned, and the foreign prince whom it was the intention to force on a republic will soon be left with no foreign support, and consequently be compelled to leave a country that never courted his presence.

I need not say to your excellency how rejoiced I should have been to have found the war in which Paraguay is now engaged brought to a successful and honorable termination. But I must say that the great valor and endurance shown by the Paraguay troops, and the great vigor and ability displayed by the commander-in-chief, Marshal Lopez, have not only surprised their enemies, but astonished the world.

I take this opportunity of renewing to your excellency the assurances of my most distinguished consideration.

CHARLES A. WASHBURN.

His Excellency JOSÉ BERGES,
Minister for Foreign Relations

Señor Berges to Mr. Washburn.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Asuncion, November 30, 1866.

I have the honor to acknowledge the reception of your note of the 12th instant, notifying me of your return to your place as minister resident of the United States near this government, after a long absence of one year and 10 months, most of which was forced upon you by the illegal and discourteous conduct of the three allied powers now at war with Paraguay, stating at the same time that during that prolonged absence there have occurred in the United States many events of so much importance that they would have been the objects of separate notes if you had been here when they happened, one of which was the suppression of the gigantic rebellion got up and carried on by certain ambitious persons of the United States for the purpose of extending and perpetuating the practice of human slavery. You also state that the glorious consummation of so terrible a struggle was not achieved without great losses and sacrifices, and the loss of a great and good President, Abraham Lincoln, by the hands of a foul and hateful assassin, served much to dim the general joy, but a new President was legally sworn into office on the very day of his lamented death.

You mention that other events of great importance have also taken place, but of such general notoriety as to need no present notice, except that under the able and statesmanlike management of Mr. Seward the policy known as the "Monroe doctrine" has been steadily maintained, and that by moral force alone the attempt by European powers to force a monarchical form of government on the republic of Mexico has been frustrated, and the foreign prince whom it was the intention to force on a republic will soon be left with no foreign support, and consequently be compelled to leave a country that never courted his presence. And you conclude by saying that you had hoped to find the war in which Paraguay is now engaged brought to a successful and honorable termination, but that the great valor and endurance shown by the Paraguay troops, and the great vigor and ability displayed by Marshal Lopez, the commander-in-chief, have not only surprised their enemies, but astonished the world.

I have had the honor to convey your very important note to the knowledge of his excellency the marshal, President of the republic, and have received orders to communicate to you the present answer.

The presence of the worthy American representative at this capital is very gratifying to the government of the republic, which has always taken the greatest interest in preserving its present good and friendly relations with the United States of America, and it regrets that the illegal and discourteous conduct of the allied enemies, as you very properly express it, caused your long absence from the republic.

This occurrence, so foreign to the usages and practices among civilized nations, cannot be explained otherwise than by calling it an outrageous abuse by the allied powers, that have allowed a free passage to less distinguished persons of other nations to the same ports; and, moreover, it is the undisputed practice, by the law of nations, to permit a free transit to all diplomatic agents, in the public character with which you are invested.

What has happened to you may be considered as one of those open violations of the most explicit provisions of the universal law of nations, by the triple alliance, too numerous to mention, and of such public notoriety that I may be excused from quoting them to you. Since you have remained so near the scene of the events, you are well qualified to judge of them properly.

My government welcomes your return to this country to continue the good relations with the friendly government of the United States; it commends your heroic conduct in overcoming the difficulties so unjustly placed in your way by the allied forces; and I am pleased to rejoice with you that the flag of the great American republic has forced the outrageous blockade of the triple alliance, commanded that respect and justice it deserves, saluted the national banner of the republic, waving in triumph over the battlements of Curupaiti, in support of the cause of liberty that has just finally triumphed in the United States of North America.

Stunned by the clangor of arms, in the midst of the solemnities of the present war, the government of the republic would not look with indifference upon the noble attitude assumed by the United States in crushing an insurrection in some wayward States that had abandoned the sound principles laid down by the immortal Washington, and it hears with the greatest pleasure the news of the complete triumph over the armed rebels who sought to extend and perpetuate human slavery.

The government of this republic comprehends the whole value and importance of the mighty task just accomplished by the government of the United States, and it is conscious of the enormous losses and sacrifices that such an undertaking must have required; but the death of the illustrious and magnanimous President, Abraham Lincoln, has caused a profound feeling of sorrow in the breasts of the people of Paraguay and their government, as it did among all peoples and governments that appreciated his great merits, particularly among all the republicans of America.

Though that sad event grieved my government, it was pleased to hear of Andrew Johnson's elevation to the presidential chair, and hopes his wise administration will restore the Union, sustain the Monroe doctrine, and give back to Mexico that national independence and sovereignty which has been so bravely battled for by President Juarez and his good republicans.

These grave and important events, so significant for the future of America, must be properly appreciated, with gratitude, applause, and enthusiasm, by all the nations of this continent, and Paraguay, which, since the declaration of its national independence, has cherished no other idea, experienced no other sentiment than the preservation of American principles, has always hoped for the triumph of liberty in the domestic concerns of the United States and in the foreign affairs of Mexico.

Fortunately events have corresponded with the wishes of good Americans, but Paraguay is yet struggling bravely in defence of the liberty and self-government of the people in this part of America against the crown of Brazil and its allies, the two republics of the Plata, the shame and disgrace of American republican institutions.

Although you may have seen the treaty of the allies in this war against Paraguay, I deem it my duty to send you a certified copy of it, that you may fully judge of its nature. Fortunately the constant efforts and efficacious measures employed by the republic of Paraguay have averted the insidious designs of the allies up to this time, and makes the probability of their success daily more and more doubtful.

When you say that the great valor and endurance shown by the Paraguay troops, and the great vigor and ability displayed by the commander-in-chief, Marshal Lopez, have not only surprised their enemies but astonished the world, you do us but strict justice, and I must thank you for the frank expression of such natural sentiments.

You are perhaps aware of the interview between the President of the republic and the commander of the allies, which took place on the 12th of September last, for the purpose of devising honorable means to prevent the further effusion of blood, put an end to the most bloody war that ever happened in South America, and secure a permanent peace between the belligerents by mutual concessions and honorable adjustments.

This highly honorable and generous proposal on the part of our President was answered, as you know, by an attack on Curupaiti by the allied forces, that received one more check in their rash attempt to conquer Paraguay.

If we take into consideration the time spent by the allies in their war against the republic, the means they have used as elements of war, the defeats they have suffered on various occasions, confined in the slender zone they hold at the junction of the Paraguay and Parana, we can well judge of their prospects of success.

Without more details, I leave the whole matter to your good judgment, but you will allow me to observe that Paraguay and the illustrious Marshal Lopez have gained fame in this giant contest alone; but with the aid of the Pacific republics, which espoused our national cause soon after the publication of the secret treaty of Buenos Ayres, on the 1st of May, 1865, contemplating the conquest of this republic and establishing principles disastrous to the other American states, Paraguay must certainly triumph in her cause.

Thanking you cordially for your good wishes for our success and your expressions of personal friendship for me, I return the same to you, and sincerely hope our friendly intercourse may long remain unchanged.

I now avail myself of the opportunity to repeat to you the assurances of my perfect esteem and consideration.

JOSÉ BERGES.

Mr. CHARLES A. WASHBURN,
U. S. Minister Resident.

Mr. Washburne to Mr. Seward.

No. 79.]

LEGATION OF THE UNITED STATES,

Asuncion, January 5, 1867.

SIR: On the following statement of facts I ask instructions:

Some five months after the war between this country and Brazil had commenced, President Lopez asked permission of the Argentine government to pass his troops over the narrow strip of Argentine territory lying between Paraguay and the southern part of Brazil. This request was refused, and war was declared against the Argentine Republic as well as against Brazil, President Lopez alleging that the former, in refusing to permit his troops to pass over Argentine country while it allowed Brazilian war vessels the free navigation of Argentine waters, had shown such favoritism as to be tantamount to hostilities. This action, however, was unknown outside of Paraguay territory. The frontiers and the river were so strictly guarded that not a whisper of what had been done had reached even so far as Corrientes, and nobody had suspected that Paraguay would provoke a war with the Argentine Republic, at least till it had disposed of Brazil.

In this state of utter ignorance of impending danger the trade between Corrientes and Buenos Ayres was carried on as usual, till one fine morning five Paraguay steamers were seen coming down the river. When opposite Corrientes they came round near the city shore as if to anchor in the current, the two Argentine steamers in the port giving the customary friendly salute of dipping their flags. But, to the consternation of all, the Paraguay vessels run right alongside the Argentines and began firing into them, at the same time that the Paraguayans jumped on board the surprised steamers and began an indiscriminate slaughter, even firing at such of the crew as jumped overboard and swam for the shore. Some 25 or 30 were killed and about 60 taken prisoners, and of course the vessels fell into their hands. The two Argentine steamers were both owned by, or at least were in the service of, the Argentine government, and had more or less armament. The smaller one, the *Gualaguay*, being under repair, her crew were all on shore; but the other, the *Veinte Cinco de Mayo*, had her crew on board and about 25 soldiers, but so little were they expecting an attack that at the time it commenced—7 o'clock a. m.—they were all below taking their morning coffee.

The captives were all brought to Paraguay, and have ever since been held as prisoners of war. Among them were three Americans, named respectively *George Watson*, *George Bowen*, and *John Moore*.

As soon as I learned on my return of their condition I requested their release of the minister for foreign relations, as in my opinion they could not justly be regarded as prisoners of war. I said that even if the taking of the *Viente Cinco de Mayo* was a legitimate and regular act of war as against the Argentine government, it did not affect the rights of the Americans who were on board of her. Neither of them were soldiers, one being the carpenter, one a seaman, and the other the cook of the vessel, and had entered into the service in perfect innocence, having no idea that they were exposing themselves to the dangers of war.

At first I was given to understand that, being Americans, they would be at once released; but as the French consul here had got into an angry controversy with the government respecting some Frenchmen who were in the same boat, I found my countrymen were not likely to get their liberty, and so when I went to see the President recently at his camp I brought the subject to his attention. He insisted they were prisoners of war, and that he had a perfect right to hold them as such, and said if I made it a question of right he should hold them as they were to the last. I then suggested that he might let me have them as servants,

thereby giving them their liberty, and at the same time saving the State the expense of their support; that the question of his right to hold them should be left in abeyance, and their character as prisoners should in no way be affected by being in my service. His object in holding them as prisoners, he said, was to have them for exchange, should an exchange of prisoners ever be made, and if I were to take them it must be with the understanding they would still be available for an exchange. I assented to that, and he said that if I would write him a personal note on the matter he would have them set at liberty. I accordingly wrote him the note, of which the enclosed, marked A, is a copy.

Now, the points on which I ask information are these:

1. Can American citizens temporarily employed on board a vessel belonging to a foreign government in time of peace be seized as prisoners of war by a nation that has given no previous hint or intimation of hostilities, and be lawfully held as prisoners?
2. If thus taken and held, has the government thus seizing them the right to compel them to labor for the State, and to flog and beat them as beasts of burden?
3. If their capture was illegal and in violation of the laws of war, are they entitled to any remuneration for the labor they have performed and the sufferings endured? If so, to what extent?

The answers to the second and third questions will necessarily depend on that given to the first; but should the capture of men thus innocent of any intended offence against Paraguay, and taken in the full belief they were serving in time of peace, be considered illegal, then I would like some instructions on the two other questions.

Very respectfully, sir, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

A.

Mr. Washburn to President Lopez.

PASO PUCU, December 26, 1866.

SIR: I am informed that two citizens of the United States, named George Wilson and George Bowlin, taken on board the Argentine steamer Veinte Cinco de Mayo, are detained as prisoners in this country. From what I learn of them I think they would be very useful to me as servants, and if your excellency will allow me to employ them as such, without reference to the question of their capture or in any way affecting their position as prisoners, it will be a great favor to me and my family, and will be in harmony with the many other acts of kindness that I have received from your excellency, and entitle you to the profound thanks of your humble and obedient servant,

CHARLES A. WASHBURN.

His Excellency Marshal LOPEZ,

President of Paraguay.

Mr. Washburn to Mr. Seward.

No. 81.]

HEADQUARTERS OF THE PARAGUAY ARMY,

Paso Pucu, Paraguay, March 11, 1867.

SIR: In my despatch of December 26th, written from this place, I took occasion to write you at some length respecting the aspect of affairs in this vicinity, and to express the hope that some means, by mediation or otherwise, might be found, by which this brave people could be spared further sacrifices. After having despatched that communication across the lines by flag of truce, I returned to Asuncion, and had hardly arrived there when I learned by telegraph

that I had left the port but a short time before an officer with a flag of truce came through from the other side, bringing me several despatches from you, and one from our minister in Buenos Ayres, General Asboth.

One of the despatches then received was the one in relation to the offer of mediation on the part of the United States to bring about a cessation of hostilities in case it might appear that such offer would be well received. In the letter from General Asboth, received at the same time with this instruction, he said he should immediately inform the Argentine government of the friendly disposition of the United States. Since then I have heard never a line nor a word from him. I made known the substance of your instructions to the minister for foreign affairs, Señor Berges, and afterwards gave him a copy, with a note expressing my readiness to render any services in my power towards the attainment of peace. I then waited some two months or more expecting to hear again from General Asboth, and of the result of the proffered mediation. But not receiving another word from him, on the 5th instant I told the minister that I should make another attempt to send through my correspondence and to receive whatever might be for me on the other side of the lines; and that to be more secure of accomplishing my object I would go through to the allies' camp. Señor Berges said he would consult the President as to what could be done, and the same day showed me a despatch from the latter saying that the re was no difficulty in the way on this side, and ordering a steamer to be placed at my disposition whenever I might choose to come down the river. On the 6th instant I received an answer in regard to the proposed mediation, a copy of which I send with this. It was accepted on the part of this government, and so I had not only to try and get through my correspondence, but to ascertain what response would come from the other side to the mediation which this government was willing to accept.

I therefore left Asunción on the 7th instant and arrived here yesterday, and having had several interviews with President Lopez, I propose to pass over to-morrow morning to the allied camp. I know not how I will be received, or whether I shall be permitted to communicate with the commander-in-chief of the allies, the Marquis de Caxias, or not. I may be able to send through my correspondence, and yet have no opportunity to write anything later from the other side. I may be refused any means of getting my correspondence from the other side. In that case, therefore, and in case that nothing additional and to the contrary goes forward with this, it may be understood that I am kept a prisoner in Paraguay by the allied forces, that I have no means of communicating with my government, and that I desire to be extricated from a situation so unpleasant and so contrary to the rights of the agents and representatives of neutral powers. I endured prevarications and indignities from the allies, besides being subjected to ruinous expenses, in their efforts to prevent me from getting here, and rather than be held a prisoner at their mercy any longer, I desired to be recalled. But if I am recalled I hope that I may have some means of leaving the country. According to present appearances it is the plan of the Brazilians to conquer Paraguay by starving out the people, as they are doing them no injury at present, except in cutting off their communication with the rest of the world. They are keeping up a furious bombardment from their fleet but absolutely without effect.

I am informed by the medical officers, who are English, and in whose statements I put entire confidence, that the average of killed and wounded is less than one per day, and that it costs the Brazilians at least 600 shot or shell, and all from cannon of large calibre, to kill or wound one Paraguayan. With the same tactics that have been pursued by the other side for the last six months, this war will last for years, and I have no wish to be shut up here to await the period of starvation. Therefore, I say, if the allies persist in denying my right of communication with my government, or of egress and ingress to the country,

I ask, without further qualification, to be recalled. And if I am not permitted to send forward anything from the other side, supplementary to this, it may be taken for granted that I am so restrained, and ask to be relieved.

CHARLES A. WASHBURN.

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

Señor Berges to Mr. Washburn.

[Translation.]

DEPARTMENT OF STATE FOR FOREIGN RELATIONS,
Asuncion, March 4, 1867.

I have to acknowledge receipt of the note of your excellency, dated 5th January last, in which you communicate to this department that you are authorized by your government to offer its good offices in such mode as may be acceptable to all the belligerents to bring to a close the war prolonged through wide space of time between the republic and the three allied powers who combat her, adding that analogous instructions had been given at the same time to the representatives of the United States at Rio Janeiro and Buenos Ayres.

Your excellency's important communication having been brought to the notice of the President of the republic, by his order I proceed to answer it.

The government of the republic has learned with satisfaction the contents of the note referred to from your excellency, and congratulates itself that the government of the American Union has recommended to your excellency the demonstration of interest and good wishes which it manifests for the happy termination of the present war, which the republic has found itself under the imperious necessity of accepting in self-defence, and of the autonomy of the other South American republics, formally threatened by the absorbent policy of the empire of Brazil.

The conviction expressed by your excellency's government that it would be most advantageous for all parties if the effusion of blood could be stopped, and measures now employed in works of destruction be converted to occupations productive of peace, is essentially in accordance with that frankly and generously manifested six months ago by his excellency Señor Mariscal, President of the republic, in his invitation made to the allied powers through the general-in-chief of their armies, his excellency Brigadier General Don Bartolome Mitre, President of the Argentine Republic, who, according to later events of warfare, must have attributed little weight to that act of much importance. The honorable terms of that invitation, as your excellency knows, are friendly and conciliatory, and although they have not produced the beneficial results which were justly to be expected, the satisfaction rests with the government of the republic of having thus set before the world, before the nation, and the very enemies who are fighting it, a high proof of its moderation and kind desires for the re-establishment of peace by putting aside even serious injuries and wrongs which have been inflicted on it. Notwithstanding the prolonged silence of the allied governments in this respect, and notwithstanding the disappointment it thus freshly receives, nor the circumstances adverse to enemies, the national government has not changed its conciliatory policy, and is disposed to enter into honorable and satisfactory arrangements for ending peacefully the questions pending between the belligerents.

In consequence I must express to you that the government of the republic accepts the good offices offered by your excellency on the part of the enlightened government of the United States in this present war.

In accepting this mediation I should make known to your excellency that my government believes it thus meets the friendly sentiments which animate that of the United States of America and its worthy representative at Asuncion, and through the generous and philanthropic sentiments which his excellency Señor Mariscal, President of the republic, has constantly evinced in the heroic struggle which he maintains against the triple alliance, your excellency is authorized to follow your instructions, whether collective or separate from your honorable colleagues the American ministers at Buenos Ayres and Rio Janeiro.

I discharge the agreeable duty of sincerely thanking you for your obliging and kindly thoughts for the brave defenders of the national cause, whose courageous resistance is almost without example, and has never been surpassed.

I avail of the occasion to offer to your excellency the assurance of my very distinguished consideration.

JOSE BERGES.

His Excellency Mr. CHARLES A. WASHBURN,
Minister Resident of the United States of America.

Mr. Washburn to Mr. Seward.

No. 82]

HEADQUARTERS ALLIED ARMY,

Tuyuti, Paraguay, March 12, 1867.

SIR: I left the camp of President Lopez about 2 o'clock yesterday, being provided with a coach to take me to his advanced post, and an adequate escort. An officer had been previously sent over to communicate with the advanced guard on this side, and brought word back that there would be no inconvenience in my passing through to this camp. We came on with the flag of truce and the American flag in advance till we met the escort sent to meet us, when the Paraguayans turned back, and I came direct to headquarters of the commander-in-chief, the Marquis de Caxias. Before starting I had prepared a letter for him, as I did not know but it might be necessary to communicate with him from his advanced guard, and besides I desired an answer from him in writing. This letter I delivered to him, explaining the circumstances. Before reading it he asked if I came on my own account, or that of President Lopez. I answered on my own, and the letter would explain all the circumstances. He then sent it to be translated, and we began conversing on the present state of affairs. He said the allies would never treat with President Lopez; would not begin to do it; would entertain nothing from him in any way except on condition of his leaving the government and the country; that the offer of mediation, by General Asboth, on the part of the United States government, had not been accepted, nor would any mediation as between them and Lopez be accepted. I soon learned that the condition of affairs on this side was very different from what it had been represented to be on the other, and to all appearances the end was near. It is true there has been scarcely any fighting for the last six months, only a useless bombardment from side to side. But this army appears to be infinitely better organized than ever before, and at least three times as numerous as the other, besides having an immense squadron. The position of the Paraguay army, it is true, is as strong as labor, with swamps and morasses, as if placed for the purpose, can make it. But the whole army is within the same intrenched camp. And they are very anxious to be attacked where they are. But General Caxias says all these intrenchments can avail them nothing if he chooses to attack far away from them, as I conclude he will do. He says that General Osorio is approaching the Parana above this place some 30 leagues, and that he will pass it at Itapua or Nicarnacion, and will then I suppose march straight for Asuncion, or to the Paraguay river below there to cut off the retreat of Lopez. In the event of such a flank movement Lopez cannot spare any price whatever to check it, and his cause will then be desperate.

One of my first inquiries of the Marquis de Caxias was for news from the United States, as I had had nothing later than October. But I learned that nothing for me had been sent here since December. The marquis told me, however, that he had received a letter from Buenos Ayres saying that General Asboth had made an effort to communicate with me, and had proposed to come up the river on a man-of-war, but that they, (the authors of the letter,) after a *confidential* understanding with Admiral Godon, had so arranged it that he was not to come, but instead of him an ensign from the squadron was to be sent. I will make no comment on these *confidential* interviews of the admiral, the object of which seems to be to defeat the diplomatic agents of his government in the performance of their duties and instructions. After having caused me a delay of nearly a year in reaching this country, and of some four or five months after getting instructions to send me forward in a vessel of war, he still remains in a position to do me great injury, and make my residence in Paraguay very unpleasant, and with a disposition to do it. I therefore ask to be recalled, and that when I am recalled some means may be furnished me to get out of the country, should the war and the blockade continue so long.

I propose to return to the Paraguay camp to-morrow, without a line or word either from the United States or Buenos Ayres. From the Buenos Ayres newspapers I have learned something of the unhappy political aspect of affairs at home, and with only this to console me I shall return to await for better news whenever it may suit the admiral's pleasure for me to receive it.

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

CHARLES A. WASHBURN.

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

Mr. Washburn to Mr. Seward.

No. 83.]

HEADQUARTERS PARAGUAY ARMY,
Paso Pucu, March 24, 1867.

SIR: Your despatch of October 23d, 1866, No. 56d, was received by me yesterday. In this despatch you inform me that the President does not clearly understand the difficulties which I have presented in regard to my reaching Paraguay, and from your subsequent remarks and instructions I infer that my previous despatches had left the impression that I had not made due diligence in getting through to this country, and had allowed myself to be detained on points of ceremony or etiquette, after all opposition to my passing through had ceased on the part of the allies. In my own vindication I am compelled again to recapitulate the facts, and show that the opposition never did cease till my arrival on the United States steamer Shamokin at the Tres Bocas, and Admiral Tamandaré came on board, when he was told by Captain Crosby he should pass the blockade unless stopped by force.

My despatches written at the time have fully recounted all the annoyances and difficulties I experienced in my five months' detention at Corrientes. How that I several times visited the camp of the commander-in-chief and offered to go through in any way that I could get through. I would go alone, leaving my family in Corrientes, crowded as it was with sick and wounded. I would go on horseback or in a small boat or in any way that I could reach my post of duty. But I was kept there without receiving a definite answer for five months, and at last when I wrote a protest to President Mitre, I received for answer that they had a perfect right to detain me, a right explicitly conceded by Admiral Godon. The same day that I received this letter from President Mitre your despatch directing me to apply to the admiral for a war vessel to take me to Asuncion if the allies should still persist in refusing me the facilities for a passage, came to hand. I immediately returned to Buenos Ayres, and on my arrival there I found that some days previously the substance of your despatch and of the orders of the Secretary of the Navy to the admiral had been published in the English newspaper there. How this information was obtained I know not. It certainly was not and could not have been from me. From there I wrote to the admiral and requested a vessel from the squadron. After a long delay I got an answer, in which, under the circumstances, he declined to order it. In the meanwhile I received a letter from General Webb telling me that the Brazilian government had agreed that no further opposition to my passage should be made. This, however, gave me no means of reaching Paraguay. Had I attempted it without waiting for the gunboat, I must have again returned to the headquarters of the allies armed with a similar letter to President Mitre as I had had before, and which he did not respect. I believed then, and believe now, that if I had started off on anything but a national war vessel I should not have got through.

Shortly after sending his letter refusing to order the gunboat, the admiral

seems to have changed his mind, for he sent the necessary orders for the Shamokin to take me up the river, and as soon as it was ready I started. But it was only when she was lying in the harbor, her coals and provisions for the trip on board, that the Argentine government informed me that I could go on a vessel of the allies. Under the circumstances I did not then think it consistent with the national dignity to accept it, and so I started off in the Shamokin on the 24th of October last.

I had been advised by General Webb that all opposition to my passage had been withdrawn by the Brazilian government, but when we arrived at the squadron, Admiral Tamandaré said that he had never heard of it. His orders were imperative to stop any and everybody, and he had received no orders from his government to make an exception in my favor. And yet, as appears in the correspondence between General Webb and Mr. do Amaral, Admiral Godon purposely deferred sending his orders for the gunboat to go up, so that instructions might be sent in advance to the officials in the river Plata. But the Brazilian admiral told us on our arrival that no instructions whatever had been received, and that the Shamokin could not pass the blockade, but offered to send me on a Brazilian steamer through to the Paraguay lines. I told him it was too late for that—that six months before I would have gladly gone in a whale-boat, but that since our government had been obliged to send a national vessel, with orders to take me to Paraguay, those orders would be obeyed unless force were employed to prevent it. After that no further objection was made, and we passed the squadron and went up under the guns of Curupaiti, where we disembarked, the torpedoes in the river rendering it unsafe to venture any higher with the vessel.

If this statement shall be found satisfactory I shall be glad to be so advised; and if not, I trust I may be informed in what particular I should have done differently. The position has been one of great difficulty, great embarrassment, and, as far as I know, without precedent. It has subjected me to very great expense, and which individually I cannot well bear. If it has been through any fault of mine, I nevertheless will quietly submit; but if it has been through the illegal and discourteous conduct of others, then I think I may justly expect that the wrong-doers and not the wrong-sufferers may be held to the responsibility.

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

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Washburn to Mr. Seward.

[Extract.]

No. 84.]

HEADQUARTERS PARAGUAY ARMY,

Paso Pucu, March 25, 1867.

SIR: At the date of my despatch of the 12th instant, No. 82, I was at the headquarters of the allied camp, whither I had gone for reasons then fully given. Having ascertained that there were no despatches nor other correspondence for me, and that the allies had refused to accept the mediation of the United States, I returned through the military lines to this place, and on the 6th started for Asuncion, which I reached on the evening of the 18th.

Three days after I received a telegram from this place saying that the United States steamer *Wasp* had arrived at Itapiru, and that her commander, Lieutenant Kirkland, had come through the lines to these headquarters, and had brought a large amount of mail matter, including several government despatches for me. These despatches he was to deliver to me in person, and wait only long enough

to receive the answers I might have to send by him. To save time I replied I would return to this place, and accordingly the next day I left Asuncion, and reached here on the morning of the 23d. From Lieutenant Kirkland I received your despatches Nos. 55, 56, 57, 58, 59, and 60.

At the time of my visit to the headquarters of the Marquis de Caxias, the commander-in-chief of the allies, I was not able to send you copies of my note to him or of his answer to me. I therefore now send copies of both. You will observe that the marquis refuses even to consider anything like mediation that is not preceded by the resignation of President Lopez and his departure from the country, and will not entertain any proposition that recognizes him as competent to treat with the allies in any particular. This reply from the chief of the army seemed to me to require a reply from me, and I accordingly addressed him a note in which I have stated that it never could have been supposed by my government, when it made its offer of mediation, that it would be met with the reply by one of the parties in the contest that the other must first submit to self-immolation before it would ever entertain any proposition looking towards peace. I have also expressed my dissent from the position taken by the allies, that they had any right to impose a government or head of a government on Paraguay, other than what its people had chosen. I send herewith a copy of this letter. The views therein expressed I believe are in accordance with those of the government and people of the United States.

Besides your despatches, Lieutenant Kirkland brought me others from our minister in Buenos Ayres, General Asboth, in which he informed me of the reception the offer of mediation by the United States had met with. But it appears from his letter to me that he believes the Argentine government will yet be glad to accept it, as the people of that country are utterly weary and sick of the war. He believes that the Argentine people will not much longer consent to see themselves sacrificed for the aggrandizement of the Brazilian empire, and that the triple alliance must be soon broken. Of the ambitious projects of Brazil, and its evident intention to be in a situation to dominate the whole of South America east of the Andes, I have written you fully in previous despatches. Its fleet is already enormous, and Paraguay once conquered, every city, town, and village of any importance in the Argentine and Uruguay republics would be helplessly at the mercy of his Imperial Majesty Pedro II. This the Argentine people now realize, and, so far as I can judge, eagerly welcomed the offer of mediation. But the government seems to be entirely under the control of the Brazilians, and does nothing to avert the impending danger.

Had General Asboth come up on the Wasp, and been allowed to confer with the Marquis de Caxias, President Lopez, and myself, I am clearly of the opinion he could have been of good service to both of the belligerent parties. With his great military knowledge, he could, from a survey of the field, have judged pretty well of the final result, and his advice to the weaker party would doubtless have had great weight in inducing it to offer terms of pacification. Besides, his coming would have caused the impression that he was on a peace mission, and that peace was near; and when people are led to believe and strongly hope for peace, they are likely to demand it soon.

For these reasons I regret that General Asboth did not come up here, as it was his purpose and wish to do. But Admiral Godon, with his characteristic courtesy and his characteristic way of aiding the ministers of his government in carrying out their instructions, refused to allow him a passage in the steamer. Of this action of the admiral I was informed when in the camp of the allies, as I mentioned in my despatch No. 82. The Marquis de Caxias then read me an extract from what appeared to be an official letter, the purport of which was, that General Asboth had intended to come up to Paraguay, but that in a confidential interview with Admiral Godon they had arranged it so that he could not or would not come.

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There has been no change in the aspect of the war since the date of my previous despatches. President Lopez is confident he can hold his enemies in check for months or years in his present intrenchments, and he certainly can do it unless they show more activity than they have done during the last six months, and if they have not some plan by which they can flank him and cut off his connection with the capital he will surely win at last. The prospect, therefore, for the future is dismal and dreary. I see no light in any direction except after many months more of weary war.

There is one other point to which I would call your attention. The Marquis de Caxias told me that the war expenses of Brazil at the present time were \$1,000,000 per day. It occurs to me that Brazil could not carry on a war at such a cost for so long a time, were not the aristocratic, monarchical, anti-republican influences in Europe enlisted in behalf of the empire. If such be the case, then it must be with the intention of destroying all vestiges of republican government in the eastern part of South America.

Very respectfully, your obedient servant,

CHARLES A. WASHBURN.

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

Mr. Washburn to President Lopez.

PASO PUCU, March 11, 1867.

SIR: I find myself in the necessity of communicating with my government, and I also find it is of the first importance to obtain such despatches as it may have sent to me, but which as yet have not been transmitted across the military lines. I am, therefore, very desirous to pass to the camp of the allied forces, that from there I may send forward to the United States minister at Buenos Ayres my accumulated correspondence, and try to obtain whatever I may find for me on the other side. To do this I must depend on your excellency to furnish me with a flag of truce and escort to pass to the advanced posts of the opposite forces. I shall, therefore, take it as a great favor, and in accordance with many others received at the hands of your excellency, if such flag of truce and escort shall be furnished me to-morrow morning.

I have the honor to renew my assurances of my most distinguished consideration.

CHARLES A. WASHBURN.

His Excellency Marshal LOPEZ,
President of Paraguay.

Mr. Washburn to the Marquis de Caxias.

IN FRONT OF PARAGUAY ARMY, March 11, 1867.

SIR: The undersigned, minister of the United States resident in Paraguay, has the honor to inform your excellency that on the 28th of December last he received several despatches from his government, which were transmitted to him under a flag of truce by his excellency General Mitre, President of the Argentine Republic, and at that time commander-in-chief of the allied army.

In one of these despatches the undersigned was instructed by the Hon. William H. Seward, Secretary of State, and by direction of the President of the United States, that, in view of the war, already long protracted, between the republic of Paraguay on the one hand and the empire of Brazil, the Argentine Republic, and the Oriental Republic of Uruguay on the other, to offer his services in the way of mediation whenever, in his opinion, such services might be acceptable to the belligerent parties or they might be made available in an arrangement of the existing hostilities.

At the same time the undersigned was advised by his government that a similar instruction had been sent to his colleagues, the United States ministers at Rio de Janeiro and Buenos Ayres, respectively; and each one of the three, including the undersigned, was directed to manifest the interest which the government and people of the United States felt in the re-establishment of peace between the now hostile powers, by offering such friendly mediation as might be conducive to that result. The undersigned was also instructed that he would offer his services either alone or conjointly with his colleagues at Rio de Janeiro and Buenos Ayres, as circumstances might require.

From one of these colleagues, Mr. Asboth, minister resident for the United States in Buenos Ayres, the undersigned has received a despatch bearing date December 18, 1866, advising him that his services would be promptly offered to the government at Buenos Ayres, as directed by the President of the United States. The undersigned, accordingly, has been waiting for further information from his colleague in Buenos Ayres as to the manner in which this offer was received by the allied authorities. He therefore forbore taking any action in the matter till it seemed to him imperative that he should communicate with his government. Having been unable to receive or transmit anything through the military lines of the opposing armies, he is necessarily ignorant of what has been done by his colleagues, and his position is such that it is his imperative duty to make every effort to send his correspondence through the lines and receive whatever may have accumulated for him on the other side.

These circumstances having been made known to his Excellency Marshal Lopez, President of Paraguay, the undersigned has been offered every facility by him for the accomplishment of his object, and he therefore addresses this note to your excellency the Marquis de Caxias, in full confidence that similar facilities will be afforded him on the part of the allies as of Paraguay.

The undersigned, from the isolated position which he has been in since the receipt of his last despatches, necessarily cannot know where the correspondence for him between Washington and Paraguay may now be, or how long a time would be required for him to receive it, were he to pass through the lines to the camp of your excellency. Were it in his hands he does not know how far more recent instructions might modify previous ones, or what his duties might then be. He therefore trusts that your excellency will grant him such facilities as may be necessary to obtain it, and that if anything may have been forwarded to the care of your excellency by the United States minister in Buenos Ayres or other agent of the United States government, as was previously forwarded to President Mitre, it may be passed to him; and that if no such correspondence may have been received he may be enabled to go or send for it. The undersigned would also be pleased to have an interview with your excellency, as he has reason to believe that the mediation of the United States would not be refused by Paraguay; and he indulges the hope that such interview would facilitate rather than hinder such an arrangement of the pending strife as would be advantageous, not only to the nations engaged in it, but to all others whose commercial interests are necessarily so affected by the war as to render them desirous to see peace restored. Under these circumstances he has come down from the capital of Paraguay to the front, both to send forward and obtain his correspondence, and, at the same time, to carry out the instructions of his government in regard to its friendly mediation; and now, awaiting the reply of your excellency, he takes this occasion to offer the assurance of his most distinguished consideration.

CHARLES A. WASHBURN.

His Excellency the Marquis DE CAXIAS,
General and Commander-in-chief of the Allied Armies.

The Marquis de Caxias to Mr. Washburn.

[Translation.]

ENCAMPMENT OF THE ALLIED FORCES AT TUYUTY, *March 12, 1867.*

MOST ILLUSTRIOUS AND EXCELLENT SIR: Before answering your note of the 11th instant, which was handed to me by yourself, I deem it my duty to state how you came to this encampment, and what occurred at our interview.

Observing a parley signal within the enemy's lines, I gave orders for inquiries about it, and learned it was sent by the minister of the United States of America near the republic of Paraguay, to ask an interview with me, without any authority from the government to which he was accredited. In such a case I could not refuse to receive you, accompanied by my chief of staff, at my headquarters.

Your excellency must know that the empire of Brazil has loyal and faithful allies in the Argentine Republic and the Oriental Republic of Uruguay in this war, which was brought on by the unjust conduct of the government of Paraguay. This alliance was formed by a solemn treaty between the three powers. Your excellency is doubtless acquainted with its terms.

I assure you the empire of Brazil and her allies will adhere to their firm resolve not to admit any negotiations tending to the conclusion of the war that do not exact the resignation of President Lopez and his departure from Paraguay.

Grateful as the empire of Brazil and its allies may be to the republic of the United States for their wishes and efforts to end the war, they insist upon the execution of the above-mentioned clause, to which the pride of the respective nations is bound, because it has been so grossly insulted by the Paraguay government.

In thus answering your note, I leave it to your enlightened understanding to judge how improper it would be to allow your excellency to visit my quarters whenever you pleased, to get information for your government.

I embrace this occasion to assure you of my very distinguished consideration.

MARQUIS DE CAXIAS.

Mr. Washburn to the Marquis de Caxias.

LEGATION OF THE UNITED STATES,
Asuncion, March 19, 1867.

SIR: The note of your excellency, bearing date the 12th instant, in answer to that of the undersigned of the 11th, in which, for reasons therein given, your excellency says that the allied powers will not even take into consideration a question to which the undersigned had the honor to call your attention, seems, owing to the circumstances in which he is placed, being so situated that he can communicate with his government only at distant and uncertain periods, and at great inconvenience, to require a reply from him in behalf of the United States.

Your excellency must be fully aware of the fact that the United States, in offering their mediation to bring about a cessation of hostilities between the allied powers and Paraguay, were actuated only by the most laudable desire to be of service to all parties engaged in the war, as well as to conserve the general interests of peace in which all the world is concerned. But your excellency meets the offer by stipulating a condition precedent to even considering the question of mediation. This condition is that the President of Paraguay now in authority shall first abdicate his office and leave the country. It certainly could never have been the intention of the government of the United States to offer its mediation on any such pre-supposed basis. The fundamental principle of that government is that the people of every nation have a clear and unquestionable right to that form of government which they shall select, and that all just powers emanate from the consent of the governed; that no foreign power has a right to impose on a neighboring and independent country a government not selected by its people, and as the people of Paraguay have never evinced a desire to change their form of government, or to place at the head of it any other than the present chief magistrate, the government of the United States cannot, consistently with its traditional policy, regard with favor the treaty of alliance by which the three powers bound themselves to impose other authority than the present on the people of Paraguay.

But the allied powers, as appears by the note of your excellency, are resolved to prosecute the war until the present duly elected President of the republic, Francisco Solano Lopez, may be deposed and driven from the country.

This condition precedent to mediation is certainly so antagonistic to all ideas of national self-government, that the undersigned believes it to be his duty to his government, that never could have contemplated such a reply to its offer of mediation, to protest against it; and the undersigned is of the opinion that your excellency would regard it as extraordinary were the circumstances reversed, and a similar demand on the part of President Lopez made a condition precedent to mediation, and he should require as a preliminary condition that the Emperor of Brazil should abdicate his throne, and President Mitre his presidential chair. How such a reply to the offer of a neutral and friendly power would be justly regarded by the government of the United States, or by that of his imperial Majesty the Emperor of Brazil, the undersigned leaves for the consideration of your excellency.

The position thus taken by the allies that no mediation can be entertained until one of the parties concerned no longer has a political existence, appears to render impossible anything like a peaceful solution of the impending strife, and the war must accordingly go on till one of them from its chief to its last squad of soldiers is destroyed, or the other becomes worn out and exhausted. Either of these results the government of the United States would deeply deplore, and in offering its mediation its object was to avert such a catastrophe. But its good offices being refused, and even denied a hearing, it can only wait with deep interest the impending issue.

The undersigned avails himself of the present occasion to tender to your excellency the assurances of his distinguished consideration.

CHARLES A. WASHBURN.

His Excellency the Marquis DE CAXIAS,
General and Commander-in-chief of the Allied Army.

Mr. Washburn to Señor Berges.

LEGATION OF THE UNITED STATES,
Asuncion, March 20, 1867.

SIR: I have the honor to acknowledge the receipt of your note of the 4th instant, in answer to mine of the 5th of January last, in which I had the honor to inform your excellency of the interest taken by my government in the welfare of Paraguay, and its desire that its ministers accredited to it and the countries allied against it should exert their good offices in the way of mediation, if it should appear that such mediation might be accepted.

Your excellency remarks that his Excellency President Lopez is, and has always been, disposed to treat with the allied powers on such terms as would be consistent with the rights

and dignity of Paraguay, as was manifested by him in the interview which he had with the commander-in-chief of the allied armies, General Bartolome Mitre, President of the Argentine Republic; and that any mediation of a friendly power like that of the United States, which should secure an honorable and satisfactory arrangement of the pending hostilities, would not be refused by the government of Paraguay. This frank and conciliatory answer rendered it necessary for me to proceed to the encampment of the allies to ascertain if the same offer which I was aware had been made to them had been accepted or rejected. I should, however, have waited for information on that point to come from the other side, but for the fact that I had not received my correspondence for several months from the other side, and I had several despatches for my government, and private letters of much importance to myself, that I desired to send forward to their destination.

With these motives I requested of his Excellency Marshal Lopez that he would furnish me a flag of truce and adequate escort to conduct me through the military lines to the allied camp. With that characteristic courtesy that I have always received at his hands he promptly acceded to my request, and gave the necessary orders that I might pass with convenience and security. Accordingly I passed over to the other camp, and having had an interview with the commander-in-chief, the Marquis de Caxias, I communicated to him, in a formal official note, my object in thus coming into his camp. Before reading my note he requested to know if I had come on business of myself or my government, or at the instance of Marshal Lopez.

I replied I had come at my own desire, and in no respect at the instance or request of his Excellency the President of Paraguay.

He then had the letter translated, and on the following day returned an answer, a copy of which I have the honor to enclose herewith. Having attended to the matter of my correspondence I returned to the headquarters of the Paraguayan army, where I arrived on the morning of the 14th instant. Since my return I have addressed a second note to the Marquis de Caxias, in which I state my objections to the position assumed by the allies in making as a condition precedent to the acceptance of mediation the abdication of authority by the present chief magistrate of Paraguay. Though contrary to the rules and customs of my government to furnish copies of correspondence till authorized to do so, I notwithstanding send to your excellency copies of these notes to the Marquis de Caxias, as well as of his note to me, as it is but right that your government should be fully informed of the way the offer of mediation on the part of the United States had been received by the allies.

I take this occasion to offer to your excellency the assurances of my distinguished consideration.

CHARLES A. WASHBURN.

His Excellency JOSÉ BERGES,
Minister for Foreign Affairs.

Mr. Washburn to Mr. Seward.

No. 85.]

HEADQUARTERS OF THE PARAGUAYAN ARMY,
Paso Pucu, March 26, 1867.

SIR: I have this moment received from Señor Berges, the minister for foreign relations, a long note, in which he reviews the circumstances that led to the war, and endeavors to show that from the first Paraguay has had justice and right on her side. A copy is enclosed herewith.

The President has requested me to say that if this note could be translated and published in the American newspapers it would be a great satisfaction to him, as he believes that if the American people could but know the merits of the case he would be justified in their eyes, and that Paraguay would have their full sympathy in this unhappy war.

The President also informs me that he will immediately send credentials to his minister or chargé d'affaires in Paris, Señor Candido Bareiro, with instructions to proceed at once to the United States and present himself in the same character to our government. Very probably he will reach Washington soon after you receive this despatch.

Señor Bareiro is a native of Paraguay, and a gentleman of education and talents. He will be able to inform you fully of the origin of the war, and on any other points relating to this country.

I am, most respectfully, your obedient servant,

CHARLES A. WASHBURN.

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

Señor Berges to Mr. Washburn.

[Translation.]

ASUNCION, March 24, 1867.

Mr. MINISTER: The undersigned minister, secretary of state in the department of foreign relations, has had the honor to receive and communicate to his excellency the marshal President of the republic, the note which you addressed to me on the 20th instant, informing me that the government of Brazil and its allies, the Argentine Republic and the Oriental State, reject the mediation you offered in the name of the government of the United States, for the laudable purpose of effecting a treaty of peace consistent with the honor and right of the belligerents engaged in the present struggle. His excellency the marshal President of the republic has ordered me to repeat my thanks to the illustrious cabinet at Washington, by your mediation, for the interest manifested in contributing to arrest the sad effects, on this continent, of the bloody war sustained by the republic, the continuation of which will affect not only large interests of neutrals, but is in violation of the principles that constitute the existence of these nationalities which rest on respect of international law now suppressed by the cabinet of San Cristoval, on the Rio de la Plata. He also thanks you for the strong argument with which you repelled the preliminary condition that the marshal President of the republic should abdicate his post and leave the country to consider the question of mediation.

The preservation of those principles acknowledged as indispensable to the unity and progress of the people on the Rio de la Plata has attracted the beneficent influence of the cabinets of London and Paris to declare the independence of the Oriental State of Uruguay, by solemn treaties, when it was in danger from Brazil and threatened by the Argentine government. One would think that after the armed aggression of Brazil and the Argentine Republic which caused England and France to force them to respect the independence of the Oriental Republic in solemn treaties, the ancient pretensions of these neighbors against the sovereignty of Uruguay would disappear forever.

Yet it is painful to confess that, in spite of the guarantee of great powers, the Brazilian government has not refrained from its former attempts to re-annex the Cisplatine province which was made free by force, and erected into a sovereign State, from the urgent necessity there was of establishing a solid guarantee of peace and progress for that State and its neighbors, thus frustrating the constant aims of Brazil to annex it as a province, and the unreasonable attempt of the Argentine government to make it a vice-royalty of Buenos Ayres. As long as the principles of independence in the States of the Plata were respected, peace was never seriously disturbed, although the brands of civil war were constantly lighted between the political parties that have always existed, and the republic of Paraguay has always been free from that trouble ever since its independence.

Years passed and it was reasonable to think that oriental independence would no longer be a cause of international wars, to disturb the nations of the Plata. But that flattering hope was vain. When least expected, the Brazilian government, relying upon its strength, and without pretext, pounced upon a country lacerated by civil war, its resources exhausted by internal struggles, to bring about an international struggle, as unjustifiable as it was unprovoked.

The Brazilian plenipotentiary made very unreasonable demands of the oriental government, and supported them by a squadron in the river and an army on the frontier, ready to spring upon an unfortunate country, already ruined by civil war, which was most likely instigated by Brazilian policy.

It was at this painful crisis that my government deemed it an imperative duty to offer to the cabinet of San Cristoval to act as mediator between the two countries, and to show in a friendly manner the sad effects of that menacing policy, if persisted in, and if war was declared against the already exhausted oriental government. It went further: it declared that if the imperial government continued to occupy the Oriental State by land forces, it would be considered a *casus belli*, and it would be obliged to consider hostilities as already commenced.

The imperial government paid no attention to these friendly offers, submitted by my government to its due consideration, and scorning our courteous intercession, threw a whole army division upon the territory of a country whose independence it had solemnly recognized by treaty with the Argentine Republic, thus encouraging its rebels against the legal government, while a squadron deliberately bombarded defenceless towns, tinging the waters of the mighty rivers with innocent oriental blood, ensanguining the fertile fields and reducing flourishing cities to utter ruin. Justice, humanity, and international law, the only shield of a weak people against the tyranny and violence of the strong, were grossly violated by the cabinet of San Cristoval, to the disregard of established uses observed by all civilized nations.

The government of Paraguay did not deny Brazil's right of reclamation upon the oriental government, and if its acts had kept within the limits of the law of nations, Paraguay would certainly not have spoken so boldly in favor of an honorable settlement; but the question was put out of the reach of diplomacy, and facts demonstrated an imminent danger.

I regret to be compelled to say that in the fettered and oppressed condition of the Oriental Republic the acts of the Brazilian government were neither generous nor noble.

With this explanation of the circumstances, the duty of my government was plain; its mediation rejected, its advice disdained, its last and only resort was to arms, and it appealed to arms as the only way to defend its honor, revindicate its rights trampled upon by a government that scorned to resort to honest means to execute its menacing policy.

There could be no doubt about the success of Brazilian arms, assisted by the rebellion that wanted, like Brazil, to destroy the legal government and create one that would be more docile and subservient to Brazil. By Brazilian aid the rebels triumphed. General Flores, of the Colorado party, was put in power, and Brazil put off its claims till his agent that was forced upon the people could excite a war against Paraguay. The rebellion had certainly demoralized the country, but Brazil wanted more. The liberal democratic institutions of the Oriental Republic did not suit Brazil and they were destroyed. This occurred more than two years ago, and a dictatorship, wanting in every democratic principle, has since prevailed, and it is kept in power by Brazil and the Colorado party.

The Paraguayan government had the power to counteract the Brazilian aid by making use of the Blanco party, then in power; but its political principles, its loyalty and morality, could not allow it. It treated the oriental government as it would treat any lawful nation, but it could not pretend to be an ally and enter into secret enacting treaties; such subterfuge and prevarication my government considers as inconsistent with its principles and its policy, and therefore it did not resort to those means. The government of Paraguay did not consult its interest in the oriental question, nor did it take part in it to get advantages or ask concessions; neither did it pretend to sustain a political party, so as to exact from it present or future advantages, as the imperial government has done.

Paraguay protested against the conduct of Brazil, and defended the legitimate rights of a free people by force of arms, endeavoring to inculcate respect to the institutions and independence of the country constantly liable to revolutions from the unjust protection of neighboring governments, as Brazil and the Argentine Confederation making use of parties beaten in elections, and malcontents who had emigrated for the express purpose of making war on the home government. Such things never happened in Paraguay.

General Flores, aided by Brazil, being successful in his revolution, declared himself dictator of the distracted country, and in obedience to the commands of his master carried war into Paraguay, the only disinterested defender of the true interests of a nation now about to be blotted out from the list of free countries. What excuses can the oriental government offer to the world for rising in arms against the government of Paraguay? Such are the causes of the present war now waged against the government of Brazil and its ally, the Oriental Republic.

The causes of the war with the Argentine Republic, though similar, are stronger than those I have given.

My communication would be too long if I pretended to mention all the insults offered by the Argentine government to this republic since its emancipation, by every means in its power, regardless of civilized usages.

It cost the Paraguayan government immense sacrifices to force the Argentine Republic to acknowledge it as an independent nation, and the struggle lasted many years. That grand effect was obtained by the firmness and patriotism of a people who overthrew a tyranny that they might have institutions of their own in harmony with the emergencies of their new political existence.

I am pleased to recall in this note the fact that your great republic was one of the first nations to recognize the independence of Paraguay, and even Brazil hastened not only to acknowledge it, but to confirm it by acts which are now disavowed, namely, a balance of power in the adjoining States to preserve peace on this continent and cause civilization and progress to flourish in its shade.

Paraguay was thankful to Brazil for that good office, and, desirous of strengthening friendly relations, accepted a boundary treaty infringing upon its rights, as it sacrificed an important portion of territory only to preserve a good understanding between the two countries. But when the imperial cabinet came to consider the stipulations of that treaty proposed by itself, and accepted with unselfishness by my government, its pretention to territorial aggrandizement suddenly increased when we thought them fully satisfied. So the treaty was rejected, a treaty in which Paraguay had made immense concessions; and, convinced that Brazil would not be content unless she had more land, the decision of limits was indefinitely postponed. Since then the justice of the cabinet of San Cristoval has been doubted by my government. The friendly relations, however, continued to exist between the two nations, and no disturbance was apprehended. The necessity of a union to break up General Rosa's dictatorship, which was an obstacle to the progress and stability of the South American States, prompted the Brazilian cabinet to propose a treaty of alliance with Paraguay in 1850, declaring it the only way to preserve peace and quiet in that part of South America, and to preserve the integrity of the States without violation of the law of nations.

That treaty was accepted and signed by my government, but particular circumstances prevented its ratification. Brazil insisted upon a balance of power in the States of the Plata, and demonstrated that the increase of power in the Argentine Republic would become dangerous if not arrested. That was true, for the aim of the Argentine dictator was to destroy the equilibrium that was just established. The republic was certainly disposed to

contend for these principles as the only surety of independence, and for that purpose established land and sea forces upon the frontier to awe the dictator of Buenos Ayres into respect, who, fretting because he could not gain his ends by force of arms, changed his policy and made war on commerce by prohibiting the navigation of the Parana and Uruguay to all foreign flags, thus injuring Brazil in its trade to the province of Matto Grosso through the Paraguay. The fall of the governor of Buenos Ayres produced a favorable change in the Argentine and Brazilian policy. The former acknowledged the independence of Paraguay and opened the rivers to foreign commerce; the countries flourished, and political disputes were forgotten for a time.

In the mean time Paraguay was busy improving its condition, repairing the damages caused by so many years of impeded navigation, cultivating friendly relations with surrounding nations, granting commercial franchises and guarantees, protecting trade and manufactures, till the country began to improve so rapidly it caused the ancient enmity and envy of its neighbors.

The Argentine Republic then began to dispute boundaries, to annoy us unbecomingly in its public papers, and to obstruct commerce by exorbitant tariffs. It sheltered a club of traitors in its capital, protected them and encouraged them in their infamous attempt to cause anarchy in this country.

Counterfeit notes on the public credit were brought from Buenos Ayres into Paraguay, and though this manner of injuring a neighbor was mean, it was protected and used by the Argentine government, and the friendly reclamations made by my government on that account, so far from receiving a satisfactory explanation, were ignominiously evaded with many specious reasons. The Argentine government constantly courted all disputes that might bring on a war with Paraguay, armies invading the republic were supplied at its ports, and the government would not deign to offer satisfactory explanations for the unnatural conduct they were guilty of, in the questions of dispute between Paraguay and other nations. The tolerant policy of Paraguay was to continue in relations of peace and friendship with that troublesome neighbor.

The government of Paraguay could now no longer endure without disgrace the direct attacks of the Argentine Republic, on account of the threatening war with Brazil about the oriental question, for the rebellion had got beyond its limits, and the revolutionists were receiving supplies in the ports of a neutral power, in direct contravention to the law of nations. And yet the Argentine Republic has acknowledged the independence of the Oriental State by solemn treaty. How can such acts be explained?

And Paraguay, while endeavoring to maintain peace on the river for its own good and that of its neighbors, without violation of any law, was attacked by the Argentine press, while its government was looking on the many ills that were overwhelming the Oriental State, which was soon to be troubled by a foreign invasion. If these assertions were not supported by recent public events, the undersigned would not hesitate to prove them by public documents.

My department was ordered by the President of the republic to ask the Argentine cabinet for information in regard to affairs in the Oriental State, and to inquire what position it intended to take in case the empire of Brazil made war upon it. The answer was not satisfactory, but it was intimated that it would remain a silent spectator of the sanguinary drama that was about to take place.

When Paraguay opened hostilities against Brazil, it continued to act with the greatest courtesy towards the Argentine government, that claimed the Paraguayan territory of the Missions, which it held in possession, and over which it exercised a sovereignty, and desiring to remove all causes of misunderstanding, made known its determination to pass its troops across that part of the territory to attack the Brazilian province of Rio Grande, and asked permission for the right of unmolested transit, in case it were necessary to cross the Argentine province of Corrientes, promising to respect the authorities, and not to injure the inhabitants; but the Argentine government not only refused the request, but asked why armed forces were sent into the territory, and revived the old question about boundaries.

After being informed why troops were sent into that region, the Argentine government continued to refuse a peaceful transit, because it feared war might take place there, while at the same time it allowed the imperial squadron to frequent all the ports, purchase provisions and munitions of war, in direct contravention to the duties of neutrality, without apprehension of war in those localities.

My government received that note in its usual moderation, and thinking it insulting to the honor of the nation, and derogatory to its rights, it was submitted to the consideration of the national legislature for the decision of so important a question. Upon a due consideration of it, war was declared against the Argentine government, and this department was ordered to proclaim it, which was done in my note of the 29th March, 1865.

The governments that signed the treaty of alliance on the 1st of May, 1865, relied upon the false assertion that the government of the republic invaded the Brazilian province of Matto Grosso before a previous declaration of war, and forcibly seized the two Argentine war steamers, The 25th May and Gualeguay, then anchored in the road of Corrientes.

To make the truth more evident, I think it well to give the date of events as they occurred. A notice of the protest of my government, made on the 30th of August, 1864, was served on

the Brazilian minister in Asuncion, and answered by this ministry on the 2d of September, declaring that no consideration would cause us to alter our determination. The government of the republic declared, however, that it would wait for hostile acts before enforcing the declaration. The town of Melo was occupied by Brazilian forces on the 16th of October, (it is in the oriental territory,) and in consequence of that act the first Paraguayan expedition started from Asuncion on the 14th of December of the same year to occupy the Brazilian province of Matto Grosso. The declaration of war against the Argentine government by the national congress was made on the 18th of March, and the official notification was served on the 29th of the same month, and the capture of the two Argentine war steamers mentioned, and the occupation of the province of Corrientes began on the 13th of April following.

My government does not yet know what motives induced the dictator of the Oriental State to make war on Paraguay.

This is a brief statement of the powerful motives that impelled the republic of Paraguay to declare war against the empire of Brazil and the Argentine Republic. The marshal President, thinking enough blood has been shed, desires to put an end to the strife, and civilization and humanity induced him to propose to the allied governments at the interview he had with General Mitre, in Yataticora, to try and put an end to the sanguinary contest, and desist from the impotent conflict in which honor and principles are involved. If they think we are exhausted, or that cowardice prompts us to this move, they are greatly mistaken.

The secret treaty, which was published surreptitiously, is the agreement the allies adduce as an insuperable obstacle to the settlement of this question of arms by diplomacy.

The Pacific republics became alarmed when they heard of that monstrous treaty, and in a protest against it the cabinet of Lima used these memorable words, which I reproduce with satisfaction:

"Nothing is more just and rational than to form an offensive and defensive alliance to war for the reparation of injuries and insults; but when the allies continue it for the sole purpose of destroying one form of government, to be substituted by another, with an entire change of institutions, is to give a different character to war. In that case it is no longer a war for the reparation of denied rights and open insults; it is simply a war of intervention, in which other nations cannot remain mere spectators, particularly when those nations are interested, not only in the preservation of the principles of law common to all of them, but in the balance of power on the continent, and even in their own security."

And that treaty ironically proclaims the sovereignty and independence of the republic of Paraguay, while it requires its submission to the allies, abolishes its legal government, disarms the inhabitants, divides out the lands, establishes a protectorate, and burdens the country with debt. Not yet satisfied, it goes further, and creates a government bound to obey the commands of the allies and assassinate the republic. And they offer this contemptible fact to the government of the republic, when it has resources more than sufficient to defend its rights and privileges as a free and independent nation. And the stipulations of that treaty, which must take place in the improbable case of a complete triumph—that is, after the conquest of the republic by force of arms—contain the terms offered as preliminaries to a treaty of peace.

It would be an insult to your intelligence, Mr. Minister, were I to dwell upon the stipulations of that outrageous and contemptible document, the only one of its kind in the annals of history.

I must now declare to you in the most solemn manner that my government will never accept a single one of the articles of the treaty of alliance as the basis for the discussion of a treaty of peace. Shall the immense sacrifices, the glories that the nation has conquered with the generous blood of its children, the abnegation and destiny of an entire people that defend their rights, and prove their love of liberty, their attachment to their institutions and government, bow down their laureled brow to those who cannot conquer them by force? No, sir!

The republic is determined to save itself, with its institutions, its government, and its mode of being, or to perish gloriously at the foot of the flag that has loudly proclaimed the liberty of its people, and sustained with ardent enthusiasm its motto of *peace and justice*. In thus obeying the order of the President of the republic, that you, as an impartial witness in this war, will report to your government the situation of the belligerents, and the firm determination of my government and the people of Paraguay to save themselves by triumph, since the enemy persists in its inhuman effort to prosecute the war with the malignity of demons.

On concluding the present communication, I have the honor to repeat to you, Mr. Minister of the United States, the assurances of my distinguished consideration and esteem.

JOSÉ BERGES.

Mr. CHARES A. WASHBURN,

United States Minister Resident in Asuncion.

Mr. Seward to Mr. Washburn.

No. 65.]

DEPARTMENT OF STATE,

Washington, May 20, 1867.

SIR: Your despatch of January 27, last, No. 79, has been received and its contents carefully considered.

The subject which you have treated therein and on which you ask to be instructed, growing out of the imprisonment of George Watson, George Bowen, and John Moore, prisoners in Paraguay, is important; but it seems neither necessary nor convenient in the present attitude of affairs to raise the question mentioned.

It is proper, however, for you to protest against the detention of those citizens as prisoners of war and against their being exchanged.

Your letter to Marshal Lopez of December 26th accompanies your despatch, and meets the approval of this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

Mr. Seward to Mr. Washburn.

No. 66.]

DEPARTMENT OF STATE,

Washington, May 20, 1867.

SIR: I have to acknowledge the receipt of your despatches of March 11th, and March 12th, Nos. 81 and 82, which are accompanied by a copy of a letter which the minister for foreign affairs addressed to you on the 4th of March, in reply to the tender you had before made of the good offices of the United States to the belligerents for the adjustment of the issues involved in the Paraguayan war. The reply of the minister for foreign affairs is in a kind and becoming spirit, which is highly appreciated by the President. We are as yet without any answer to the same proposals from the allies.

The President's attention has been called to the complaints made by you against Admiral Godon, and to your repeated conditional requests to be relieved from the mission in Paraguay, and to be provided with facilities for leaving that country. Substantially the same complaints against Admiral Godon which you present in these despatches were recently brought to the President's attention by Mr. Asboth. I give you for your information a copy of a despatch* to him, No. 34, of 18th May, in which I have treated of the differences between yourself and Mr. Asboth and the admiral.

In regard to the conditional tender of your resignation, it will appear clear to you upon reflection that this department cannot undertake to ascertain and conclusively fix the conditions upon which your resignation should be accepted. Public trusts, whether at home or abroad, are frequently attended with inconveniences, disappointments, and disgusts. The incumbent has at all times a right to determine whether they are sufficient to outweigh his hopes of being useful to the government in the station to which he is assigned. He can barely expect the executive government here to divide with him the responsibility of deciding that question when it depends upon incidents very imperfectly understood. The President would be pleased with you remaining at your post, while he has no sufficient reason for insisting upon it. If, upon a review of the subject, you shall render your resignation absolute, it will be accepted, but not otherwise.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

* For enclosure see correspondence with United States minister to the Argentine Republic.

Mr. Seward to Mr. Washburn.

No. 68.]

DEPARTMENT OF STATE,
Washington, May 27, 1867.

SIR: I have to acknowledge the receipt of your despatch of the 24th of March, No. 83. That paper contains your reply to a communication that was transmitted to you from this department on the 23d of October last. The subject discussed in your despatch is the energy and discretion with which you executed the instructions of this department in returning to the seat of your mission in Paraguay; and, incidentally, whether Admiral Godon and the allied enemies of Paraguay ought not to be held responsible for a delay which was uncomfortable and injurious to yourself, as well as singularly embarrassing to this government. I have, with pleasure, placed the explanation upon record. You are, by this time, fully aware that not only the correspondence between this department and yourself, but also the correspondence between this department and its legations at Rio and Buenos Ayres, as well as the communication between the Navy Department and Admiral Godon, was dislocated and rendered practically inefficient and unavailing during the whole of the year past by accidents equally unforeseen and uncontrollable here. Under these circumstances the department pursued the important objects which it had exclusively in view—which were, first, to secure your safe and early return to your residence in Paraguay; and, second, while treating the allied enemies of Paraguay with becoming moderation, the maintenance of the honor and dignity of the United States, which were threatened to be compromised by the opposition you encountered from those belligerents. In the midst of so many accidents, difficulties, and obstructions, it was not thought wise by this department to digress into a controversy, on your behalf, with Admiral Godon, or with any other person, upon matters merely incidental, and, in a considerable degree, personal. Admiral Godon could not rightly have been censured by the President, without being first heard in defence against your representations tending to cast responsibility upon him. Neither the time nor circumstances of the case seemed favorable to such an investigation. The instructions which were from time to time given to you for your own direction were such as seemed necessary in view of your situation, so distant and so very imperfectly understood. Care was taken to avoid censure of either yourself or Admiral Godon. With these remarks, I am directed by the President to dismiss the subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

Mr. Seward to Mr. Washburn.

No. 69.]

DEPARTMENT OF STATE,
Washington, May 27, 1867.

SIR: I have the honor to acknowledge the receipt of your despatch of the 25th of March, No. 84. This paper, together with the documents accompanying the same, have been submitted to the President. He learns with sincere pleasure that the government of Paraguay is well inclined to accept on its part the proposition of the United States for its good offices for the restoration of peace in the valley of the Parana. The just expectations of good results from that offer which were entertained by the President are reluctantly surrendered in view of the answer which has been given by the republic of Buenos Ayres for itself and allies. You are at liberty to inform the President of Paraguay that the United

States will continue to cherish the same earnest desire for the restoration of peace which it has heretofore manifested.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

Mr. Washburn to Mr. Seward.

No. 87.]

LEGATION OF THE UNITED STATES,

Asuncion, July 6, 1867.

SIR: Your despatches Nos. 61, 62, and 63 were received by me on the 12th ultimo, having been forwarded to the allied camp by General Asboth, and thence transmitted through the military lines.

I have nothing new of importance to communicate in regard to the political or military aspect of affairs. There has been no fighting of any importance for nearly ten months. The only information we have of any movement of the allies is that a Brazilian force of some 2,000, more or less, made its appearance on the Rio Apa, a tributary of the upper Paraguay, at a point some 250 leagues to the northward. This force, I am assured by Minister Berges, was entirely destroyed, and their supplies taken by the Paraguayans. But I cannot learn that there is any better prospect of a serious or general attack of the main army than there was nine months ago. The exhaustion of these people is sad to view, but there seem no signs of their giving in. Should the war last much longer there must be an end of the Paraguayan race, for there will be no men to continue it. There have been some attempts at recruiting recently, but all the men fit for soldiers had been taken before, and these last were nearly all boys from 10 to 14 years of age. Some old men who, in former conscriptions, were considered too old and feeble for soldiers have now been taken, and many are expecting that the women will next be called upon. This season of the year is very unfavorable for the health of the troops.

The rains have been heavy, and the strength of the Paraguay position consists very much in the swamps and marshes among which the camp is situated. The soldiers being scantily fed and poorly clothed, the suffering and mortality on both sides must be great; how great, we have no means of knowing, as everything at the camp is kept very secret and we at the capital know little of what is going on there. If Brazil can continue this war without fighting long enough, it must win at last by mere superiority of numbers, and then it can turn with its whole force to the destruction of the Argentine and Uruguay republics. The three countries will make rich dowries for the daughters of the Emperor, and will give a fine chance for the perpetuation of the influence and power of the ancient and imperial houses of Bourbon and Braganza. I am as confident as I can be of anything in the future that this war against Paraguay will be succeeded by another on a larger scale between the allies themselves, and that the great final struggle of republicanism or monarchy in South America, in which other nations will take a great interest if not an active part, will be fought out and decided in the river Plata. In my former despatches I have endeavored to show how important it is to the United States that the imperial government should not succeed in its ambitious projects, and how desirable it is that some means may be devised, through mediation or otherwise, by which the final catastrophe of the extermination of a brave people may be averted. But as yet I see no signs of a relinquishment of the unequal contest.

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

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Washburn to Mr. Seward.

No. 90.]

LEGATION OF THE UNITED STATES,

Asuncion, August 31, 1867.

SIR: The position of affairs in this miserably protracted war is somewhat changed since the date of my last despatch, No. 88. The allies have advanced both by land and water, the squadron having passed Curupaiti on the 15th instant, greatly to the surprise of every one, without losing a vessel. It is now lying between Curupaiti and Humaita, behind an island in the river which protects it from the guns of both. It is supposed here that it is waiting to repair the injuries received in passing Curupaiti, and that when completed an effort will be made to pass Humaita, and which, if successful, will cut off all communication by river with President Lopez's army. The allied land forces have also advanced in force till they are above Humaita and within a league or two of the river.

There they are said to be intrenching themselves. Their lines are so much extended that without taking great precautions to fortify the passes, they will be liable to be cut off from their base of supplies, divided, and, perhaps, compelled to fight at great disadvantage. But when their intrenchments are completed it is believed they will advance to the bank of the river and intrench themselves there. In that case, if the squadron shall have effected a passage above Humaita, the Paraguayan camp will be completely invested and the duration of the war will depend on how long President Lopez can stand a siege. He may in this extremity make an attack on the allied lines; but his forces are so disproportionate to those of his enemies, that the probabilities are that it would prove disastrous. Nevertheless, the Paraguayans have held out so long and fought so bravely against such vast odds, while the allies have moved so slowly and languidly and lost so many opportunities, that the dawn of peace appears almost as remote as it has at any time for these two years past.

I have received nothing from you of a later date than March 15th, and nothing from General Asboth later than May 27th; consequently I know nothing of what has since been done in regard to the offered mediation of the United States. At the time that General Asboth sent forward the last correspondence for me, he requested the privilege of the Argentine government of sending through to me some provisions and other things that I was very greatly in need of. With characteristic courtesy they promised to send them through the lines to the Paraguay camp, and with characteristic bad faith they failed to do so. They sent through the correspondence, but the provisions they kept to themselves. That you may have an idea of the situation here I give you the prices in silver of the following articles: tea, six dollars per pound; sugar, three dollars; claret wine, five dollars per bottle; common cotton cloth, from two to three dollars per yard. In fact, everything imported is valued at more than a thousand per cent. above its cost in Buenos Ayres, and there is very little to be had at any price. On the 19th instant, by Señor Berges, minister for foreign affairs, I was advised that an English gunboat, with the secretary of legation at Buenos Ayres, had come up as high as Curupaiti, and that it had brought up my correspondence. As yet, however, I have not received it, and yesterday I was informed by Señor Berges that only the day before had it been delivered by the secretary. For some reason it had been kept back ten days, and Señor Berges has suggested that it has been delayed so that I should not have an opportunity to answer any despatches from you or General Asboth by the same conveyance. I look for its arrival here within three or four days, and I shall expect to receive anything directed to me from the United States as late as the 20th of June.

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

CHARLES A. WASHBURN.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Washburn to Mr. Seward.

[Extract.]

No. 91.]

LEGATION OF THE UNITED STATES,
Asuncion, September, 27, 1867.

SIR : Since the date of my despatch of August 31st I can learn of very little change in the aspects of the war. The allies appear to have made some raids to the north of Humaita, and have at least once entered the town of Pilar, situate some seven leagues above the Paraguay lines and on the left bank of the river. They have also succeeded in driving off some cattle belonging to the Paraguayans, and it is here believed that they have effectually stopped all land communication between the Paraguay camp and the country above, but even here we know very little of the real condition of affairs. Every event of the war is here represented as a great success for Paraguay, and every battle is always a great victory in which the allies suffer fearfully and the Paraguayans little or nothing.

Mr. Gould, the secretary of the British legation in Buenos Ayres, who came up to the Paraguay camp some six weeks ago, as mentioned in my last despatch, it now appears tried to do something in the way of mediation. He proposed the following terms as a basis of an arrangement for peace :

1st. An understanding, secret and antecedent, shall assure the allied powers of the acceptance by the Paraguay government of the propositions that they are disposed to make.

2d. The independence and integrity of the republic of Paraguay will be formally acknowledged by the allied powers.

3d. All questions that relate to territory or boundaries in dispute before the present war will be reserved for a later understanding or submitted to the arbitration of neutral powers.

4th. The allied troops will retire from the republic of Paraguay, the same as the troops of Paraguay will evacuate the positions occupied by them within the territory of the Brazilian empire, as soon as peace may be secured.

5th. No indemnity for the expenses of the war will be demanded.

6th. The prisoners of war on both sides shall be immediately put at liberty.

7th. The Paraguay troops shall be immediately sent to their homes, except the number of men strictly necessary for the maintenance of the interior tranquillity of the republic.

These terms were satisfactory to President Lopez, and the secretary then went back to the allied camp to confer with President Mitre and the Marquis de Caxias, and, as appears from the correspondence, a translation of which I enclose herewith, he proposed the same terms to them, but added another article to the conditions which had been submitted to President Lopez. This last article was the ever-insuperable obstacle in the way of peace ; that is, the preliminary condition that Lopez shall leave the country. Thus amended the allies were willing to accept the terms proposed by Mr. Gould, if Paraguay would first acknowledge that "it had been deceived as regards the ambitious projects that it attributed erroneously to Brazil, and that it regrets the hostile measures that under this false impression it had undertaken, not only against Brazil but also against the Argentine Confederation." With the conditions thus made acceptable to the allies, the secretary returned to the Paraguay headquarters and submitted them to President Lopez. Of course they were indignantly rejected, and Mr. Gould then for the third time passed through the military lines, and, I suppose, has returned to Buenos Ayres. Before returning, however, he did me the great service of sending the gunboat that had brought him up the river to Corrientes to bring up the provisions for me of which I made mention in my last despatch, and which the allies had detained for some three or four months, after having promised General Asboth to pass them directly through to the Paraguay camp.

With this I send a copy of a letter I have written to General Asboth, giving more fully the details of the mediation attempted through the agency of Mr. Gould.

* * * * *

Very respectfully, your obedient servant,

CHARLES A. WASHBURN.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

—

Señor Caminos to Mr. Gould.

[Translation.]

HEADQUARTERS PASO PUCU,
September 14, 1867.

Mr. SECRETARY: I had the honor to receive the communication of this date that your honor was pleased to address me, and with it memorandum that you had officiously presented to the chiefs of the allied forces as bases for bringing to the field of discussion the questions that induced the present war.

In the different clauses of this memorandum I find a sensible difference from those that your honor had prepared to obtain the object at the conferences to which you invited me, telling me that on this matter the Brazilian minister in Buenos Ayres, and President Mitre, and Marquis de Caxias in the allied camp had previously spoken, but the most salient is the condition of the separation of his Excellency the marshal President of the republic from the supreme command of the state, but which is rather his expatriation to Europe, as is seen by the terms of the eighth clause of the memorandum offered to the allied chiefs.

In those points that your honor has before presented, as if to serve as a starting point for a discussion you said "his Excellency the marshal President of the republic having concluded the war with honor for his country, and fully assured of its independence and its institutions, would leave with the assent of the national congress (or without convoking it) the government in the hands of his excellency the vice president, for the purpose of going to Europe for some time, in order to rest himself from the fatigues of war.

"The government shall declare that it has been deceived as regards the ambitious projects that it attributed erroneously to Brazil, and that it regrets the hostile measures that under this false impression it had undertaken, not only against Brazil, but also against the Argentine Confederation."

In declaring, then, the first paragraph copied as a starting point on which I could not consent to any discussion, I said that the second, disconnected, could offer no difficulty once that Brazil should make clear and certain that it had no ambitious intentions on the Oriental state, and the republics of the Plate, producing among the belligerents a satisfaction entirely mutual, and a guarantee for the future stability of peace.

In the memorandum now received I find the following sentence: "His Excellency the marshal President of the republic, peace being once established, or the preliminaries of peace, will retire to Europe, leaving in the hands of his excellency, the vice president, that is in similar cases, according to the constitution of the republic, the person designed to be left in charge.

It will suffice, the reading the one proposition and then the other, and the declaration that your honor has been pleased to make me, that on the part of the allies the change of government is indispensable, to see that it only remains to me but to repeat in my turn the declaration that this point is inadmissible, as being contrary to the honor and interest of my country.

To satisfy your honor, I ought to add that the vice-president, being nominated by the President of the republic, according to our institutions, he is not competent to assume the supreme command of the state in the absence of the President, and his mission is limited to convoking the national Congress. As for the rest, I can assure you that the republic of Paraguay will not stain its honor or its glory by ever consenting that its President and defender, who has given it such glories and is fighting for its existence, should suffer his deposition from his post, and still less that he should be expatriated from the land of his heroism and his sacrifices, as these are themselves for my country the sure guarantee that Marshal Lopez will share the fortune that God may have provided for the Paraguay nation.

The other articles of the memorandum presented to the allied chiefs may serve as a starting point for a discussion conformable with what I have already had the honor to express to your honor, and I repeat that although it does not escape my attention that in the discussion they might offer some difficulties, but that the interests of peace could reduce them to convenient terms.

I will not close this communication without expressing to your honor my gratitude for

the effort you have made to approach the belligerents in order to put an end to the present sanguinary strife, and to ask you that if in the exterior, or where our voice cannot reach, it should be sought to present this step, as indicated on the part of Paraguay, that you will be pleased to declare formally that it was entirely foreign to it, and that the suggestion of it has proceeded exclusively from your honor.

Mr. G. Z. GOULD,
Secretary of Legation of her Britannic Majesty.

LUIS CAMINOS.

Bases presented to the allied chiefs.

1. An understanding, secret and antecedent, shall assure the allied powers of the acceptance by the Paraguay government of the propositions that they are disposed to make.
2. The independence and integrity of the republic of Paraguay will be formally acknowledged by the allied powers.
3. All questions that relate to territory or boundaries in dispute before the present war will be reserved for a later understanding or submitted to the arbitration of neutral powers.
4. The allied troops will retire from the republic of Paraguay and will evacuate the positions occupied by them within the territory of the Brazilian empire as soon as peace may be secured.
5. No indemnity for the expenses of the war will be demanded.
6. The prisoners of war on both sides shall be immediately put at liberty.
7. The Paraguay troops shall be immediately sent to their homes except the number of men strictly necessary for the maintenance of the interior tranquillity of the republic.
8. (As is translated.*)

HEADQUARTERS OF TUYUCUÉ, *September 12.*

Mr. Washburn to Mr. Asboth.

LEGATION OF THE UNITED STATES,
Asuncion, September 20, 1867.

MY DEAR FRIEND AND WORTHY COLLEAGUE: On the 17th instant I received an invitation from Minister Berges to visit him at the government house, to confer with him on matters of importance. I complied with the request, when the minister communicated to me substantially the following facts:

The English secretary of legation, Mr. G. Z. Gould, had protracted his stay in the Paraguayan camp for some 20 days. During this time he had approached President Lopez, directly and through his private secretary, Luis Caminos, to see if it were not possible to propose some terms of peace that would be acceptable to both of the belligerent parties. [The terms proposed to President Lopez as likely to be accepted by the allies will be found appended to the letter of Luis Caminos to Mr. Gould, of which I send you a copy.] To the terms suggested by Mr. Gould President Lopez made no objection, and he therefore returned to the allied camp and proposed the same terms, but adding another article, to the effect that President Lopez should leave the government of Paraguay in the hands of the vice-president and go to Europe.

Thus amended the bases proposed to the allies would be acceptable if Lopez would submit to the further humiliation of admitting that he had been wrong in his suspicions of the ambitious designs of Brazil, and that he regrets the hostile measures he had taken under a false impression both against Brazil and the Argentine Republic.

With the bases of a peace thus amended to conform to the ideas of the allies, the hopeful diplomat returned to the Paraguay camp, this time coming up through a part of the blockading squadron to Curupaiti.

The reception which his amended proposition met with may be inferred from the letter of Señor Caminos. Of course it was indignantly rejected.

This attempt at mediation, coming as it evidently does with the approval, if not at the request of the allies, has doubtless inspired a hope in this government that other and more reasonable overtures of peace will soon be made, but Mr. Berges says that if there is to be mediation of any foreign power this government is not disposed to accept that of England, nor of any other power but that of the United States; that our government is the only one that has shown any interest in Paraguay or even a disposition to treat it with common fairness, and that if any credit or reputation is to accrue to the mediators it is due to the government and diplomatic agents of the United States; that the English government has

* NOTE.—This eighth article, as appears in Caminos's letter, you will observe is as follows: His Excellency the marshal President of the republic, peace being once established, or the preliminaries of peace, will retire to Europe, leaving in the hands of his excellency the vice-president, that is in similar cases, according to the constitution of the republic, the person designed to be left in charge.

shown no interest in this war in favor of Paraguay, and its minister in Buenos Ayres has publicly repudiated the idea that it would ever do so.

When Mr. Gould first came through I was told by Mr. Bergees that the "Dotterel" had come up to Curupaiti. Such, however, I have since been informed, was not the fact. He came to Itapiru, and thence through the lines to Paso Pucu, bringing with him the boxes and mail-bags that the gunboat had brought up from Buenos Ayres for me. For some reason, however, he did not send them forward to me for some 10 days, though informed repeatedly that he could do so. On returning to the allied headquarters, it appears that while he was negotiating for peace, the "Dotterel" went back to Corrientes and took aboard my provisions that had been left there some three months before, after having been refused a passage through the lines, on the ground, as the newspapers say, that I did not require so much, and that the boxes perhaps contained things contraband of war. I conclude that it was at the request of the allies the "Dotterel" went back to Corrientes and took these things on board, as I imagine you were raising such a tempest about their ears they were afraid that, if detained there longer, they would have another question with the United States government and no Admiral Godon to sustain them. On returning from Corrientes, the "Dotterel," as I am now positively assured, came to Curupaiti, where my goods were discharged and passed over by land to Humaita. They will probably reach here in a day or two. Had they not come through by this time I should have addressed a letter to President Mitre, asking him that, as the newspapers had stated he had detained my provisions that were necessary and almost indispensable for the health of myself and family on the ground that I did not need so many, he would kindly allow me to have from week to week the quantity that he thought reasonable and proper; that as prisoners of war were allowed to supply themselves with food at their own expense, he would allow me to have a regular weekly supply from my own stores to such an amount as, in his opinion, was required for health and comfort. This would have been a fair hit, more just than discreet, perhaps, but their impudence in stopping my supplies after having engaged to forward them, merits anything but honeyed words. Mr. Bergees is of the opinion that in the attempted mediation of the English secretary, both he and the allies have made so sorry a figure that they will not be anxious to have the facts of the matter known or published, and it is that you may know them that I send through this and the accompanying despatches.

Should you publish the letter of Señor Caminos and the bases of peace submitted by Mr. Gould, it would not be at all displeasing to this government, and certainly it is but just that the outer world should know of the real merits of the questions that are prolonging this miserably protracted war.

Very respectfully, your friend and colleague,

CHARLES A. WASHBURN.

His Excellency General A. ASBOTH,
U. S. Minister, Buenos Ayres.

Mr. Seward to Mr. Washburn.

No. 73.]

DEPARTMENT OF STATE,

Washington, November 24, 1867.

SIR: I have to acknowledge the receipt of your two despatches, one of August 31st, No. 90, and the other of September 27th, No. 91.

I thank you for the clearness with which you have given me the views which are taken at Asuncion of the military situation on the La Plata. Our correspondents at Buenos Ayres and at Rio report very faithfully the aspect of the same situation from the points of view which they occupy. By comparing the reports thus received I am enabled to form conjectures safer, perhaps, than those which are adopted in the capital of either of the belligerents.

It is not necessary, however, that I should give an expression to these conjectures further than by saying that the war has reached a stage in which the parties are beginning to consider the practicability of negotiations for peace.

This government has no sensibilities concerning the forms of such negotiations. While it cherishes still more earnestly than ever the desire for a restoration of peace, and adheres to the proposition which it has made, it would, nevertheless, see with pleasure the great object achieved through the good offices of any other neutral power.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES A. WASHBURN, Esq., &c., &c., &c.

P E R U.

Mr. Seward to Mr. Hovey.

No. 36.]

DEPARTMENT OF STATE, .

Washington, December 20, 1866.

SIR: It is known to the belligerents that the war which for some time has been carried on between Spain and the allied republics of Peru, Chili, Bolivia, and Ecuador, is attended with deep concern to the people and government of the United States. On more than one occasion the President has called the attention of the belligerents to this interesting fact, and has tendered such good offices as seemed practicable with a view to bring about a pacification. These tenders have not hitherto been definitely accepted by the parties. The House of Representatives of the United States, concurring with the sentiments of the President, on the 17th of December, instant, adopted the following resolution:

Whereas wars destructive of commerce and injurious and prejudicial to republican institutions have for some time been carried on between Spain and several of the South American States on the Pacific coast; and also between Paraguay and Brazil, Uruguay and the Argentine Republic, on the Atlantic coast: Now, therefore,

Resolved, That it be, and hereby is, recommended to the executive department of the government that the friendly offices of this government, if practicable, be offered for the promotion of peace and harmony in South America.

The President is thus called upon by the most numerous branch of the legislative department of the United States government to renew the efforts which he has heretofore made. I have, therefore, the honor to submit, by means of this circular letter, to the several parties concerned the following propositions on the part of the United States, namely:

1. That a conference be held at the city of Washington on the 1st day of April next, to consist of plenipotentiaries of Spain, Peru, Chili, Ecuador, and Bolivia, authorized to treat of all matters in difference between the belligerent parties jointly and severally, and to consider and agree upon terms of a permanent peace which shall be equal, just, and honorable to all the belligerents.

2. That Spain shall appoint one of said plenipotentiaries, and each of the allied belligerent republics before named shall appoint one; but each of the belligerent republics may, if it choose, confer its powers upon a plenipotentiary who shall be named by any other of those republics, so that it shall be within the option of the allied republics to appear either by one or more plenipotentiaries.

3. That each of the plenipotentiaries may act under the direction of the government or governments by which he is appointed; that no resolution of the conference shall be effectual or obligatory for a determination or suspension of the war, or the establishment of peace, unless agreed to by all the members of the conference, and to be afterwards sanctioned and ratified by the governments of each and all the belligerent parties; and that in any protocol or other paper which the conference may think it expedient to submit to their respective governments or to the President of the United States, the representative of Spain may act on her part, and a majority of the plenipotentiaries of the other belligerent republics on their part.

4. That the President of the United States will designate some person to attend and preside in such conference, and use good offices, in the forms of information and advice, in facilitating the objects thereof; but he will have no

power to vote therein or to assume any obligation on the part of the United States.

5. That the President of the United States will, in case of disagreement of the plenipotentiaries, designate some state or sovereign, not the United States nor one of the belligerents, to be an umpire to decide all questions which shall be referred to him by the conference; and the decision of that umpire, he consenting to act as such, shall be made upon the protocols and other documents and proceedings of the conference, and shall be conclusive and binding upon all the parties.

6. The expenses of each plenipotentiary attending the conference will be defrayed by the state by which he is appointed. The conference will have accommodations, as to a place for transacting its business, furnished by the President of the United States.

7. An armistice shall take place so soon as all the belligerent states shall have communicated to the government of the United States their acceptance of these propositions, and shall continue until the termination of the conference.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

Mr. Hovey to Mr. Seward.

No. 50.]

LEGATION OF THE UNITED STATES,
Lima, Peru, January 14, 1867.

SIR: I have the honor to acknowledge the receipt of your despatch No. 32, in relation to the desire of the United States for peace between the South American republics and Spain. I communicated the whole of said despatch in a note addressed to his excellency D. T. Pacheco, minister of foreign affairs.

On the 9th instant I received from Mr. Pacheco enclosure No. 1, (see copy of original and translation,) in which he returns the thanks of his government to the United States, but states that the time has not yet arrived when the generous offer of the President can be accepted.

On the 8th instant I received your despatch No. 36, containing a proposed plan of mediation. I immediately transmitted the same to the minister of foreign affairs and on the 11th instant received his answer, in which he states that as soon as the allied governments can be consulted a definite answer can be given. (See enclosure No. 2, with copy and translation of original.)

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Señor Pacheco to Mr. Hovey.

[Translation.]

No. 1.]

LIMA, January 8, 1867.

I had yesterday the honor of receiving your excellency's communication dated the 3d instant, in which I am informed that from the report of a conversation held between the supreme chief and your excellency, transmitted to the President of the Union by your excellency, the President has directed your excellency to inform the supreme chief that the United States ardently desire the establishment of peace in South America; that they will regard with pleasure any measures which may be proposed towards this end, and will not embarrass the negotiations initiated by England and France, but rather will co-operate with such action as may hasten the desired pacifications.

The supreme chief, to whom I communicated the contents of your excellency's note, ordered me to express the sincere gratitude he experiences for the laudable desires animating the President. He has ordered me, moreover, to make known to your excellency that when he called on you on the 8th November last, to inform your excellency concerning the action of France and England, which through their representatives had been tendered to him, he desired to keep your excellency and the government of the United States informed upon all that passed, so that no misunderstanding might take place from the fact of considering the good offices of France and England while an analogous proposition from the government at Washington was pending. And to give, on that occasion, a new proof of his sincerity, the supreme chief expressed to your excellency his opinion that insuperable obstacles would prevent the acceptance of the good offices of France and England.

The supreme chief also regrets that the moment has not yet arrived to avail himself of the co-operation, as efficacious as important, of the President of the Union, to second the negotiations initiated by England and France.

I reiterate to your excellency the assurance of my very distinguished consideration.

T. PACHECO.

His Excellency the ENVOY EXTRAORDINARY AND
MINISTER PLENIPOTENTIARY of the *United States of America*.

Señor Pacheco to Mr. Hovey.

[Translation.]

No. 2.]

LIMA, January 10, 1867.

I have had the honor of receiving your excellency's valued despatch of the 8th instant, in which I am informed that in consequence of a resolution adopted by the House of Representatives of the United States, recommending the Executive to offer his good offices to the nations at war in South America, your excellency submits to the Peruvian government various propositions made by the United States and having for their object the re-establishment of peace between the allied republics of the Pacific and Spain.

Having communicated to his excellency the supreme chief the contents of your excellency's despatch, he has ordered me to acknowledge its receipt and to state to your excellency that as soon as he may be able to confer with the governments of the republics allied with Peru, he will transmit to your excellency a definite answer to the propositions of the United States.

I have the honor to reassure your excellency of my highest consideration.

T. PACHECO.

His Excellency the ENVOY EXTRAORDINARY AND
MINISTER PLENIPOTENTIARY of the *United States of America*.

Mr. Hovey to Mr. Seward.

[Extract.]

No. 53.]

LEGATION OF THE UNITED STATES,
Lima, Peru, January 28, 1867.

SIR: In my despatch No. 4, dated December 28th, 1865, I addressed the Department of State in relation to the question of diplomatic asylum, stating that I should refuse to exercise that power until I was otherwise directed. I have not as yet received an answer to that communication, and have concluded from your silence that the government approved my course.

On the 12th day of the present month I received a note from his excellency Señor Don Toribio Pacheco, minister of foreign affairs, inviting me to a conference for a definite agreement as to the principles of international law in relation to this important subject. (See enclosure No. 1, copy of original and translation.) Being indisposed at the time I addressed a note to his excellency, in which I reiterated the substance of my No. 4, above referred to, alluding therein to the authorities of Wheaton, Woolsey, and Polson, denying the doctrine of asylum, but saying to his excellency that if other foreign ministers were permitted to exercise the right in Peru, I should expect to be entitled to the same. (See enclosure No. 2.)

Being invited to a diplomatic conference on the 21st instant, I attended the same, and offered the following resolutions :

1. The diplomatic body here assembled resolve that they, and each of them, jointly and severally, acknowledge and recognize Peru as a Christian nation.

2. As each Christian nation should, by international law, be entitled to all of the rights properly claimed by others, therefore—

Resolved, That Peru is entitled to the same rights and privileges, through her diplomatic agents abroad, that we, as representatives near the government of Peru, are respectively entitled to here, and that we cannot, in justice, claim more than our respective governments accord to the representatives of Peru.

3. *Therefore resolved*, That we recognize the law of nations, as relating to the question of asylum, to be the same as practiced in the United States, and in England, France, and other Christian nations of Europe.

The representatives present, of France, England, Brazil, Bolivia, Chili, and Italy, contended for the right of asylum, and opposed the resolutions.

The Peruvian government insists on being placed upon a footing with civilized nations of the world. You will thus see that I have alone supported the position assumed by the authorities of Peru. I do not believe that the history of Peru can furnish a single example where the innocent have been shielded by asylum; nearly all the cases of which I have heard are those applying strictly to citizens of Peru charged with conspiracy or treason.

One case, that of Captain Carwell, an Englishman, turned upon the point of his contempt of court in an order made for the delivery of property. Refusing to obey the warrant of the court, he fled for protection to the English legation, from whence, after eleven months, he made his escape, still refusing to obey the orders of the court, and taking with him the property in dispute.

Another case, which transpired shortly before my arrival, was that of General Canseco, vice-president of the republic, charged with conspiracy against the government; he remained in the legation of the United States some three or four months, where he was in daily communication with his co-conspirators. At length he agreed with President Pezet to exile himself to Chili upon the payment of one year's salary; he received the pay, was permitted to depart, landed in two days upon the coast of Peru, and a few weeks afterwards returned with an invading army to the walls of Lima.

The third case involves the question now pending between France and Peru, and arose by asylum being given by the French legation on the 20th of December, 1865, to three Peruvians, charged by the central court with peculation, conspiracy, and treason.

Two of the same gentlemen applied to me and were refused. This gave rise to my despatch No. 4, already alluded to, on this question.

The French chargé d'affaires, Mr. Emile Vion, refused to acknowledge the right of the government to arrest them, although the officers of the law demanded them under writs from the central court. The chargé d'affaires referred the case to the Emperor of France, and his action was approved; but the chargé d'affaires was ordered to solicit the settlement of the question of asylum by the Peruvian government and the diplomatic corps resident in Lima. As no person arrested by the government upon any charge has as yet suffered the extreme penalty, it is apparent that the plea of cruelty or barbarity cannot be sustained as the cause for giving asylum. Peruvians were dealing with Peruvians, and should, in my opinion, have been left to their own laws and courts. The practice of giving asylum has been and still is a prolific source of revolutions in, and the instability of, the South American republics. The traitor, who would for his own ambition steep his country in blood, feels assured that if he fails in his rebellion he has only to flee to the house of some minister, and that there he will find a refuge beyond the reach of justice. Thus encouraged, and the high crime of treason varnished over with the soft name of "political offence," he launches recklessly into his ambitious schemes, and the country is kept in continual commotion. If there should be a single unfriendly minister to the government here, (and there

always is,) his legation at once becomes the asylum and headquarters for the conspirators against the government. Is it strange, then, that revolutions here are so common? In my opinion, that man will prove a benefactor to South America who breaks down this ancient relic of barbarism and aids in bringing the guilty to the quick punishment of the laws against which they may have offended.

With childlike faith Peru trusts, at least for moral aid, to the United States, and I submit that, by placing her upon a level with other Christian nations, the chances of her advancement would be greatly increased, as permanent government would more securely follow.

* * * * *

The policy of the United States lately adopted in regard to the Chincha islands has made a strong impression in our favor upon this government. Can we not, on this occasion, by a general order given to our representatives, and conforming to the law of nations, add still more to our moral influence in Peru? It need not be feared that the innocent would suffer; these people are peculiarly mild in their punishments, and crime is not as common in Lima (excepting conspiracy) as it is in Europe or in the United States. Since I have resided here not a single execution has taken place, although five or six several attempts have been made to revolutionize the government or kill the President. I really regard the mildness of the authorities as an injury to the country.

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

No. 1.

Señor Pacheco to Mr. Hovey.

[Translation.]

LIMA, January 12, 1867.

In consequence of an agreement between the honorable chargé d'affaires of France and the undersigned, it was determined to hold a conference in order to establish certain principles in relation to the subject of diplomatic asylum. This conference has not taken place for reasons independent of the will of the government.

It being desirable and to the general interest to determine the principles of international law relating to this important matter, I have considered it proper to call for the general reunion of the diplomatic body residing in Lima.

I have the honor, therefore, to invite his excellency General Hovey to be present, if it may be convenient, at this department, on Tuesday, 15th instant, at 2 o'clock in the afternoon.

I improve this opportunity to reiterate to his excellency General Hovey the assurances of my most distinguished consideration.

T. PACHECO.

His Excellency the ENVOY EXTRAORDINARY AND

MINISTER PLENIPOTENTIARY of the United States of America.

No. 2.

Mr. Hovey to Señor Pacheco.

LEGATION OF THE UNITED STATES,

Lima, Peru, January 15, 1867.

SIR: I have the honor to acknowledge the receipt of your excellency's note, No. 5, inviting me to a conference in regard to the question of diplomatic asylum.

I do not feel well enough to-day to join in the discussion respecting the question proposed, but desire that my views shall not be misunderstood.

I believe that Peru is entitled to all of the rights and privileges of a Christian nation, and as such should be placed precisely in the position of the United States, France, England, and other Christian countries, and that the doctrine of asylum cannot be properly claimed

or enforced here unless it be to shield persons from the violence of a mob. As soon as a legal charge of crime is made, whether political or not, I hold it to be the duty of the minister in whose legation the offending party has taken refuge to deliver him up to the legal authorities demanding his arrest. I regard the following authorities on this subject as conclusive: "Though in general his house is inviolable, and cannot be entered without his permission by police, custom-house, or excise officers, yet the abuse of this privilege (asylum,) by which it was converted in some countries into an asylum for fugitives from justice, has caused it to be very much restrained by the recent usage of nations." (Wheaton, page 416, § 18.)

"His (a minister's) privileges do not include the right of asylum for persons outside of his household. If the fiction of extritoriality explain the privileges of ambassadors, the right of asylum would be fairly deducible from it, and a criminal taking refuge in such a sanctuary would be given up, if at all, by a process of extradition. But it so happens that the house of an ambassador has ceased to be an asylum since the notion of extritoriality has been most current. * * * * *

"It is now admitted that if a transgressor, not of the ambassador train, takes refuge in his premises, he can be demanded by the local authorities, and, if not delivered up, can be searched for and seized within the hotel, for which purpose such force as breaking doors open and the like may be used, as is necessary for his apprehensions." (Woolsey, International Law, edition 1864, pages 112, 92, 13. The same doctrine is respected in Polson's "Principles of the Law of Nations," page 103, section 31.

So the law is held and enforced in the United States, and I am not prepared to claim more from Peru than we would exact from her. Notwithstanding this view, if the government of Peru should feel disposed to concede greater privileges to others, I, as the representative of my government, would expect to be entitled to the same privileges granted to them. In conclusion I would briefly say, while I have the honor to represent my country, I shall claim no right here that my government would not accord to the representative of Peru in Washington. Trusting and believing that no other representative will be allowed greater rights or privileges than those accorded to the government I represent.

I have the honor to renew to your excellency the assurances of my highest consideration.

ALVIN P. HOVEY.

His Excellency S. D. T. PACHECO,
Minister of Foreign Affairs.

Mr. Hovey to Mr. Seward.

No. 56.]

LEGATION OF THE UNITED STATES,
Lima, Peru, February 14, 1867.

SIR: I have the honor to enclose herewith the copy of the protocol of the conference held by the diplomatic body with the secretary of foreign relations, on January 29th, ultimo, in regard to the question of asylum, from which you will perceive that the representatives of France, England, Italy, Brazil, Bolivia, Chili and Hawaii, insisted upon the doctrine of asylum as heretofore practiced in Peru, and that I, in that conference, maintained the position which I have assumed in my correspondence with the department, (see enclosure No. 1.) I also enclose a copy and translation of the reply from the secretary of foreign relations to my note of January 15th, on the question of asylum, in which his excellency fully concurs in the position assumed by me, (see enclosure No. 2.) Subsequently, on the 29th of the same month, his excellency the secretary of foreign affairs issued his memorandum on the same question. This document is an able resumé of the whole matter, reviewing the principal authorities and the history of the practice of asylum in Peru.

The position assumed by his excellency, and the conclusions drawn from the same, seem to me to be wise and politic, placing the whole question in this country upon the well recognized doctrine of the law of nations. In conclusion he denies to the representatives of Peru abroad the right to exercise the privilege of asylum, and demands that other governments shall reciprocate. (See printed document and translation thereof, enclosure No. 3.)

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

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

TRANSLATION OF PROTOCOL.

Having met in the department of foreign affairs of Peru on the 27th day of January, 1867, at 2 o'clock p. m., the undersigned, T. Pacheco, secretary of foreign affairs, J. de la Cruz Benavente, envoy extraordinary and minister plenipotentiary of Bolivia; Alvin P. Hovey, envoy extraordinary and minister plenipotentiary of the United States of America; Marcial Martinez, envoy extraordinary and minister plenipotentiary of Chili; F. A. de Varnhagen, minister resident of his Majesty the Emperor of Brazil; A. Cavalchini, minister resident of his Majesty the King of Italy; Thomas Eldrige, chargé d'affaires for Hawaii; Edmund P. de Lesseps, chargé d'affaires of France, and John Barton, acting chargé d'affaires of Great Britain, with the object of holding a conference on the subject of asylum:

Señor Benavente said that, considering the importance of the subject of asylum, he had proposed its postponement, and having studied it carefully, and heard the high opinions of his honorable colleagues, he regretted having to answer his excellency the secretary that he was not authorized to accept the complete abolition of the right of asylum, but that he would contribute most willingly to regulate its exercise.

Señor Pacheco said, that the regulation of the asylum was subject to so many difficulties that it would, in his opinion, increase the embarrassments it is intended to avoid; that after having studied the question attentively he had not been able to find any other possible solution than the re-establishment of the generally admitted principles of international law, and that he did not see any reason whatever why Peru and the other South American republics should be placed in a position distinct from that of the other civilized nations.

Señor Martinez said that he, as an American representative, believed himself obliged to reply, (although he had intended not to speak in the conference;) that Señor Pacheco having written to the government of Chili on the question of asylum, said government had expressed its opinion on the subject, and had given instructions to its representative in Lima.

Abstaining, said Mr. Martinez, from entering into the discussion of the principles of the case, and limiting myself to the consideration of the right of asylum as a usage, I think that in order to arrive at a just conclusion on the subject, it is necessary to examine the causes that have contributed to establish it. The asylum is a humane principle which had its origin in the political dissensions which have agitated the passions; thus it has frequently happened that at the same time that those who were in asylum were leaving it to occupy high stations, those who were in power have been obliged to save themselves seeking diplomatic asylum. Nevertheless, the government of Chili, being persuaded of the fact that abuses were committed in this matter of asylum, and that it originated unpleasant discussions with the foreign ministers, has thought that those abuses could be avoided by regulating the right of asylum by means of fixed principles, which would, at the same time, put a stop to all vexatious controversies, but the thought of the Chilean government has been not to abolish completely this humane and established custom, but to confine it to certain cases, and particularly to those in which the life of the refugee could be endangered.

Señor Pacheco answered, that having carefully studied the subject of asylum, the Peruvian government thought that custom had no precedent foundation in law; that the ideas which Señor Martinez had just expressed were not of such a nature that they might justify the establishment of a rule contrary to the admitted principle of law; that if the government of Chili and Señor Martinez confined the asylum to the only case of danger of death, the Peruvian government had the same idea, because this was the rule of international law.

Señor Martinez replied, that international law was very vague, and that he was not acquainted with those fixed principles which admitted the right of asylum in case of danger of death, and that it would be very satisfactory to him if Señor Pacheco was prepared to lay down in writing the principle admitting the asylum in case of danger of death.

Returning to the principal question, Señor Pacheco said, that if the government demanded the delivery of a person indicted for a crime, who had taken asylum in a legation, the minister should deliver him up. Mr. Barton said, after the sentence has been pronounced.

Señor Pacheco replied that he did not think so, but that the demand for and the delivery of the refugee should take place in order that he might be tried.

M. de Lesseps said, that it was also necessary to keep in mind the principal point in the question, which was the inviolability of the minister.

Señor Pacheco said, that the inviolability belonged only to the minister and his train. M. de Lesseps replied that the inviolability extended also to the house of the diplomatic agent, and this contributed what was called the exterritoriality of the minister's house.

Señor Varnhagen said, that a declaration abolishing the asylum would destroy the diplomatic inviolability. I am going to speak, he added, not about the American States, but about the European nations. I also am an American, but have been in Europe as a diplomatic agent, and have seen that revolutions have always brought along the practice of asylum in Spain, Italy, Portugal, and even in France during the revolution of 1848. In all these countries during the revolution acts of inhumanity would probably have taken place had the privilege of asylum not existed. Although it be not a principle but a mere practice, to abolish it when it is necessary, and when those cases occur so frequently in which this immunity is claimed, would be to deprive the houses of the foreign ministers of the respectability which they enjoy, and to endanger their privileges.

Señor Pacheco said that he did not believe the immunities of the diplomatic corps would be impaired by the abolition of the asylum, because if it were so we would be forced to believe that in those countries in which there is no asylum the diplomatic immunities did not exist; that with reference to historical facts he would appeal to the testimony of gentlemen then present, as well as to that of those who belonged to the diplomatic corps, and was sure that they are convinced of the fact that no act of violence was ever committed in this country; that with reference to penal legislation, the capital punishment was limited to certain cases of murder; that consequently if the usages and laws of this country were taken into account, it was evident that there being no necessity for the right of asylum under the pretext of the death penalty, (the only cause which could justify it,) there was also no necessity for maintaining said privilege.

Señor Varnhagen said that without making any special allusion, (on which account he, who was always an American, had referred only to European countries,) he was obliged to say that when a revolution breaks out and political passions are excited, no one can say what may be the consequences of their outburst, nor to what extent the habits and customs of the people may be altered. It would not have been easy to have foretold the condition to which France arrived in 1848. Besides, the practice of asylum exists in Europe, and cases of it occur frequently in duty; what is necessary is to avoid abuses, and the best way to obtain this end is to regulate said practice.

We ought also to keep in mind the prudence of the foreign minister, who generally neither offers nor promises asylum, but only gives it when it is taken in case of necessity.

M. de Lesseps said that the asylum had been availed of by many very well known personages.

Señor Pacheco answered that he did not think it proper to treat the question in that light, but from a general point of view, which was that of national dignity; that the personal advantages which one or more individuals could derive should not be considered superior to the rights and interests of the state; that when a case of asylum came up the government had the right to demand the delivery of the criminal.

M. de Lesseps said that, in the practical question, if the person that has taken refuge is not delivered up, what would then be done? Would there be a rupture?

Señor Pacheco answered that would depend on circumstances; and that the law of nations furnished for every case the proper rules of conduct.

M. de Lesseps replied that, before all things, it was necessary to save the inviolability and the extritoriality. Would the rupture be with the minister only, or with his country? In this last case it would be war. What would then be the practical result?

Señor Pacheco answered, what the law of nations ordains: and he thought there was no necessity to introduce new principles, applicable only to certain nations of America, and unknown in the rest.

M. de Lesseps said that if it was intended to deny the principle of inviolability, and if the practical result was to be the possibility of any violence committed against the houses of a public minister, he did not feel authorized to even enter into a discussion that started on that supposition.

General Hovey said that, in his judgment, we have no right to fix new rules on the subject of international law; that if a special custom existed in Peru it could be a matter of discussion between the Peruvian government and the foreign ministers; that according to English law, and the laws of the United States, and the Roman or civil law, in order that a custom might acquire the force of law, it was required that it should have existed for a long time, and without any controversy; that in the United States, in France, and England, there was no discussion on this question of asylum; and that as according to the principle of common equity what we do not wish done unto us we ought not to do unto others, he thought no right existed on the part of the United States, England, or France to demand of Peru the privilege of asylum; that he wished to be allowed to propose a question to the representatives of the American nations, Bolivia and Chili, which was whether they would agree to have their respective nations treated less favorably than the other Christian nations, and receive fewer privileges than were granted to the other.

Señor Benavente said that, according to the assertions of MM. Varnhagen, Cavalchini, and Lesseps, the practice of asylum was known in Spain, Portugal, and Italy, and that Señor Cavalchini knew besides of a case of temporary asylum in the United States during the recent war.

General Hovey replied that the practice of asylum did not exist in the United States, and that if a case had occurred and the government had demanded the delivery of the transgressor, he would have been given up by the foreign minister who had him in his house. He added, that if asylum has existed in Europe sometimes it has been *de facto*, but not as a right, and that, consequently, it could not be claimed as such. He suggested the propriety of each representative present expressing to the government of Peru his respective opinion in writing, and that this would avoid misconception.

Señor Varnhagen said that he would really not send to the government a letter sustaining the right of asylum, which, though it could not be regarded as a right, was nevertheless a practice which ought to be maintained in order to avoid greater difficulties; that the possibility of abolishing it when a special case occurred would endanger the principle of inviola-

bility; that serious questions could sometimes arise between the foreign ministers and the secretary of foreign affairs, depending on the more or less conciliatory character of the latter, and that, in order to avoid such questions, it was preferable to maintain the practice of asylum.

Señor Pacheco said he was very happy to hear the declaration that the asylum was not a right; that in regard to the observations just made by Señor Varnhagen, he (Señor Pacheco) thought they were not acceptable, because a question of principles could not be resolved considering only the character of persons; that if there happened to be an obstinate secretary of foreign affairs, there might also be a foreign minister equally obstinate, and that then it would be necessary to lay down that principles ought to be modified according to the character of the persons.

M. de Lesseps said, it is indispensable in all cases to respect the principle of inviolability.

Señor Martínez said, as regards me I must say that I have not entered into the discussion of the principles of the case.

Señor Pacheco replied that it was precisely the principles on which the practice of asylum was based that it was necessary to discuss; that this was what the government had done, and the result of their (the government's) attentive and mature examination was the conviction that the only manner of reinstating the nation in her rights and avoiding unpleasant questions with foreign ministers was accepting unconditionally the principles of international law; that he regretted his disagreement with the majority of the diplomatic corps, and that he would consequently proceed to order the reading of the *memorandum* which he had drawn up by order of his excellency the supreme chief, in which are laid down the principles which the Peruvian government maintain, and the conclusions which they (the government) propose to observe as the rule on this subject.

M. de Lesseps was of opinion that the protocol should remain open; to which Messrs. Pacheco and Martínez replied that that would be useless.

M. de Lesseps continued, saying that he had not expected that the present meeting would produce the result of placing the members of the conference on different standpoints; that, on the contrary, leaving the principles of every one untouched, he thought that they should all come to an agreement; that public opinion was already being heard on the subject; that the public and the press were saying that a respectable conference, referring to the present one, in which there were persons of great ability, was discussing the question of asylum; that it would be regretted that it should come to an end without obtaining a practical result.

Señor Pacheco having asked which were the principles that in M. de Lessep's opinion ought to be laid down, the latter answered that a final resolution might be agreed upon in conformity with the instructions given by the government of Chili to its representative, or with the ideas of M. Varnhagen, or with the instructions which he (M. de Lesseps) had from M. Drouyn de Lhuys, or with the ideas which the secretary himself might express in writing after long consideration.

Señor Pacheco said that he had been for more than a year studying this question from all of its points of view, and that he had not been able to find any other solution but the one he had proposed.

Mr. Benavante said that he coincided with the opinions of M. de Lesseps, but that in no case could the want of temporary agreement be of consequence either to the secretary or the diplomatic corps; that the secretary spoke for the government of Peru, and that the representatives of foreign powers present having no authority to definitely decide anything, (as the secretary could do it,) the question was already of the cabinet, and consequently they (the ministers present) would inform their respective governments about it.

When the *memorandum* was about to be read, some of the honorable members remarked that the hour was rather late, and it was agreed that the secretary should send it to the senior member of the body, in order that he might communicate it to his honorable colleagues; which ended the conference, the proceedings of which it was agreed to preserve in the present protocol duplicate copies.

A true translation :

J. FEDERICO ELMORE, *Chief Clerk.*

Señor Pacheco to Mr. Hovey.

[Translation.]

LIMA, February 1, 1867.

In accordance with the resolution passed in the conference of the 29th of January ultimo, I remit to-day to the envoy extraordinary and minister plenipotentiary of Bolivia, dean of the diplomatic corps, the memorandum containing the principles professed by the Peruvian government in regard to the question of diplomatic asylum, and the declaration which it has deemed proper to make, as bases of its future conduct in this matter.

The declarations to which the undersigned alludes are the following :

1. That the Peruvian government will not hereafter recognize diplomatic asylum as it has

been practiced up to the present time in Peru, but solely within the limits assigned to it by the law of nations, which are sufficient to solve the exceptional cases which might arise in this matter.

2. That, as diplomatic asylum exists in the states of South America, and therefore the legations of Peru in those states enjoy its exercise, Peru renounces on her part the right of her legation in such states to the said privileges, and denies the same to the legations of such states in Peru.

Your excellency will observe that the declarations of the Peruvian government are entirely consonant with those made by your excellency on the part of your excellency's government contained in your excellency's note of January 15th: and I may add that the Peruvian government is ready to concede to the government of the United States, or to its representative, the same and identical privileges which it may concede to the governments or representatives of other nations. Its object in the present question is to obtain for Peru the same privileges which are enjoyed by other civilized nations, without pretending to greater rights than those conceded to such nations, but never consenting that greater obligations shall be borne by Peru than are borne by the said other nations.

The note of your excellency thus being answered, I have the honor to renew to your excellency the assurances of my most distinguished consideration.

T. PACHECO.

His Excellency the ENVOY EXTRAORDINARY AND
MINISTER PLENIPOTENTIARY of the *United States of North America.*

[Translation.]

MEMORANDUM RELATIVE TO DIPLOMATIC ASYLUM.

DEPARTMENT OF FOREIGN RELATIONS, *Lima, January 29, 1867.*

The Peruvian government has deemed the question of diplomatic asylum, as now practiced in Peru, eminently worthy of attention, and having noted the action of the chargé d'affaires of France on the subject, conceive that the time has arrived to express its opinion and to publish the conclusions it has formed.

The Peruvian government has always recognized and respected the immunities of the diplomatic agents, and is positive that such immunities not only have never been infringed, even in the most calamitous periods through which the republic has passed, but rather have been granted more extension than that prescribed by the laws of nations. Far, then, from threatening these privileges, the government desires to place them more securely upon the two great bases proper to them, namely, the general principles of "international law and treaties." If the last mentioned contain nothing relative to diplomatic asylum, the first are sufficiently explicit for the resolution of any question which might arise in the premises.

As a general assertion, it may be maintained that no author of international law can be cited who upholds the doctrine of diplomatic asylum, and never has this practice been considered as an indispensable element in the enjoyment of those privileges, immunities, and rights held by public ministers by virtue of international law, and practiced by them in all civilized countries.

Disagreeable as may be the necessity, the Peruvian government finds itself obliged to cite the opinions of the most noted publicists since this question, always regarded among us in a contradictory and confused manner, is now for the first time under serious discussion.

His excellency here quotes from the following authors:

Wignefort, *De l'Ambassadeur*, etc., lib. sec. 28; Bynkershoek, "*De foro Legatorum*," cap. 21; Vattel, "*Droit des Gens*," lib. iv, ch. 9, sec. 118; Merlin, "*Repertoire la Jurisprudence*," sec. 5; G. de Martens, "*Droit des Gens*," lib. iv, ch. 5; C. de Martens, "*Manuel Diplomatique*," ch. 3; Kluber, "*Droit des Gens*," p. ii, tit. 2, sec. 1; Heffter, "*Droit International*," lib. 1, ch. 1; Wheaton, "*Elements International Law*," p. iii, ch. 1; Polson, "*Principles of the Law of Nations*," sec. 2; Pinheiro Ferreira, "*Cours de Droit*;" Eschbach, "*Etude du Droit*," p. 1, ch. 2; Woolsey, "*Introduction to International Law*," p. 1, sec. 4; Ch. de Martens, "*Causes celebres du Droit du Gens*," tom. 1, sec. 1; Bello, "*Principios de Derecho International*," p. iii, ch. 1, sec. 3.

His excellency continues:

Authority being wanting to support the question of diplomatic asylum in international law, it has been sought for in the *custom* and *tacit consent* of the South American governments. Before examining the real value of such an argument the motives must be regarded, which, according to general opinion, have given rise to such a custom.

The first is the instability of our institutions, and the frequent political changes in these republics.

All countries in their infancy, and many which enjoy an advanced state of civilization, offer many examples of changes in their institutions, and even in their governments.

Few there are that maintain always an immovable, political stability.

If a change in the internal regimen of a country was a sufficient cause for diplomatic asy-

lum, it would be deduced that this practice should exist from the inception of any commotion whatsoever.

But changes and commotions, although they may be frequent, are seldom accompanied by acts of cruelty or ferocity, for he who is engaged in them expects that to be meted to him to-morrow which he causes to be done to-day. In the very countries which laud the stability of their institutions and governments, acts frequently occur only to be attributed to the most barbarous passions.

The instability of South American institutions is not a sufficient reason for the establishment of diplomatic asylum in those nations. From an act no right can be born. And this right is but a faculty given to a foreign minister to judge the institutions and political affairs of the country to which he is accredited, thus forming a species of wardenship which must threaten the dignity and even the sovereignty of the nation.

With great justice Lawrence, in his Annotations on Wheaton, says, "the right of asylum claimed by diplomatic agents in South America, but abolished long since in Europe, places those states upon the same footing which is held by non-Christian nations."

Therefore, before regarding the frequency, greater or less, of revelations in South American States, it is necessary to determine if they are to be considered as Christian nations or not.

From this point the present representative of the United States begins his argument, and necessarily the conclusions which he arrives at are strictly exact.

It is to be presumed that the remaining members of the diplomatic corps will not sustain a contrary position, but if they do not sustain it in a positive manner their persistence in holding to the doctrine of asylum would lead to the belief that the nations of South America should not be considered as Christians.

But asylum is a right derived from custom. To this we agree. But has it therefore to be perpetual? It had in Europe also the same character, yet it has been abolished there; and what plausible reason can be adduced that the republics of South America should not do the same that has been effected in Europe? If the *tacit* consent of some of our governments has allowed this custom, their *express* intention to abolish it should certainly have more weight. Treaties are more binding than custom; yet they are not by their nature perpetual, and they appear or disappear at the will of the government, strictly in accordance with right. If written and perfect obligations may be thus abolished, certainly those which exist only in presumption can likewise be terminated.

Moreover, the rights and obligations of nations should be reciprocal. No country has the privilege of arrogating greater rights than those possessed by another, nor to place greater obligations on another than those resting upon herself. If the right of asylum be conventional or derived from custom, it is indispensable that the nation claiming it should likewise accord it to the nation from which it is claimed; and since this right is a mere privilege, any state enjoying it may renounce it at any time, without being obliged by another country to preserve it.

Humane reasons are adduced, also, towards the sustaining of this asylum. The existence of asylum, it is said, is more beneficial to the countries where it is in force than to the legations that may employ it, as by its means all violent persecutions and acts arising from such impeded.

This reason is less weighty than the former. The rights of nations are certainly founded on humanitarian principles, but they assuredly do not give to one country the power of dictating to another certain fixed and determined rules of conduct not observed by others. If the doctrine was certain, it would be adduced that the European states, in abolishing asylum, withdrew from the path of humanity and followed that of barbarism. Therefore, to sustain this practice in Peru would be to stamp those states of Europe as not civilized, but barbarous. And Peru can appeal to the testimony of the honorable diplomatic corps as a proof that neither on the part of her government nor people have such acts occurred as would warrant the belief that humanity, justice, and morality were not strictly observed within her limits. Isolated cases may, of course, be cited, but incidents of such a nature are undoubtedly less frequent in Peru than in other countries, which count their progress in civilization not by years but by centuries. And for cases of such a character there is no necessity to recur to immunities or privileges. National right contains rules applicable to the point—rules of which the observance would certainly be more convenient for those persons who occupy the high posts of representatives of foreign powers. If diplomatic asylum was confined by such limits, nothing could be said in its contrary; but, as is well known, frequent controversies have occurred on the point between the government and legations here, in which, unfortunately, the dignity and respectability of the nation have sometimes suffered.

Asylum has been granted to all classes of persons. These, sometimes, terrified by a political persecution, often proved illusory. It has been granted when the person favored was in the possible danger of losing his life; it has been granted to those over whose heads judgment was pronounced by the legal authorities, and the demand for their delivery, made by the proper tribunals, has been refused, thus vetoing the administration of justice; and, finally, it has been conceded to those who wished to exempt themselves from obligations purely civil. All of these acts are but refusing to recognize the sovereignty and independ-

ence of the nation, and for this reason the present government desires to abolish a practice which so often and so deeply has wounded the highest rights of the nation.

Considered in a humane point of view, diplomatic asylum would be a favor extended to the citizens or subjects of the state where the legation may be resident; from whence it is derived, first, that the citizens or subjects of the state find greater protection in foreign legations than that which they receive from the laws and authorities of the state; second, that this protection, threatening the sovereignty of the nation, should not be denied existence by the state, which, according to natural right, exercises exclusive authority over its citizens or subjects. But the logical consequence is, that if a state has allowed such a protection to be exercised by a foreign legation within its limits, the state can at pleasure, for itself and its citizens or subjects, deny the further exercise of any such protection. The admission of a favor is no obligation, and the person receiving the favor may renounce it at any time.

To insist upon the protection, against the will of the state to which belongs the person favored, is to arrogate the sovereign powers of said state, and to attempt to deprive it of its high and legitimate rights over its subjects or citizens, and would be to convert the fiction of extritoriality, only applicable to the minister and his suite, into a means, always at the hands of such citizens or subjects, to avoid obeying those laws and obligations to which they are, by all right, liable.

The very fact of calling the extritoriality of a minister's dwelling a fiction shows clearly the difference which exists between such dwelling and the country of the minister himself; and from this appears conclusively the weakness of the argument employed by some, when, desiring to sustain the practice of asylum, they assimilate in all respects the minister's dwelling to a foreign soil. It is very desirable to find some solution to this difficult question, but such a mean is almost impossible to arrive at.

Apart from exceptional cases, for the which international and natural right amply prescribe, it is impossible to conceive an instance in which, preserving the practice of asylum, the chief of a legation does not become a judge, determining the proceedings of the government, the action of the courts of the law, and of the remaining state authorities.

The Peruvian government, therefore, believes that the only method of avoiding the disagreeable occurrences which have frequently taken place between it and the foreign legations in Peru—the only method of restituting the nation in the plenitude of its rights—is to adhere strictly to that prescribed by the law of nations in the question of asylum, unless other countries now not recognizing the practice may be disposed to adopt it, on a general and uniform basis, thus obtaining the perfect equality and the just and indispensable reciprocity which should be the normal rule in the relations of all to each other.

Therefore the Peruvian government deems it its duty and right to declare, as it does declare, first, that it will not recognize, in the future, diplomatic asylum, as practiced until now, in Peru, but only within the limits assigned to it by the laws of nations, which are sufficient to resolve the questions that, in exceptional cases, may occur; second, that, as diplomatic asylum exists in the South American states, the legation of Peru in such states exercising the right, Peru now renounces, on her part, this privilege, and denies it to the legations of such states in Peru.

T. PACHECO.

Mr. Hovey to Mr. Seward.

No. 57.]

LEGATION OF THE UNITED STATES,
Lima, Peru, February 22, 1867.

SIR: I have the honor to enclose herewith a copy of the message of the supreme chief transmitted to congress, at the installation of that body on the 15th instant, at which time he surrendered his dictatorial power to congress and was declared provisional president. When the votes are properly counted he will be proclaimed President of the republic. A brief resumé of the message, with the prominent parts which may be interesting to our government translated in full, is attached. The message was well received and considerable enthusiasm manifested, especially at that portion which relates to the mediation offered by the United States and the rejection of the proposals made by France and Great Britain.

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

PRESIDENT'S MESSAGE.

You are assembled, citizen representatives, to receive from me the unlimited power bestowed by the voice of the entire people, and in your hands now lies the destiny and welfare of Peru.

May the merciful God, who has permitted you to assemble, guide and direct your deliberations.

The President goes on to say that at the time of the revolution, which by its successful termination gave him his present post, the country was dishonored and bankrupt. Since his assumption of dictatorial power, the credit and honor of the nation have been restored. He pays a glowing tribute to the heroic dead of the 2d of May, when Peru met, for the second time, her old enemy and was victorious.

With the exception of Spain, all foreign countries maintain the most cordial relations with Peru, and our desire is to preserve such relations intact.

The United States first offered to us their good offices towards restoring peace between Spain and this country. The offer has been recently renewed; but this government can take no decisive step without first consulting its allies.

Bases of argument were also offered by Great Britain and France, but their terms being more humiliating even than the treaty with Spain, of January, 1865, they were instantly rejected, as all such propositions not tending to the honor of the republic will be.

The unjust war waged by Brazil and her allies against Paraguay, and the latter's gallant defence, called the attention of this government, and our good offices were early offered to the belligerents.

With the foreign legations resident in Lima our relations are most friendly. A slight difference occurred with the French legation concerning diplomatic asylum, but the secretary of foreign affairs has, by his published memorandum, placed Peru, in this matter, on an equal footing with other nations.

The American congress will shortly reunite in Lima.

Public instruction is rapidly advancing, and great attention is being given to the subject. Taxes, being absolutely necessary to cover the expenses of the government, have been levied, for the first time in the history of Peru.

Conspiracies have been detected against the government, and those concerned in them have been banished from the country, their crime being all the greater from the fact of existing foreign war.

The question of determining the amount of damage suffered by merchants in Callao, from the robberies committed by the revolutionary troops and the mob, is left to Congress.

The dictatorial power is resigned.

If his resignation be necessary he will gladly leave his onerous post and return to that of a simple citizen.

Opposed to him are conspirators, soldiers who are not promoted over more deserving heads, families whose extortionate demands on the treasury have been refused; and in his favor are all who love their country's honor, peace, and prosperity.

Mr. Hovey to Mr. Seward.

No. 58.]

LEGATION OF THE UNITED STATES,

Lima, Peru, February 22, 1867.

SIR: I have the honor to enclose herewith a copy of the report of the secretary of foreign relations, with a brief summary in English of the same.

It will be seen that the secretary has settled the question of diplomatic asylum in Peru. He mentions with kind expressions the offer made by our government in relation to peace with Spain, and promises an answer as soon as the allied powers may be heard from on the subject, and reviews the proposals of England and France, which were refused by the said government.

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

REPORT OF THE MINISTER OF FOREIGN AFFAIRS.

The Spanish question is reviewed in extenso from its commencement to the present time. The steps taken by Peru to effect the alliance existing between herself, Chili, Ecuador, and Bolivia are recounted.

Mention is made of the first offer of the United States, acting upon the request of Spain, to arrange in some manner the present war. The thanks of the Peruvian government were given for this proposal, but it afterwards was acquainted with the fact that the United States would not proceed further in this matter.

Mediation was proposed by France and England, but the bases of their proposal not being admissible, the allied governments returned a refusal.

The recent proposal of the United States towards the same object has been gratefully received, and will be answered when the allied governments can be heard from on the subject. The American congress of plenipotentiaries from nearly all of the South American republics, and, if possible, of Mexico, will assemble in this city in April, for the purpose of forming offensive and defensive treaties, commercial regulations, &c., &c.

The protest of the Peruvian government against the conduct and war waged by Brazil and her allies against the republic of Paraguay is noticed.

In regard to diplomatic asylum the minister reiterates the views which he expressed in his printed memorandum, citing especially the case which gave rise to the discussion of the subject, which was the request made by the government to the French legation for the delivery of a person criminal in the eyes of the law who had taken refuge in that legation. The request was denied; a formal demand met with the same repulse, and the government not desiring to provoke a conflict left the matter as it was, determining at the proper time to arrange the question definitely.

The legation of the United States in Lima has accepted without reservation the doctrine of the Peruvian government on this matter, such doctrine being in conformity with the laws and practices of the Union.

The representatives of Chili and Brazil referred the matter to their respective governments. Recently the minister of the United States has informed this department that the American admiral has issued a general order, to the officers commanding vessels in his squadron to refuse asylum in the future to any Peruvian citizens who may seek it.

The President of the United States, in a message to Congress, asked for authority to enforce the payment of certain debts due American citizens by Ecuador. The Peruvian and Chilian ministers in Washington assumed the debt for their governments, but Ecuador at the fixed time liquidated the claim.

The supreme chief has offered his mediation in the difficulty between the government of New Granada and the United States minister at Bogota.

The treaties which were in force with many foreign countries are about expiring or have expired. It is recommended to congress that the subject of renewing them or of forming new ones be attentively considered.

The secretary then gives account of several unimportant claims against this government, and concludes by giving a relation of the different legations and consular agencies of Peru in foreign countries.

[Translation.]

Memoir, which the secretary of state for foreign relations presents by order of the provisional supreme chief of the constituents congress.

LIMA, 1867.

In compliance with the order which the provisional supreme chief of the republic has pleased to give to me, I have the honor to present to the constituent congress a succinct exposition of the state of our foreign relations from the 28th November, 1865, when the supreme chief designed to appoint me to be secretary of that department.

THE SPANISH QUESTION.

The glorious revolution of the 28th of February purposed as its main object the revindication of the national honor deeply wounded by unjust and outrageous Spanish aggressions, and, even more, by the mode in which an end was put to the conflict, by making, and in part giving effect to a treaty in which Peru was made to appear as blameworthy, and bound herself to give satisfaction to her oppressor and make good to her the outlay she had made in maintaining the usurpation of our territory.

The revolution also purposed to reform our vicious internal system, and beyond doubt so laudable a proposition must have contributed powerfully to putting at ease the international relations of Peru, which up to that time had suffered from the instability of our institutions and from the abuses which, under this cloud, had become predominant.

The abusive and scandalous usurpation of the Chincha Islands by the Spanish squadron,

and the acts which were its consequence, until the inauguration of the dictatorship, although they defined clearly the situation of the new government, surrounded it, nevertheless, with difficulties and dangers which it was necessary to overcome, and to obviate at the proper time, with prudence as well as resolution. The revolutionary government, in order to be consistent, had to declare null and of no effect the treaty of the 27th January, and that was equivalent to placing Peru in the attitude of open war with Spain. Some believed, it is true, that Peru might content herself with having overthrown the government which made the treaty, reporting such as a fact accomplished; but such merely temporizing doctrine, in proportion as it exhibited the revolutionary government as inconsistent with its original programme, left untouched the injury done to the national honor and dignity, and by accepting the fact even, it became compulsorily held to accept all the consequences which the insidious enemy that had humbled Peru, and stained her with blood, might pretend to deduce therefrom.

But even though, under these circumstances, motives of political convenience might have been so powerful as to impose the obligation of silence on the legitimate sentiments of honor and dignity, there was another fact in presence of which the dictatorship bound itself, and which it could not absolutely disregard. The Spanish squadron, after imposing peace in the government at Lima, and obtaining therefrom the reward of Spanish injustice, laid its course towards Valparaiso, to demand from Chili satisfaction for the sympathies she had manifested toward Peru. When the dictatorial government was inaugurated, it was already more than two months since the ports of Chili had found themselves blockaded by the Spanish ships, and that war had been declared between Chili and Spain.

The dictatorial government understood at once that to the peculiar motives which Peru had for breaking the treaty of the 27th of January, and exacting from Spain the indemnity which was justly due to her, was added the no less powerful one of aiding a sister and friendly nation, against which it was attempted to repeat the chastisement which had been inflicted on Peru, and that only because Chili, an American nation, could not be indifferent to the injustice, the wrongs and aggressions of which a state equally American, and her neighbor, had been the victim. Besides, it was plain, in view of the frivolous causes which gave rise to the usurpation of the Chincha Islands, and the aggression on Chili, that there existed, on the part of Spain, a preconceived plan at least to humiliate the South American nations, thus disposing at random of their future destinies, and when she could do no more, to turn them to the purposes of rapacious spoliation. If any doubt could be entertained in this respect, it is dissipated by reading the documents which were found in the archives and were afterwards published.

The dictatorial government did not hesitate about the choice of the course it ought to take; the programme of the supreme chief showed clearly what would be the frank and decided policy of his government; a policy which, resting on justice, has merited the protection of Providence and been crowned with the most brilliant result.

At the epoch to which I refer, there was at Lima a Mr. Albistur, who had been recognized by the government of ex-General Pezit under the double and consecutive character of royal commissioner and diplomatic agent of the Spanish government. On the 30th November, 48 hours after the installation of the new government, Mr. Albistur presented himself at the department of foreign relations to let me know that in Callao there was published a newspaper in which discourteous things were said of Spain and its sovereign. Mr. Albistur admitted that he had no right to take any action with the new government, because he knew that it had not yet brought to the knowledge of the foreign legation the fact of its installation. I confined myself, as was natural, to listening to him, offering to give report of his intimations to the supreme chief.

Two days afterwards Mr. Albistur asked for an interview with the supreme chief, and as thereat he revealed to him that he had in his possession ample instructions to settle all the questions which might arise between Peru and Spain, the supreme chief was explicit enough to make known to him that the only basis for settlement possible was to declare at once the nullity of the treaty of the 27th of January, and to withdraw the Spanish squadron from the coasts of Chili, with disapproval of the last acts of Admiral Pareja. On my part, and in virtue of orders from his excellency, and because Mr. Albistur had wished it, I had also another interview with him, and repeating thereat the remarks of the supreme chief, I obtained the conviction that Mr. Albistur had no instructions beyond concluding at Lima the definitive treaty which had to be made at Madrid, according to one of the stipulations of the treaty of the 27th of January, that the Spanish government had not made to its representative in Lima any suggestions on the questions which might naturally grow out of the probable triumph of the revolution; above all, if this fact should take place simultaneously with the attack ordered against Chili, that the Spanish representative, following the teachings of his government, understood that the treaty of the 27th January was a fact consummated, and obligatory on Peru, whatever might have been the faults committed by the government which concluded it. The insinuations that Mr. Albistur had made to the supreme chief, directly or indirectly, and the assurances he gave before his friends that at the pleasure of the new government he was to smooth all difficulties, leaving the national honor untouched, imposed on his excellency and myself the imperative necessity of using, in our conferences with him, language clear and precise, for the purpose of getting at the

truth in all its nakedness. The result corresponded fully with the judgment which the government had formed about the powers with which the Spanish agent said he was invested.

The conviction of the government that he could do nothing in the diplomatic line being thus settled, the supreme chief proceeded to give me orders for the conclusion of a treaty of alliance, offensive and defensive, between Peru and Chili.

The argument was adjusted with the plenipotentiary, *ad hoc*, appointed by the government at Santiago, and was signed the 5th December, 1865.

On the 13th of the same month the usual circular was addressed to the foreign diplomatic corps resident to Lima, announcing to it the installation of the new government. Mr. Albitur was not, nor was he entitled to be, considered in the number of the diplomatic agents, and on that very day the shield of arms, which had till then remained on the door of his house, disappeared from there. On the 22d he took passage on the steamer for Europe, leaving, as the government afterwards knew, a note for the representatives of foreign nations explaining the motives for his spontaneous withdrawal.

This happened when it was already known in Peru that the Spanish schooner *Covadonya* had been surrendered and captured by the Chilian corvette *Esmeralda*, at a few miles distant from the main body of the enemy's fleet.

A few days afterwards the news was spread through Lima of an event which, like the before-mentioned, was called to exert a decisive influence on later events, the suicide of Admiral Pareja. The triumph of the revolution in Peru, and the striking of the Spanish flag on one of their ships made him understand, it would seem, the enormity of the faults he had committed as a politician and a seaman.

Meantime, Peru having undertaken, together with Chili, to promote adhesion to the treaty of alliance just concluded between the two republics, the government hastened to designate the persons who were to exercise the functions of some of the legations which they had to send forth for this purpose. Messieurs Freyre and Quiñones at once set forth for Bogota and Quito. In the instructions given to them they were charged to call the attention of the governments of Colombia and Ecuador seriously to the danger which America incurred in consequence of the systematic aggression of which some of those states were the object, and to the palpable tendencies of Spanish policy.

The remark was made that the circumstance of there being no existing treaty between Colombia and Spain, left the first at liberty to act as would suit her own interests and those of America; and in respect to Ecuador, that the fact of her having before made a treaty with Spain did not interfere with the observance towards her of the respect to which she was entitled as an independent and sovereign state. Mr. Quiñones was especially forewarned to avoid incidents of earlier date which had produced some misunderstanding between Peru and Ecuador.

Bolivia was at that time disturbed by civil war, and this circumstance, connected with the fact that the city of La Paz was then occupied by the revolutionary party, prevented the early sending of a legation in that direction. The legation set out as soon as the government knew that order was restored in consequence of the battle of Viacha. But to the honor of the Bolivian government, that although the smoke of battle had not passed away, she hastened to assure the governments of Peru and Chili that the events which were developing themselves on the Pacific were not regarded by her with indifference, and that Bolivia was ready to join with the two republics, her friends and neighbors, for the common defence. This solemn declaration, made the 30th of January, by a note addressed to the Bolivian legation and transmitted to the Peruvian government, was the answer looked for to the invitations which, almost at the same time, we sent to the government of Bolivia, to induce it to adhere to the treaty of alliance. The action of the Bolivian government should so much the more receive attention, because, as is known, there was then depending between Bolivia and Chili a veracious question of limits, which had given room for the adoption of a law of war on the part of the congress of the first of those republics, a law which was in force, and which the Bolivian government hastened to abrogate.

The treaty of alliance being approved by the Chilian congress and ratified by the government, obtained the approval and ratification of the supreme chief. The ratifications were solemnly exchanged the 14th January, 1865, and on the same day the treaty and the supreme decree declaring the republic to be in a state of war with Spain were published. In conformity with what is ordered in article 2d of said decree a manifesto was drawn up stating the causes which had induced the government to make the declaration. Both documents were communicated to friendly nations.

The first fruit of this alliance was the glorious battle of Abtao, sustained under extremely unfavorable circumstances by the small allied squadron. The news of this important feat of arms came to complete the not less fortunate news of the adhesion of Ecuador to the alliance. As a consequence of the new situation that Peru had assumed, the several departments dictated the orders and resolutions which the state of war needed. From that, in my charge, was issued the supreme decree of 7th February, 1866, declaring contraband of war stone coal, provisions, and supplies for food, when intended for Spanish war vessels. By the war and navy instructions were issued to regulate the conduct of commanders of ships of war and of privateers in the war against Spain.

In article 7th of these instructions it was enacted that judgment of good prize should be

made by competent courts, which were those established by the laws of the republic. But in case of inability to bring the prize into such courts by distances or other cause, the judgment should be passed by courts which should be formed on board the ships of war. It is therein expressly said that the constitution of those special courts was a measure of reprisal, because the admiral of the Spanish squadron had established his on board the *Villa de Madrid*. Care was taken also to indicate (that which the Spanish commander had not done) that decisions pronounced by such courts should be *ad referendum*, and that the documents should be preserved, in order to present them in due season to the ordinary courts of prize which may be nearest. The arrangements provided in the article quoted gave rise at a latter day to a reclamation from the government of her Britannic Majesty through her representative at Lima. In the replies which were given to Mr. Barton, the circumstance came out that a court had been constituted on board a ship of war as a measure of reprisal, and it was said the Peruvian government would revoke it as soon as the Spanish government would abrogate on its part the institution of General Pareja. In a recent note Mr. Barton has communicated that the government of her Britannic Majesty did not desire to prolong the discussion on this matter, and accepted our reply of the 18th September, 1866, although with some reservations.

Meantime the union of the squadrons of Peru and Chili, that they might act in concert, made indispensable the adoption of principles and rules that should be common to both countries by bringing into conformity the liquidation of the one and the other where it contained differences essential in the matter of prizes. For this purpose a convention was concluded and signed at Santiago, the 26th December last, which has been approved and ratified on the part of Peru. In draughting it the doctrines of international law were kept in sight, and the stipulations of the analogous convention adjusted by France and Great Britain when they were in alliance against Russia.

The exchange of ratifications was still pending, and the publication of the alliance, when a memorandum was presented to the government at Santiago reduced to form by the governments of France and England, in which some bases were laid down for the regulation of the question pending between Chili and Spain. The Chilian government communicated them to us, through its legation at Lima, having found itself under the necessity of revealing to the representatives of France and England that it could no longer act by itself, as it was become bound to Peru by a treaty which would become sanctioned in a few days from that time. The opinion of the supreme chief coincided with that of the Chilian government as to the inadmissibility of the basis proposed in the memorandum, inasmuch as they, even supposing the alliance not to be in existence, did not contain either the satisfaction which Chili had right to claim, nor the guarantees which every American state found itself in the condition and under the necessity of obtaining, in renewing or initiating relations with a power which, like Spain, so scandalously trampled on justice and morals. The Anglo-French propositions fell through of themselves, and the same happened to proposals for arbitration made by the representatives of the United States near the government of Chili.

The publication of the treaty of alliance having been made, the Peruvian government provided to fulfil, on its part, the stipulation of article 5, and to that end addressed an invitation respectively to each other of the rest of the American states, either directly or through the channel of the legation which we had accredited to some of them.

Our minister to the United States of Colombia could not comply with the instruction, because the government at Bogota had refused to acknowledge and receive him in his public character, alleging that it would not recognize as a government that of the supreme chief. It was necessary that Señor Murillo should finish his term, and that Señor Rojas Garrido should take charge of the government in order that Señor Freyre might present his credentials. It was not, however, given to Señor Freyre to treat with the new government on affairs relating to the war with Spain, because the Grand General Mosequera was still absent. When he reached Bogota and took charge of the supreme command, news was successively received there of the bombardment of Valparaiso, and of the victory of May 2; but Señor Rojas Garrido and Grand General Mosequera had already manifested to Señor Freyre the sympathies which the government and people of Colombia, as an American people and government, fostered naturally for that cause which the allied republics on the Pacific were defending. If Colombia has not given adhesion to the alliance, she has at least proclaimed her positive neutrality by opening her ports to the allied vessels which might find it necessary to enter them, and there facilitating the condemnation and sale of prizes. The republics of Honduras, Nicaragua, and Costa Rica have made the same declaration. In the replies given to us by the governments of the two first they made explicit declarations of sympathy, and the senate of Nicaragua, before which our invitation was laid, adopted a resolution which speaks very highly in favor of the sentiments eminently American of that honorable body. Nicaragua through its senate declared that it was disposed to make the greatest sacrifices in defence of American independence. To arrive at a definitive conclusion the senate called upon the executive power to inquire what were the opinions of the rest of the states of Central America. To represent Peru in the United States of Venezuela, and forward the objects of the alliance, Señor Don Mariano Alvarez was appointed minister resident, but before going to Caracas, he had to attend in the United States of North America to some charges the government had given him. Some time having passed and Mr. Alvarez

being delayed longer than he had calculated, the supreme chief thought fit to appoint a confidential agent, who, by approaching the government of Venezuela, might become acquainted with its disposition and would instruct us on the state of opinion in that country. Thus the ground was prepared that it might be more easy and fitted for the exercise of the diplomatic mission, and to this end the confidential agent was advised that on the arrival of Mr. Alvarez he must minutely advise him of all he had done, and furnish him with all the data he had gathered. But after the departure of our agent we received a communication from the Venezuelan government in which an account was given to us of recent manifestations by it and by congress, because of the news of the bombardment of Valparaiso, manifestations which revealed the fact that the American sentiment had not become torpid in the native land of Bolivar.

Our invitation to the government of Santo Domingo was received when General Baez exercised supreme authority, and remained unanswered, for reasons unknown to us. A political change afterwards carried the authority over to General Cabral, who hastened to inform us that the Dominican government was fully convinced of the justice which sustained Peru in her rupture with Spain, and that the government of Peru might consider as friendly that which, at the cost of bloody sacrifices, had been able to keep itself free in the midst of the slave islands of the archipelago of the Antilles.

Brazil, the Argentine Confederation, and the republic of Uruguay, had expressly declared they would remain neutral in the war between Chili and Spain. The government of Montevideo has issued a resolution, which, on the pretext of maintaining neutrality in any event, included a real act of hostility against Chili and her allies.

This occasioned a disagreeable incident which ended in the rupture of diplomatic relations between Chili and Uruguay.

The declaration itself of the oriental government and the course it took to put an end to the mission of the Chilian government, could not pass unobserved by the Peruvian government, and the supreme chief ordered me to state the reasons which obliged him not to admit the new principles put forth by the cabinet of Montevideo.

This and other incidents connected with the Paraguayan war hindered for some time the representatives of Peru and Chili from formally soliciting the adhesion of the oriental governments to the treaty of alliance of the Pacific republics. When afterwards they gave answer the response was in the negative. It is to be remarked that the answer of the government of Buenos Ayres was addressed solely to the representatives of Chili, it being the fact that the invitation had been given collectively by both. Our representative reclaimed against this, making note that the Argentine government for a long time gave no answer to his communications. The Argentine government obliged to explain, did so by saying that its answer depended on that which the governments of Brazil and Uruguay had to make, a circumstance which was not deemed necessary in giving answer to Chili.

On the inauguration of the transient government of General Canseco, General Alvin P. Hovey was at Lima, who had come to replace Mr. Robinson in the capacity of minister plenipotentiary and envoy extraordinary of the United States of America; the one and the other had sought an audience to present their respective letters, when the political change of the 28th of November occurred. Mr. Hovey gave me to know then that, notwithstanding his sympathies with the new order of things, from which he hoped much for the prosperity of the country, a doubt had come over him whether the credentials which were addressed to the President of the Peruvian republic could properly be presented to the supreme chief; that in consequence he had referred the point to his government, and that until it should solve the question he would abstain from asking recognition in his public character.

It seems that the government of the American Union, under impressions of the latest political events in that country, had purposed to adopt as a rule not to acknowledge governments de facto until they should have received the double sanction of time and law. To apply this doctrine to foreign nations and governments was to assume to constitute itself the arbiter and regulator of their destinies, and to exercise at the same time a moral pressure irreconcilable with the fundamental principles of the law of nations.

The consequence which the Peruvian government had to deduce from this was, that not being recognized as such by that of the United States, as little could it be regarded by that as a belligerent, and therefore if we should do anything in the territory of the Union to procure for ourselves, openly and without disguise, munitions of war, our acts could not be regarded as violations of neutrality. In the end the government at Washington desisted from its mistaken idea, and General Hovey received orders to present, as he in fact did, his credential letter.

Meanwhile the Spanish fleet, which had confined itself to blockade of the port of Valparaiso, had made two attempts to destroy the allied squadron, and in both its projects was frustrated, giving to the alliance the triumphs *Abtao y Tumbidad*.

The Spanish commander then resolved to wreak vengeance on the undefended port of Valparaiso, which he piteously bombarded, and without risk, during three hours on the 31st March. The news of so barbarous an outrage caused in Peru the effect which was to be looked for. Our representative in Chili, in union with that of Bolivia, hastened to declare, in the name of their nations, that they regarded as an outrage done to them that brought upon Chili, and the supreme chief ratified, as was natural, so solemn as well as legitimate a declara-

tion. It was necessary to take, in Peru, some measure of reprisals against Spanish subjects but those, like others taken before, were of such a mild character and were carried out with such moderation on the part of our authorities, and the prudence and discretion of the Peruvian people in these solemn circumstances, and in those still more serious which succeeded a few days afterwards, was so remarkable that the contrast was plain between them and the fury and spite of the incendiaries of Valparaiso.

At two interviews which they had with me, first the representative of Great Britain, and afterwards the same gentleman and the representatives of Italy and France, asked me whether my government had taken into consideration a point which, in view of those gentlemen, was of the greatest importance, to wit, if the Spanish squadron should present itself at Callao would fire be opened upon it, or whether it would be delayed until it should be commenced by the vessels? The reply naturally was that the government had not preoccupied itself with that question, and that its action in the case supposed would be in keeping with circumstances.

A few days afterwards it was known that the Spanish squadron had abandoned the port of Valparaiso. The reports at first received of the course it had taken were contradictory, but some particulars confidentially communicated to us gave us to understand that it would surely come to Callao, and, in fact, it appeared in the waters of this port on the morning of the 25th of April.

The presence of the enemy's squadron gave rise to various tentatives in the sense of a pacific arrangement. Mr. Migliorati, minister resident of Italy, made, with this purpose, many and very earnest efforts, highly honorable to him and to the noble and generous nation which he represented, but which were useless in consequence of the condition which things had reached. The minute relations of those incidents, which is made in documents which are in progress of publication, excuses me from entering into further details.

The 2d of May was, for our country, until then so downstricken, a day of unfading and imperishable glory.

To extract from this very significant fact all the consequences involved with it to assure to Peru the position to which she may legitimately aspire in America, and among the other nations of the earth, has been the unchanging anxiety and constant solicitude of the supreme chief, and his efforts have not been sterile, as already Peru, at peace with all the world excepting Spain, and in the best relations with the friendly powers, has seen its credit increased, and has deserved and continues to deserve the consideration to which he had perfect right as a civilized sovereign and independent nation. From the moment when the Spanish ships went to a distance from our shores proper orders were communicated to our agents abroad to prevent them from receiving such aids as would put them in position to renew their aggressions; our representative near the oriental governments was forewarned to make reclamations for violations of neutrality, in case the Spanish squadron should attempt to use those places for the purposes of war, warnings which have been repeatedly renewed.

In compliance therewith the diplomatic agent of Peru interposed formal and reiterated declarations with the government of Rio Janeiro, which at last did justice to our good right and notified the Spanish commander that he must leave the Brazilian ports.

Our representation in Great Britain was also notified to oppose the departure, if it should be attempted, of vessels built there for account of the Spanish government, a precaution taken because of the declaration made by the Spanish secretary of the navy that he had closed the campaign in the Pacific.

Little over twenty days had elapsed after the 2d of May when the representatives of the United States of North America communicated to the Peruvian government a note which the government at Washington had addressed to the Chilean representative, suggesting to him the idea of a pacific arrangement of the question pending between the allied republics and Spain. In the note it is said expressly that the Spanish government had solicited the interposition of the good offices of the United States, but the President of the Union confined himself to inquiring what was the disposition of the allied governments, in order to suggest some form or mode of negotiation, because the fundamental law of the Union and the habits of the American people would not permit him to propose nor accept the office of arbiter, nor to indicate the precise basis of reconciliation.

In accord with the representatives of Bolivia, Chili, and Ecuador, we draughted our reply giving thanks to the government of the United States, and saying that of Peru was ready to listen to the intimation it might think proper to make, always with reservation of the honor and dignity, present and future, of the allied republics, with whose governments that of Peru would place herself in correspondence in order to give suitable and definitive reply.

Our legation at Washington informed us at a later day that the government of the United States had made known to the representative of Chili that it would not proceed with the negotiation, but this declaratory statement was not communicated directly to the Peruvian government, either through our legation at Washington, or through that of the United States at Lima.

That which was noticeable in the invitation was that it was made at the solicitation of the Spanish government, precisely at the moment when the Spanish squadron was carrying out in the Pacific the instructions of that government to bombard the ports of Valparaiso and Callao.

The suspension of hostilities which in fact followed the battle at Callao, brought about in some months the offer of good offices on the part of the governments of France and Great Britain made at once to the Peruvian government, that confined itself to acknowledging its receipt and offering its thanks, deferring definitive reply until it would act in concert with its allies, to whom, as the representatives of those two powers expressed it, similar offer should also have been made. The idea was in fact proposed to the government of Chili by the diplomatic agents of France and England resident at Santiago. The Chilian government accepted in principle the good offices, but expressly refusing the propositions made at the same time for an armistice. The Chilian government declared decidedly that her acceptance of good offices did not in the least take from her complete freedom of action.

As was agreed upon by the Chilian government with the representatives of the powers tendering their good offices, Spain on the one part, and the allied republics on the other, ought to have presented their respective bases, that the English and French governments would have examined and put in shape to form others which might be acceptable to one and the other party.

Meantime our legation in London send advice that the cabinets of France and England were busied with the examination of certain bases presented by Spain, which deserved to be regarded as moderate by the two governments, and would undoubtedly be forwarded by first steamer. It really was done, and if not presented to the Peruvian government it was because that had not replied to the first proposal about good offices. The acceptance which was at first given to them by the Chilian government authorized the representatives of France and England to communicate said bases to it. They changed absolutely the aspect of the negotiation. The primitive idea of presenting bases for discussion by each of the parties belligerent was completely stripped of all force directly the friendly powers came forward to propose those which in their opinion should serve as the point of departure for the discussion.

It mattered little whether such bases should be suggested by Spain, or spontaneously reduced to form by the two governments which presented them.

As for Peru, it was enough to consider that one of the bases alluded to proposed the re-establishment in all its force and vigor of the treaty of the 27th January. To advance such a proposition it would have been necessary to have cast into complete oblivion the events, too notorious in truth, which had had their origin in that very treaty. Peru could not consent that there should be proposed to her, even as a subject of merely speculative discussion, the legitimacy of her last revolution with all its consequences, one of them being the establishment of the existing government, nor the perfect right which annulled the treaty of the 27th January, and declared war against Spain, nor any less its power to consider as offences the ratification and execution of that same treaty, and to subject its authors to the action of the courts of justice. It must be excused from examining into the other matters in which the rights and justice of the course of the allied republics were palpably disregarded.

The opinion which the four republics have formed on the bases have been uniform; as they were submitted only to that of Chili, she became charged to answer in the name of all four, and has done so in effect by analyzing the proposed bases and showing the powerful reasons which militate against their admission. A recent proposition for an armistice or indefinite truce has been made at Santiago in the name of the same French and English governments, as a consequence of the acceptance on the part of Chili of the good offices. These being put an end to by the non-acceptance of the bases, it is to be supposed that the proposal of a truce already deprived of the cause for originating it may be withdrawn; but even if the proposition of truce should be regarded as independent of that of good offices, the supreme chief has determined that no plausible reason existed which could make it acceptable. The government of the United States of America, resting on a resolution of the House of Representatives, which incited it to interpose its good offices to procure peace for the two regions east and west of South America, has also officially made an offer in this sense. It proposes the plan of a conference of plenipotentiaries of all the belligerent states, to assemble at Washington under the presidency of a competent person named by the President of the United States; but such person should not take part other than that of counsellor and mediator to smooth away difficulties. The resolutions agreed upon should be previously approved by the respective governments, and those points on which there was divergence of view should be submitted to an arbiter, which should not be the American government. We have acknowledged receipt of this official invitation by offering to consult our allies about it.

Before this the idea was insinuated of assembling at Washington a sort of American congress which should treat of and solve the questions of the Pacific, of Paraguay, and of Mexico, but that idea was never formally reduced to shape, and in its place came that of which I have just finished speaking.

AMERICAN CONGRESS.

When the present government was installed it had no knowledge that not one of the states which took part in the American congress which operated at Lima in 1864 had approved and ratified the treaties made by that body on the supposition that they could have been as explicit and conclusive in what had relation to the principal object of American union. The

new government of Peru should not seem to be imposing on other nations that situation in which through special causes she found herself, and it would have been believed that it was purposed so to do, if not directly at least indirectly, by sanctioning treaties which as yet had not been formally accepted by the other contracting parties. But the tenor of those very treaties shows that they do not contain principles sufficiently established, nor precise rules, so that without difficulty, and without room for explanations, the circumstances could be determined in which a *casus fœderis* could be declared. Every government is absolute judge of those circumstances; the obligation contracted is, so to speak, imperfect, and its observance depends not on the nature itself of the questions ventilated, but on the appreciations which may be entertained about them, and perhaps on the interests of the time being.

There have been states which, notwithstanding they have given their formal approbation to the treaties of the American congress, have declared their neutrality in the war of Spain with the republics of the Pacific, and there has not been wanting some one which has perhaps expressly made known that the assurance given by the Spanish government, that it was not its intention to attempt anything against the sovereignty and independence of those republics, was sufficient to do away all apprehension, and to counsel a prudent policy of non-committalism; and in getting off in such manner, far from estranging itself from the principles laid down by the American congress, observed and acknowledged the most solemn and principal of all of them. In the treaty of union and defensive alliance, adjusted for the purpose of uniting the contracting parties together, of providing for their eternal safety, to draw closer their connection, to assure peace among themselves and promote other interests in common, it is established in article first that the high contracting parties may unite and engage themselves for the purposes above expressed, and mutually guarantee their independence, their sovereignty, and the integrity of their respective territories, obliging themselves in the terms of the treaty to defend themselves against every aggression which might have for purpose to deprive any of them of their rights therein set forth, whether the aggression should come from any foreign power, or from any of those bound by the treaty, or from foreign forces which were not in obedience to any recognized government. To give more fixedness to the foregoing principles, it was stipulated in article second that the alliance should have effect when there should be a violation of the rights mentioned, and especially in those cases of offence which might consist, first, in acts directed to taking from any of the contracting nations a part of its territory with the purpose of appropriating to itself dominion over it, or ceding it to some other power; second, in acts directed to the annulling or changing the form of government, the political constitution, or the laws which any of the contracting parties might enact for themselves or have made in the exercise of their sovereignty, or which may have for object to alter by force the internal regulations, or in the same manner to impose rulers thereon; third, in acts directed to subjecting any of the contracting parties to a protectorate sale or cession of territory, or the establishment over it of any superiority, right, or pre-eminence which may take from or injure the full and complete exercise of its sovereignty and independence.

The provisional government certainly accepted in all its fulness and extent the principles laid down in the treaty of the American congress, and not only accepted them, but carried them into effect, whether in forming the alliance with the three neighboring republics, or in the protest against the treaty of 1st May, 1865, made by Brazil and the Argentine and Uruguayan confederations against the Paraguayan republic. It was ready, therefore, to approve and ratify the treaty of union and alliance as the rest were, as soon as it came officially to their knowledge that the other signing states had approved and ratified them. But this did not prevent that there should be discovered in the treaty of union and alliance that which might make and would make the important work of the congress illusory in effect.

The aggressions against which the contracting states guarded themselves in alliance, by means of the alliance, might perhaps not take the forms which the congress assigned to them. The expedition against Mexico at first encountered none of them, and, notwithstanding, the result was a complete change of its institutions and of the form of government.

Just the same happened to Paraguay until the revelation of the secret treaty of 1st May, 1865. The aggressor never discloses the real object which is proposed, and such can only be known through circumstances which at times escape the sharpest penetration. It would follow from this, as it has already done, that the true tendency of an aggression could only become known after it had been consummated. To avoid the evil is always better and more easy than to remedy it.

The American congress did not stop at this consideration, or did not give it all the consideration which it contained in itself. The time having come for determining in what manner the aggression should be characterized so that it could be declared a *casus fœderis*, it was limited to saying in article third of the treaty that the allies should decide, each for itself, whether the offence which had been done to either of them was comprehended among those mentioned in the preceding articles. According to this, the individual judgment of each isolated state must decide on the nature of an act concerning the alliance of all, and the state whose judgment should differ from the others was not under obligation to form part of the alliance, and the influence which would be necessarily exercised on the one side by the peculiar circumstances in which such state might be placed, and, on the other part, the declarations which the aggressive nation would hasten to make in order not to give to its

attitude any of the characteristics requisite to provoke a collision between the nation aggrieved and its neighbors, give ground to presume that the union and alliance, such as they appear in shape in the treaty of the American congress, were intended to remain as principles incontrovertible in theory, but of difficult, if not of impossible, realization in practice. Therefore, the government has deemed that it would be of the greatest advantage for the present welfare of America, and for its future safety, to give more precision to the stipulations adjusted by the American congress, and that this might be done by a new assembly of that body. With this purpose there has been addressed to all the American nations a correspondent invitation, and the coming month of April has even been fixed upon as the probable epoch at which the congress might begin its labors.

The Colombian government has seconded our ideas, and its President has addressed a circular letter to the chiefs of the rest of the American states inviting them to appoint plenipotentiaries for the new congress. The favorable answers which various governments have given already to that of Peru and to that of Colombia, make us hope with reason that in a short time there will again be installed in Lima the American congress, under auspices doubtless more favorable than those which gathered around it on its first assembly.

But the provisional government, which was desirous to obtain immediately all the fruits which the alliance of the Pacific republics was called upon to produce, deemed that it would at once assemble a conference of its own plenipotentiaries, as well as for guaranteeing and perpetuating the alliance as for cementing it in behalf of the moral and material interests of the four nations. In consequence of an indication from the representative of Ecuador about making a treaty of commerce and navigation between Peru and Ecuador, the idea was suggested of making a general treaty common to the allied republics, without prejudice to special stipulations which the respective situation of each of them might require. This general treaty might very well be accepted by other American states, and in this manner the union of all of them become realized. Naturally, the allied republics ought to sanction reciprocal and special concessions, which might at a later day be extended to other American nations. For this end it would be necessary that we should detach ourselves from compromises entered into with other nations which are not placed under the like circumstances as those which belong to Latin America. Let us proceed, then, by getting rid of treaties the obligatory duration of which may have expired, in which number are to be found those made with Belgium and Sardinia, those made with the United States and Great Britain having already run out before now.

Our idea was favorably welcomed by the governments of Bolivia, Chili, and Ecuador. Some difficulties surged up which hindered its prompt realization. When they were smoothed over the representative of Ecuador had already left Lima temporarily, whose return we have pressed efficiently so as to have achieved it.

Whether there be a conference of the representatives of the four allied republics or of the American congress, which will undoubtedly assemble in a few months, the provisional government believes that it ought to obtain the establishment as a cardinal point of the mode of declaring the *casus federis*; and it seems the surest way to obtain it is by conferring that attribute on the congress of plenipotentiaries, and that it should besides adopt measures suitable to the end of assuring the permanent assembly of that congress even with the privilege of change of place for holding it.

If a foreign power should menace with war or any other measure of coercion, the congress of plenipotentiaries should take into consideration the causes of conflict, and decide on the justice or injustice of action of the nation making reclamation, for the purpose, in the one case, of obliging the allied state to comply with its duty, and in the second case to aid and sustain it by declaring the *casus federis* to have arisen, which declaration would be obligatory even on the states which might have dissented from the opinion of the majority on questions of the allied states as among themselves. The congress of plenipotentiaries would exercise the functions of arbitrators, their decision being equally obligatory on the states which were in disagreement. Thus war among the states of the American continent would disappear; any foreign aggression would be almost impossible: a stop would be put to reclamations without number, which are sustained not so much by their justice as by the material force which presents them.

In the invitation which has been given for the next congress the government of Mexico has been included, availing ourselves for that purpose of the medium of its legation at Washington, as it was not possible to do it directly.

THE PARAGUAYAN QUESTION.

A war complicated in origin and of uncertain, although alarming results, but which presented as tangible facts the ferocity of the combatants, the shedding of torrents of blood, the exhaustion of the treasure and resources of the countries engaged in it, and the perspective of deep-rooted hatreds in the future, desolated the beautiful and fertile districts bathed by the Plata and its affluents, at the same time when in Chili and Peru the bases for the alliance on the Pacific and the future union of the American nations were being laid: and they were American nations which were engaged in that obstinate strife, the prolongation of which could not but weaken the continent, thus offering to the common enemy advantages readily appreciable. While part of America was entering into alliance to repel systematic aggressions, it was the more sad

that other states menaced by equal danger, were exhausting their strength in contests which properly should be called fratricidal. Notwithstanding the important avocations pressed upon the supreme chief in the early days of the inauguration of his government, he devoted himself nevertheless to the investigation of the oriental question, and judging that interests easily to be reconciled were involved in it, and that the belligerent nations would disdain the interventions of another friendly and sister nation of whose impartiality they might be assured, hastened to order, on the 20th December, 1865, the representatives of Peru to the governments of the La Plata, to offer our good offices and even our mediation, to cause the cessation of a conflict which was the cause of sorrow to all America, and a nursery for incalculable evils for all the states which were engaged in it.

Some time afterwards the representatives of the allied republics of the Pacific gave form at Santiago to a solemn agreement proposing a collective mediation of all of them. It was offered in fact, and the governments allied against Paraguay deferred their answer until they should come to an agreement, not without expressing confidentially some opinions which revealed the decided purpose not to accept the mediation.

The Peruvian government, respecting the rights of the belligerents, had carefully abstained from inquiring which party was in the right, restricting itself on the one part to the expression of the deep regret which was caused to her at the view of the American nations reciprocally destroying themselves, and on the other part offering the most sincere wishes for the final termination of so vexatious and so sad a contest.

In this sense Peru expressed herself, in answering some communications from the Paraguayan and Brazilian governments, about the events of the war and in giving orders to the Peruvian representative, that he should offer the good offices and mediation of Peru.

The aspect of affairs changed completely when official knowledge was had of the secret treaty of 1st May, 1865.

From the tenor of this compact, it was deduced that the oriental alliance had been formed not merely for repelling an aggression, or avenging an insult, but with the deliberate purpose of causing the disappearance of the Paraguayan nationality; therefore this affected the solemn undertaking contracted by the allies not to lay down their arms until they had succeeded in overthrowing the existence of the actual government, of demolishing all the forts and gathering in all the armament which might exist in the Paraguayan territory; of guaranteeing between themselves alone the existence of that republic for five years, of circumscribing it within the precise limits which the treaty assigned, without giving it such demarcation any part to the government of Paraguay.

Throughout all these stipulations, the signification of which was very clear, the future existence of Paraguay, although shut up within the limits which the triple alliance conceded to it, presented itself as a mere contingency, as might at some future day happen to be the spirit of the policy of the three subscribing states. If it were even conceded that Paraguay were, as it has been pretended, a nation whose existence should be considered as a blot upon America, not even this circumstance gave any right to its neighbors to cause its disappearance, or although less, to subject it to a vassalage more or less prolonged; nor was it sufficient in view of what contemporary history says of the oriental nations, that the disappearance of the Paraguayan nationality were a pledge for the peace and safety of nations among which had existed and still continue to exist at any rate other deep and rooted causes of antagonism and distrustfulness.

Peru could not see with indifference that the fortune, present and future, of an American nation should be thus disposed of, and with justice raised its voice through the medium of its government, to protest solemnly against the manifest tendencies and the real purposes of the constitutive treaty to the triple alliance, almost at the same time the government of Bolivia framed its protest.

Both were afterwards seconded by that of the government of the United States of Colombia, and if the government of Chili did not unite with us at once, it was because, as its minister for foreign relation had just told us, of consideration to the pending offer of mediation.

To justify the stipulations of the treaty of the 1st May, 1865, the perfect right of every state to make war on another, and to the extent of reducing its territory into possession, has been invoked by some. The right of conquest might have been legal in other times; at the present day it is scarcely tolerated when exercised against barbarous nations, and although the allies of the orient consider Paraguay as such, that opinion is not in conformity with that held by the people and government of the rest of the continent. The recent examples of Italy and Germany are cited, but the question properly considered, no conquest has been made by those countries properly so-called, but merely a unification of homogeneous nations, whose constant aspiration had been to form one single family. We do not know that Paraguay may have desired to incorporate herself with any of the neighboring nations, although she may have with them great affinities and common interests, such as all the American nations have.

Besides, the conquest needs also the sanction of other states more or less interested in the existence of that which is about to be conquered. If what has happened in Germany and Italy be really a conquest, then assent has been yielded to it, express or tacit, of other European nations.

That is a question purely of political convenience; but the immutable principles of justice and of morals will always overrule that convenience. In the case of Paraguay the differ

ent states which have protested against the tripartite treaty have made it manifest that they may not deem it advantageous to their own interests, nor to those of America, that Paraguay should disappear as a nation, and therefore that those controlling motives do not exist which under certain circumstances silence the voice of justice, in order that the voice of interest only may resound. The allies themselves would know without doubt that the bargain made by them was not adjusted perfectly on the precepts of justice and equity, and that the work they are attempting would not merit the approval of the other American nations. In no other way can we explain the care with which the treaty was kept secret, and the clamorous consequences which its publication occasioned. Principles so fundamental as those which have been set forth, besides those which are stated in the note of the 9th July, caused the protest of Peru; apart therefrom, and now that in the interference of one state with the affairs of another it is required that there should be a direct motive, because such being wanting the intervention would be considered (and so has the Brazilian and Argentine press considered ours) as an act of intrusion, it becomes necessary to recall to mind that Peru had a direct and immediate interest in the question, such as if it were asserted in the tripartite treaty, neighbor and conterminous with Brazil, it was important to it not to consent that regulations should be established about territorial demarcations without the intervention of one of the parties interested. We have had various and vexatious questions about limits with Brazil and other states, and the manner of running the boundaries of a territory with regard to the stipulations of the treaty of the 1st May, 1865, might perhaps in the course of time, if it had been accepted in silence, been invoked as a precedent.

Our protest was a call upon the sense of justice and equity of the governments signers of the tripartite treaty.

Understood in its real significance, it might easily furnish a means for the definitive and pacific arrangement of the Paraguayan question, even after the refusal of the mediation which, in the name of the four governments on the Pacific, was offered to the belligerents. Our representative at Montevideo was advised in advance that he might throw out the proposition in those terms by suggesting the idea of assembling a conference of plenipotentiaries, to which the pending difficulties should be submitted, in order to determine the manner of settling them with respect for the rights of all, doing justice to who should be entitled, and settling the basis of a solid and durable peace. The allied governments have refused to listen to these propositions, which a recent well-known fact has shown to be entirely in conformity with the desires of the Paraguayan government.

The strife continues, every day more fierce and bloody, thus placing at a distance the hope of seeing an end put to a question which so legitimately engages the attention of America.

DIPLOMATIC ASYLUM.

The proposition has been under deliberation on the part of the supreme chief not only to maintain, but even to draw more closely the relations of Peru with foreign powers, but also to preserve the most perfect harmony with the diplomatic corps resident in Lima, by avoiding as far as possible all vexatious discussions and settling in the most friendly and most equitable manner whatever question may arise to disturb such relations. This determination has been unchangeable, and has contributed powerfully to keep us out of fastidious disputes, and, from respect to truth, justice should here be done to the kindly dispositions which the government has met with among the most respectable members of the diplomatic corps. To both causes is it to be attributed that during the troubled epoch through which we have passed, and when individual interests found themselves to be under the double influence of a foreign war and of internal reforms, there arose none of those serious conflicts which even in calm times have been used to appear in the ominous apparatus of threatening diplomatic reclamations.

It is true some have shown themselves as will hereafter appear, but the most serious had their origin in acts anterior to the dictatorship, and the rest, of little consequence, have been satisfactorily solved.

Notwithstanding this the provisional government could not avoid one misunderstanding which in the first days of his inauguration brought him into contest with the French legation.

When the revolution of 1865 can be impartially judged of and the two governments which in consequence thereof were successively inaugurated, it will be impossible not to do justice at least to the forbearance and moderation which ruled over the one and the other. The triumphant revolution prosecuted no one because he had belonged to the conquered party, nor characterized as a punishable act the mere fact of having fought under the banner of the fallen government.

This did not prevent some persons, through fear or excess of precaution, from following the beaten road of seeking protection at the foreign legations.

From the 28th November to the 13th December, when the usual circular was sent around to the diplomatic corps, the government was not astonished that information of this fact had not been made to it, but the same silence was observed until the 20th, when the government became aware of the reality, thanks to the circumstances about to be stated.

The central court, having been constituted to try those who had been delinquent in the exercise of high public functions, decreed, on the application of its marshals, that various persons should be arrested and placed at its disposal who it was affirmed were in asylum at

the French legation. An interview was therefore had with M. Vion, who then temporarily exercised the functions of consulate and legation of France; and the fact was confirmed, stating to me that his intention was to have come the next day to inform me thereof. In consequence, I made verbal application for their delivery, which was refused. This application being renewed in writing, had the same result, and some communications were interchanged between the department and the legation, the one sustaining, the other denying the right which the government had to request and obtain the delivery of persons who were called for by a court of justice.

Thus once more came up the so-much controverted question of asylum, but with especial characteristics on this occasion, because the government did not reclaim those in asylum of its own authority, although it could do so, but for the purpose of complying with what was ordered by one of the courts of the country, that the administration of justice might have due course.

The French legation discussed the powers of the central court, taking notice of the circumstances which had given origin to it and the epoch of its creation, and characterized also the situation in which the accused were placed before they were subjected to trial. This was evidently assuming an interference of the most direct kind with the internal regulations of the country, and opposing a formal veto to the administration of justice.

The government repelled with veto, as was its duty, such exaggerated pretensions. It would not, however, provoke a conflict which, under the circumstances in which we were placed, it was at any rate expedient to avoid, and therefore limited itself to protesting against the proceedings of the chief *ad interim* of the legation.

Some time had elapsed when analogous questions were perhaps about to come up, because of asylum which some Spaniards sought at the legations and on board of foreign ships of war. M. Lesseps wrote a note, to which he gave the character of personal and confidential, through which he informed me that the French minister of foreign affairs had approved the conduct of Mr. Vion, and that he was commended for having put an end to the matter by having referred it to the imperial government. It is to be noted that this Mr. Vion, in his note of the 4th January, did not regard the matter as ended by referring it to his government, but rather that he proposed to give his attention in a few days to the note which was addressed to him from this department under date of the 2d instant.

The note went on to say that the minister for foreign affairs of France, invoking in support of what is called *in America the right of asylum*, a constant practice, the benefit of which is in succession enjoyed by all parties, because of the incessant revolutions of the Spanish American republics, considered that the maintenance of the principle was in reality of more consequence to the political leaders of those countries than to the legations, to which it was only a cause of embarrassment and outlay, and that the right which has been conceded to the foreign agents to give asylum to those personages under circumstances in which life is frequently threatened, was too much in keeping with the sentiments of humanity in France for her to consent to abandon it.

After adducing other arguments in support of asylum, the imperial government and its representatives agreed at least that it ought to be circumscribed within the limits which prudence and honor naturally prescribe to foreign agents. In consequence M. Lesseps indicated his wish that the diplomatic corps and the minister of foreign relations of Peru would come to some agreement on the question, which had frequently occasioned in their reciprocal relations deplorable altercations, in order to establish definitive rules for the exercise of that *South American* right, and to avoid the difficulties and misunderstandings which its application always stirred up between the government and the legations.

The note of M. Lesseps, which bore date the 24th April, was received at the moment of the appearance of the Spanish squadron in the waters of Callao. After the 2d of May, at a conference which I had with him, I showed him that the government desired also definitively to settle the question of asylum, and that, acceding to his wishes, I would convoke the diplomatic corps as soon as other more urgent engagements would permit.

In the state of alliance in which Peru was placed we had to consult the opinion of the allied governments on a question about which, in our view, it was of the highest importance, as nothing less was to be treated of than to devolve on the American states the plenitude of rights which as such, and in conformity with the law of nations, might belong to them.

This and other secondary inconveniences prevented the actual meeting of the diplomatic corps until the middle of the month of January last past.

At the first conference on the 15th January, after having had reference to the antecedents which had given room for the convocation, the ideas of the Peruvian government about asylum, and its decided intention to conform strictly to the principles of the law of nations, as the only means of cutting short the abuses and inconveniences of a custom which only had been tolerated until now because of exceptional circumstances, were expressed. Upon the intimation from the dean of the diplomatic corps the conference was postponed, and a few days afterwards, at the saloon of the department of foreign relations, a committee from the said corps presented itself for the purpose of notifying, or making known to the government, that the diplomatic corps, at a conference held at the residence of their dean, had adopted an agreement rejecting the proposition about the abolition of asylum. I refused to accept the

notification, as incompatible with the dignity of the government and of the nation, remarking that a conference had by express invitation and under the presidency of the minister of foreign relations could not be continued by making entire omission of that functionary, neither could the termination of a business brought forward by the minister for foreign relations be admitted because of a mere agreement of the diplomatic corps. This gave way to satisfactory explanations, first on the part of the committee, and afterwards on the part of the diplomatic corps, as appears by an act, of which the dean furnished me with a copy, and also made room for a second conference at the department.

On that occasion, after deliberate discussion, the opinion of the diplomatic corps having been expressed, the principles that the Peruvian government professed, which are no other than those established by the laws of nations, were adopted. They are undoubtedly sufficient to solve those extreme cases in which asylum is in truth the exercise of humanitarian duties, without the necessity for its conversion, either in principle or practice, into a diplomatic immunity, derogating from the sovereignty, independence, and dignity of the nation. The powerful arguments which determined the government to proceed in that manner were entered on the memorandum in regard to the matter, which was transmitted, as agreed upon, to the dean of the diplomatic corps. The memorandum finishes with a declaration of the rules which the Peruvian government will observe henceforward in the matter of asylum; and as one of its conclusions is the renunciation by Peru of that pretended right, established also in respect of its legation in those states of America where it has existed, the needful directions have been given to our diplomatic agents in the matter, so that they may regulate their action according to the declarations of the government.

The supreme chief has thought that among the great questions with which the sovereignty and the dignity of the nations were mixed up, that relating to diplomatic asylum deserved to occupy a prominent place.

The facts which I have related made indispensable the adoption of a fixed and safe rule which should control future relations between the government and foreign legations, avoiding those abuses to which, more than once, a vicious institution, had created a fruitful source of difficulties to the government, as well as of embarrassment and personal annoyance to the foreign representatives. The custom subsisting, as it had existed to this time, it was impossible to indicate the line of demarcation between lawful asylum and that which had been unduly conceded—between the fulfilment of duties of simple humanity and those which press upon the diplomatic agent in his relations with the authorities and with the laws of the country to which he is accredited. The safest course was the indefinite extension of asylum, especially if the person in asylum clothed himself with the mantle of political persecution, although it might be imaginary. It is, besides, unquestionable that humanitarian sentiments should always give place to the action of the law: to sustain asylum under color of law is only to sustain the absurd principle that the law does not offer to the person subject to proceedings security enough, or, that the law is less humane than the legation.

Was it easy, or even possible, to adopt a system which should shut asylum within its just and legitimate boundaries? After serious and closely conscientious consideration, the government arrived at the conviction that the only acceptable system was common and general, such as was established by the law of nations; every other presented a thousand dangers, because in the final estimate it would always rest with the will of the government or of the chief of a legation to interpret in this or that way the rules newly introduced, and the conflict would appear with greater force. Nor was there any plausible reason even for adopting in Peru international laws, so to say, of local character, which could have application only within its territory, and would be ignored by other nations.

To put an end to a situation in every respect indefinite, to reinstate the Peruvian nation (it was full time for it) in the plenitude of the rights of sovereignty and independence, and to prevent these vexing questions about asylum from coming up again, questions which have so much impaired its dignity, the supreme chief has decided that the only equitable means was to recognize, as he does recognize, the absolute rule of the general principles of international law, to which Peru has always submitted herself, and will continue to submit henceforth, exacting on her part, because thereto she acquires perfect right, that other nations of the world shall act toward her on the unchangeable bases of equality and reciprocity.

The legation from the United States of North America has accepted, in all its breadth, the conclusions of the Peruvian government as in conformity with the laws and practice of the Union.

The representatives of Chili and Brazil have made reservations, referring the matter to the decision of their respective governments; but the first notes the fact that there exists not in Chili anything extraordinary or exceptional, nothing that affects the modern law of nations in the matter of asylum.

Lastly, the representative of the United States of America has communicated to us a general order, issued by the admiral commanding in chief the American squadron in the Pacific, accepting the conclusions of the memorandum, and extending them over the United States vessels of war. The admiral says asylum had not been granted to this time, except from motives of humanity; but as in his opinion that practice had only existed through the tolerance of the Peruvian government, that government formally repudiating it, the vessels of war of the United States ought to conform fully and in good faith to the wishes of the Peruvian government in a matter which exclusively concerns it and its subjects.

AFFAIRS OF ECUADOR AND OF COLOMBIA.

The President of the United States of North America addressed Congress asking for authority to employ coercive measures against Ecuador for the delay of payment of a sum of money owing to some American citizens. Scarcely had the supreme chief knowledge of the fact by the mention made of it in the newspapers, when he ordered that the secretary of foreign relations should address himself to the Ecuadorian representative at Lima, and to the diplomatic agents of Peru at Quito and Washington, and should request from them all the points relating to that question. But the representatives of Peru and Chili in the United States had hastened, in the name of their governments, and assuming the attitude of a friendly and allied state for Peru and Chili, to offer immediate payment of the sum required, inasmuch as Ecuador could not meet it at the time fixed, as must undoubtedly have happened.

The government at Washington accepted the good offices, and agreed to wait until the expiration of the term which had been fixed upon by the two diplomatists. Their conduct received the approbation of their respective governments, and a vote of thanks on the part of Quito. Before the expiration of the term Ecuador satisfied the payment which was required from her.

In the United States of Colombia a disagreement lately arose between the central government and the representative of the same United States of North America. A question more of form than substance induced the latter to ask for his passports, which were refused, because there were not reasons sufficient to justify the application. Despite of this the North American representative resolved to break off his relations with the government of Bogota, and did so, leaving to the Peruvian legation the protection of American citizens.

The supreme chief, who greatly regretted the misunderstanding, offered to the two governments of Bogota and Washington his friendly interposition to put an end to it. We hope on good ground that it may be accepted, and that mutual and satisfactory explanations on one part and the other will re-establish harmony between the two countries and the two governments.

From a publication in the newspapers, in the month of September of last year, the supreme chief knew that the congress of Ecuador had conceded to the Ecuadorian citizen, Don Victor Proaño, property in a great tract of land on the shores of the river Morona, from the creek of Manseriche. Proaño was then at Lima soliciting the government to associate itself with his undertaking, which would only be of the nature of a scientific exploration of the Morona. As in the grant from the Ecuadorian congress there appeared to follow, so to say, a question of limits between Peru and Ecuador, and with result in favor of the last, instructions were given to our legation at Quito to make, in the name of the Peruvian government, the fullest reservations in respect of the aforesaid legislative resolutions. Meantime it was agreed to appoint, and in fact there was appointed, a scientific commission which was to be associated with Proaño, and its appointment as well as the question of limits gave room for the exchange of some communications between the Ecuadorian government and our legation. To the suggestion made by us that it should proceed to form a mixed commission for marking the frontier line, the Ecuadorian government replied that it would take it under consideration as soon as other matters entitled to preference would permit.

TREATIES AND CONVENTIONS.

Besides the treaties of alliance with Chili and Bolivia and the agreement made with Ecuador for the same purpose, two postal conventions have been adjusted with Chili and Ecuador; a convention with Chili about prizes, and another with France on the reduction of price and differential duties on the guano and Peruvian borax that may be introduced into the empire.

The postal convention with Chili, signed the 27th July, was ratified by both governments, and the ratifications exchanged on the 25th September began from that time to show its results. That made with Ecuador the 13th August, although recently approved by the Peruvian government, has not been by the Ecuadorian, because it was necessary first to submit it to congress. The same has happened with the convention about prizes, because the Chilean congress came to a close without having had it under consideration.

The convention about guano and borax was signed at Lima the 2d December and obtained the approval of the provisional supreme chief, orders having been issued for its fulfilment on the part of the Peruvian agents as soon as the French government should also approve it, which ought to have occurred at this date.

It is known that on the 15th January, 1864, a convention was signed at Panama, which was approved and ratified at the close of that year, in which it was stipulated that the differential duties which burdened guano imported into France in foreign vessels should be reduced to 18 francs per ton of one thousand kilograms, and that the selling price of Peruvian guano should be reduced to 310 francs a ton of a thousand kilograms, and that in no case should the sale price of guano in France exceed more than 10 francs per ton the price it may reach in other European markets. In these stipulations no difference was made between the rate of sale at wholesale and retail, and by making a rigorous interpretation of the text it would be inferred that the price fixed was for sales of every class.

The legation of Peru in France solicited in the year 1865 that the differential duties on

Borax should be reduced, grounding itself for this purpose on a clause in the treaty in force between Peru and France. but the imperial government replied that according to another clause in the same treaty, every concession would have to be reciprocal; it offered, in consequence, to do away the differential duties, not only on borax, but also on guano, if Peru should consent to equalize the price of the latter with that which it bore in other European markets, establishing it as uniform in every class of sales, either wholesale or retail.

The first of these propositions presented no difficulty at all, because it having been the steadfast purpose of the government from former times to obtain the like price of guano in every market, if there was any difference in that which was sold in France, it was because of the differential duties; so that with their disappearance the reason for the difference of price of the manure would also disappear.

The second proposition, to which the French government attached great importance on account of the peculiar situation of the rural proprietary of France, would as little occasion any serious difficulty to Peru, especially as the existing government, to avoid the inconveniences which ensue from distinctions in sales and difference in prices, and to give more extension to the consumption of guano, by placing it within the reach of the small farmers, had formed the purpose of equalizing the price at retail with that at wholesale. This purpose was corroborated by the fact that the advantage gained from retail prices was of little consideration, for the simple reason that the agriculturists who wanted small quantities of guano, joined with others in the same condition in order to buy a lot at wholesale and afterwards to divide among themselves. But the gain, even supposing it to be of some account, would be amply compensated by the increase of sales, thus avoiding the adulteration of our manure through the shelter of an intermediate trade.

If to this it be also added that we are going to obtain a decrease on the duties levied on borax, it will be a reasonable deduction that the convention was called to produce results reciprocally satisfactory to the contracting parties.

On the 29th December, 1863, a treaty of commerce and navigation was adjusted between Peru and the States of the Zollverein. In the 23d article it is said that the treaty should be ratified by both parties, and the ratifications be exchanged within the term of 18 months, or before if it should be possible. At the most extended time, the exchange should have been completed at the latest by 29th June, 1865.

The want of this formality might certainly be remedied by showing the causes which have occasioned and postponed the period by mutual consent.

But this treaty had in it a special circumstance. The obligatory duration of treaties is generally computed at a certain number of years, or months, which begin to run from the day of the exchange of ratifications, or, in other terms, the period of the expiration of the treaty is uncertain until the ratifications are exchanged, and depends entirely on the fact of the exchange. In the treaty with the Zollverein it is stipulated, on the contrary, in article 22d, that it should be in force for all the time which should elapse from the date of the exchange of ratifications to the 31st December, 1865. In this way the exchange being verified as it should have been at the 18 months, in conformity with the stipulation, the obligatory duration of the treaty would have been six months.

If the ratification were delayed, the time of the obligatory duration was less, and if the 31st December should pass with the accomplishment of that formality, it could not then be carried out, without running into a clear anachronism, inasmuch as it gave retroactive force to an obligation the period of which had expired, from its having been contracted *ad diem*.

Such were in substance the reasons which determined the government not to defer to the application of the consular agent of Prussia, when in the month of March, 1866, he formally asked that the exchange of ratifications of the treaty in question should be proceeded with. To do so it would have been necessary to alter one of the essential clauses of the treaty, and that it would be impossible to do in the act of exchange, nor with a plenipotentiary appointed only for such purpose. On the other hand it was also necessary to take into account, and so the consular agent of Prussia stated, the recent and notorious changes which had been made in Germany, the consequences of which had been the disappearance of some of the States of the Zollverein which figured as contracting parties in the treaty adjusted with Peru.

So ended this incident, which on the other hand came in aid of the views of the provisional government about putting an end to treaties in general, for the purpose of making them afterwards with regard to the exigencies of the peculiar situation in which Peru and the other American states found themselves.

RECLAMATIONS.

The reclamations which have been interposed in the department of foreign relations since the 28th November, 1865, have been various, but here mention will only be made of those which by their importance deserve it. Such are those relative to the treasury bills of the government of Bolivia, and to the bark *Domitila*.

The others appear in the documents which in a short time will be made public.

Bills of the Bolivian government.—By the treaty of customs and commerce made at Lima the 5th September, 1864, Peru engaged to pay to Bolivia the sum of 37,500 dollars monthly in exchange for import duties which were to be collected at Avica on merchandise destined for consumption in Bolivia. The monthly payments were to be made at Avica or Tacua to

the Bolivian consul, but in consequence of the occupation of Avica by the military forces of the revolution, a ministerial understanding was had with the diplomatic agent of Bolivia that payment of the monthly liabilities should be made at Lima. The manner in which the Bolivian government disposed of the funds was by negotiating drafts on its legation in Peru, but afterward, and from peculiar circumstances, it issued three directly on the government at Lima, and in favor of Don Nicanor Arana and Don Santiago Soruco, recommending the payments in special notes. The drafts, which amounted to the sum of \$115,000, were accepted after asking from the Bolivian legation a reason for the burdens which through former engagements weighed upon the stipends of the revenue officers. The order for payment being issued, the Bolivian legation opposed compliance with it, and the opposition was in force when the dictatorial government was inaugurated. The affair was discussed with the legation and maturely examined, and the supreme chief did not find enough to warrant departure from what the former government had done, by acceding to the intimations from that of Bolivia. The determination of the supreme chief gave rise to a protest on the part of the legation from Bolivia, but the government of that republic, now installed at La Paz, after the victory of Viacha gave orders to its representative at Lima not to carry any further the opposition he had given shape to. Mr. Benavento hastened to bring this resolution to our knowledge.

Bark Domitila.—The Spanish bark Salvador Vidal, after having changed her flag, by hoisting the Italian and assuming the name of Domitila, sailed from Callao in the month of October, 1864, and steered for Coquimbo, where she was in service of the Spanish squadron. There she was attacked by some Chilean troops, who, nevertheless, could not get possession of her, on account of aid from one of the enemy's frigates. From Coquimbo she was sent to Cobija, and was there again attacked by some Chileans, who took her and carried her out of the harbor on the high seas; they put the Spanish crews into a launch, and steered for the port of Avica, whence the vessel was sent to Callao, in charge of an officer of the navy. Knowledge of these facts and of the later arrival of the vessel at Callao had hardly reached Lima, when the consul of Italy and the representatives of Bolivia and Chili addressed themselves to the department of foreign relations; the first asking that the vessel should be seized and the crew arrested; the second applying for the return of the vessel; and the third making patent the innocence of his countrymen, and the protection which was due to them, inasmuch as the act done by them could only be tried by the authorities of Chili. The diplomatic agent of Italy afterwards supported the petition of the consul.

The Peruvian government adopted as a measure purely of precaution, that of the seizure of the vessel, which had already been abandoned by its new crew; and to dispose of the reclamations, it was sufficient to consider, first, that the capture was made in the port of Cobija, and if there was crime it was not in the incumbency of the judicial officers of Peru to take cognizance of crime committed in a foreign territory; second, that the Peruvian jurisdiction did not extend to the trial of acts committed on the high seas, on board a vessel which did not carry the Peruvian flag. As for the vessel itself, the government could not have any interest in keeping her, and it needed only to ascertain to whom delivery might be legitimately made.

At a conference had with the three diplomatic agents interested in the question, those of Bolivia and Chili agreed that delivery should be made to the representative of Italy. Afterwards he insisted on the apprehension and trial of the captors of the vessel, on whom he also cast the imputation of the subsequent burning of the ship in the bay of Callao. The government did not consider it a duty to accede to that demand, without prejudice to ordering what might ensue upon trial by a competent court in regard to the discovery and punishment of the delinquents, if the burning had been intentional. The result of the judicial proceedings has not corroborated that conjecture.

DIPLOMATIC AND CONSULAR SERVICE.

For the regulation of the diplomatic service the supreme decree of the 15th December, 1865, published in Peruano, vol. 49, number 30, was issued, and by its means the abuses which had been introduced under cover of former defective regulations were cut short. A reasonable limit was placed on the advances made to diplomatic agents, a rational scale of pay and expenses of travel was established, and a proportionate annual quota for departmental expenses settled, &c. By later resolutions it was declared that the concession made in the preceding arrangement of double time for pensions in favor of diplomatic agents should be without effect, and that it could not extend to a mere ceasing from discharge of official duties.

At present Peru maintains the following legations: one of the first class for France and England, with the respective secretaries in each of those two countries; three of the like class in the United States of America, in the United States of Colombia, and in Chili; one of the third class near the government of Brazil, of the Argentine Confederation, and the republic of Uruguay. The legation to Ecuador, which was of the first class, is at present *ad interim* in charge of the secretary. That of Bolivia remains vacant, because Mr. Cornejo has been lected representative of the nation.

In the special situation in which America now is placed, it is proper and indispensable that Peru be represented in all and every of these states.

The expenses attending this will be amply compensated by the advantages, in every line, which would fall upon the nation on finding itself in more immediate connection with the rest on the continent, thus constantly to keep up abundant and sure intelligence on their situation and tendencies, and avoiding the labor of seeking after them when they are necessary, and are so at least from unusual sources, or through special missions which do not always reach their destination at an opportune moment. The measure proposed will also produce the practical and highly important result of establishing more intimate relations between the American states, and confirming the close union which ought to exist among them.

Besides the first-class legation to the United States of North America, it would be convenient to keep up another of the same category in Chili; five of the second class in Brazil, Colombia, Mexico, and Venezuela; the last might also serve for the republic of San Domingo and Hayti; and four of the third class, one for the republic of Central America, another for Ecuador, another for the Argentine Confederation and the republic of Uruguay, and the last for Paraguay.

Consulates with salaries have been established with exceeding parsimony, there existing only of that class the consulate general of Guayaquil, and those of Valparaiso, Cobija, Panama, Bourdeaux, and Serena. The last, and that of Cobija, are filled by military men, with the pay of their rank. The peculiar situation of the ports of Valparaiso, Panama and Para, require that they should be raised to the grade of consulates general, and it is necessary also that paid consulates should be established at La Paz, Potosi and San Francisco.

The diplomatic and consular agents of Peru have discharged their duties to the entire satisfaction of the supreme chief; all have perfectly understood the situation in which Peru and America are placed, and have given frequent proofs of the zeal and patriotism which animated them.

The minister plenipotentiary appointed to the United States of North America, to Chili, and to France and England, declined their salaries, and have served gratuitously up to the 1st October, from which date they have been ordered to make good that to which they are entitled.

LIQUIDATIONS.

Proper settlements have been had with some diplomatic and consular functionaries who served under the former administration, ordering the pay from receipts of the treasury, and the paying over of balances in its favor. The multiplied labors of the department, and above all the frequent changes which because of the calls of the public service have occurred in the accounting section, have not permitted the conclusion of this labor, respecting other diplomatic agents and retiring consuls.

CONCLUSION.

The complement of this memorial will be the diplomatic correspondence between the 28th November, 1865, up to date.

The supreme chief has ordered its publication so that it may be presented to congress. In view thereof, and of the brief exposition I have just finished making, congress will be able to judge if, in the conduct of the foreign relations, the government of the supreme chief has succeeded in sustaining the rights and dignity of the nation, and filling, as far as possible, its legitimate aspirations.

T. PACHECO.

DEPARTMENT OF FOREIGN RELATIONS,
Lima, February 15, 1867.

Mr. Seward to Mr. Hovey.

No. 42.]

DEPARTMENT OF STATE,
Washington, February 25, 1867.

SIR: Your despatch of the 28th of January, No. 53, has been received, and the proceedings therein mentioned in regard to the discussion of the questions of diplomatic asylum have been taken into consideration. The tenor of those proceedings as far as your agency is concerned is approved. At the same time the President thinks it proper that I communicate to you one word by way of precaution.

It is of course neither possible nor desirable to avoid a free interchange of opinion between the representative of the United States and the representatives of other powers upon questions of common concern arising in foreign capitals. Such free communication is not only approved, but is especially commended.

At the same time care should be taken to avoid as far as possible formal conventions in which propositions are considered with an understanding or agreement that a decision by a majority of representatives shall commit or bind the representatives of the United States. A consent on your part to give such an effect to a decree of a council of representatives would be virtually a proceeding derogating from the authority of the President, and if approved by him would have the seeming but unreal operation to bind the United States by his own individual act, in derogation of the Constitution, which requires that no engagement shall be made with foreign powers other than by treaty solemnly celebrated by the President and duly ratified by the Senate.

I observe that in your note to Mr. Pacheco, bearing date January 15th and marked No. 30, you have taken these positions, viz: that Peru is entitled to all the rights and privileges of a Christian nation, and as such should be placed precisely in the position of the United States, France, England, and other Christian countries, and that the doctrine of asylum cannot be properly claimed or enforced in Peru, unless it be in exceptional cases recognized by the universal law of nations; that as soon as a legal charge of crime is made, whether political or not, you hold it to be the duty of the minister in whose legation an offending party has taken refuge to leave him without interference to the authorities demanding his arrest.

Again, that you claim no diplomatic power or right in Peru that your government does not accord to the representative of Peru at Washington.

These positions are altogether approved.

I am, sir, your obedient servant,

ALVIN P. HOVEY, Esq., &c., &c., &c.

WILLIAM H. SEWARD.

Mr. Seward to Mr. Hovey.

[Extract.]

No. 43.]

DEPARTMENT OF STATE,
Washington, February 28, 1867.

SIR: Referring to your despatch No. 41, and the reply of this department of the 26th of last December, I enclose for your information a copy of a circular* letter which has been addressed to some of the ministers and consuls of the United States.

* * * * *

I am, sir, your obedient servant,

ALVIN P. HOVEY, Esq., &c., &c., &c.

WILLIAM H. SEWARD.

Mr. Seward to Mr. Hovey.

No. 44.]

DEPARTMENT OF STATE,
Washington, March 8, 1867.

SIR: I transmit to you herewith for your information a copy of a despatch which was addressed by this department to the United States minister at Madrid on the 25th of last February.

I am, sir, your obedient servant,

ALVIN P. HOVEY, Esq., &c., &c., &c.

WILLIAM H. SEWARD.

* For enclosure see circular from the department of January 17, 1867, page 451, vol. I.
† For enclosure see page 523, vol. I.

Mr. Seward to Mr. Hovey.

No. 45.]

DEPARTMENT OF STATE,

Washington, March 9, 1867.

SIR: Pursuant to the last paragraph of the enclosure (despatch No. 59, to Mr. Hale) contained in my despatch to you, No. 44, of yesterday, I transmit herewith a copy of two notes* which the ministers of foreign affairs of Chili and Ecuador respectively addressed to the minister of the United States in their country in reply to his note, transmitting a copy of the propositions contained in our offer of mediation which is embodied in the despatch to you, No. 36, of the 20th of last December.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

Mr. Hovey to Mr. Seward.

[Extract.]

No. 65.]

LEGATION OF THE UNITED STATES,

Lima, Peru, April 28, 1867.

SIR: As the political movements in Peru may claim some slight part of your attention, I have deemed it necessary in this despatch to give you a brief outline of recent events.

In addition to the other revolutions, mentioned in former despatches, I have to state that on the 3d day of this month a simultaneous outbreak took place in the department of Cuzco, Arequipa, and Moquegua. These in slight conflicts with the forces of the government were speedily overcome, with little loss of life on either side. It is now rumored that another outbreak has occurred in Tarapaca, the former residence of General Castilla, and that he has left Chili and will probably join in the movement.

From these revolutions now there is but little danger, as the President seems to have the confidence and active co-operation of the army.

The true grounds of these disturbances can only be traced to personal ambition. Congress is in session making laws and forming a new constitution, and any evil that may exist in the legislation of the country can be speedily remedied.

* * * * *

The question of religious toleration, or rather of intolerance, gave rise to the first congressional outbreak. The clergy, women, and rabble so intimidated that body that an article against toleration was forced through by a vote of 43 to 40; the section adopted being in substance as follows:

That the Roman Catholic and Apostolic religion be the sole and only one exercised in and maintained by the state.

I am informed and believe that many members voted in the affirmative to prevent an outbreak of the people, under the instigation of the clergy.

There can be but little doubt that the clergy of Peru is by far the most potent influence now exercised in this government, and it would indeed be difficult at this time to oppose it with success.

The disturbance on the religious question caused the change to be made in the cabinet, reported to you in my despatch No. 60, of March 14th, 1867. The cabinet then chosen was formed to appease the church party, and was made under the influence of the religious mob that surrounded the congressional halls.

*For enclosures see despatches from United States minister to Chili and Ecuador dated February 2, 1867, and numbered respectively 39 and 25.

This being the case, and the majority in congress secretly opposed to the power of the clergy, the healing of the breach was of short duration.

The ministry, on the 10th of April, were called before congress, passing through a mob in the Plaza of Bolivar. The rabble were clamorous around the doors of the congress, threatening all who opposed their religion.

In this condition an angry altercation took place between the ministers and the members of congress, in which one of the latter accused the President and ministry of conspiring to murder them. Thereupon the ministers withdrew, which speedily led to the adoption of a resolution of censure against the cabinet.

During this excitement two of the members were beaten with stones by the mob, although, as I believe, every precaution was taken by the President to prevent a disturbance.

The ministers, after withdrawing from the congress, tendered their resignations, which the President declined to accept. Several days intervened, and on the 24th of April the following law was enacted by congress :

Resolved, That the President cannot continue administrating public matters with ministers against whom a vote of censure has been passed.

If within 24 hours after the approval of this resolution the ministers referred to have not vacated their places in the cabinet, the president of this congress will issue the present law.

From the date of the issue of this law, all acts authorized by the ministers referred to are null.

Whereupon on the 25th instant the cabinet again tendered their joint resignation, which has been accepted by the President.

The formation of the new cabinet had not as yet been made public.

It is not unworthy of remark that congress up to this date has not proclaimed the election of the President, although they hold their seats by virtue of the same election.

* * * * *

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Hovey to Mr. Seward.

No. 66.]

LEGATION OF THE UNITED STATES,

Lima, Peru, May 14, 1867.

SIR: The contents of your despatch No. 36, in relation to a proposed mediation, was submitted on January 8th, 1867, to the government of Peru, according to your direction, and the substance of your No. 44, referring to the conditional acceptance of the good offices of the United States by Spain, was likewise communicated to the government on the 1st April, 1867.

The confused condition of public affairs has no doubt prevented an answer to this date.

Congress has assumed the right to control the question of peace, and the President has been for many weeks without a cabinet.

The committee on foreign relations have submitted to the consideration of congress a proposition which rejects all negotiations for peace at this time, but no vote as yet has been taken on the same.

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Hovey to Mr. Seward.

No. 67.]

LEGATION OF THE UNITED STATES,
Lima, Peru, May 21, 1867.

SIR: I have the honor to transmit herewith a translation of the latest intelligence received in Lima, in reference to the revolutionary movements in the south.

In my opinion, the particular outbreak to which the enclosed relates will not meet with any degree of success.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

[Translation.]

IQUIQUE, May 15, 1867.

To the Editor of the Nacional:

The steamer *Limena* has just anchored. She communicates the intelligence that the Generals Castilla, Beingolea, Rivas, and Gutierrez, with Colonel Gomez Silva and 12 others, have disembarked at Mejillones, taking with them 1,000 rifles, despatched by Loring and Company, of Valparaiso, for Panama, under a bond of \$30,000.

These arms were taken from the steamer by force, notwithstanding the resistance of the captain and crew; one of the latter was slightly wounded.

It was supposed that the revolutionists would come to this place on the same night, as the small force stationed here could make no resistance to the superior number of the rebels.

ARTURO LAVALLEN.

Mr. Hovey to Mr. Seward.

No. 68.]

LEGATION OF THE UNITED STATES,
Lima, Peru, May 28, 1867.

SIR: I have the honor to inform you that on the 21st instant congress passed a law, which, literally translated, runs thus:

The executive will continue the war against the Spanish government, until congress may otherwise direct.

A proposition was rejected which was couched in the following terms:

The executive will enter in no direct or indirect official communication with the Spanish government, nor admit the mediation or friendly offices of any American or European government, until the government of Spain shall have declared its acts of the 14th April, 1864, at the Chincha islands, and of the 30th March, 1866, at Valparaiso, violations of international law, and by way of ratifying that declaration shall have communicated it diplomatically to friendly governments, and shall have retired the Spanish squadron from the waters of the Pacific.

As soon as a ministry is formed, I will, of course, be informed officially of this decision, but in the mean time I beg to lay it before you for your information.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Mr. Hovey to Mr. Seward.

No. 71.]

LEGATION OF THE UNITED STATES,
Lima, Peru, June 14, 1867.

SIR: Castilla died on the 30th ultimo from disease, at the head of a rebellion against the government, which has been entirely suppressed. It is now scarcely possible that another revolution will have the least chance of success.

The magician has departed, and there is no one left with sufficient prestige to raise even the ghost of discontent.

This is, indeed, a strange country, where the extremes of liberty are so intermingled and interwoven with despotism, that a spectator would rarely be able to draw the line where the one commences and the other ends.

They have, within the last two months, rejoiced for a curse and mourned for a blessing. The adoption of the section establishing religious intolerance was hailed with bonfires; and now, the death of a traitor, marching with his forces to destroy the remnant of organized government, thrills the heart of the nation with pain.

The extracts from the Comercio and the Nacional, (marked No. 1 and No. 2 respectively,) the two leading papers in Lima, must strike you as remarkable productions under the circumstances.

That Castilla was a great man with this people, cannot be doubted, but his death alone has poured oil upon the troubled waters. With his virtues and his crimes he has gone, and thousands now mourn for him who, had he lived but a few weeks longer, would have left many of their houses filled with sorrow and desolation.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

No. 1.

[Translation from the newspaper Comercio, of June 6, 1867.]

THE DEATH OF GENERAL CASTILLA.

This news has caused a profound sensation in Lima.

In a small hamlet, near Arica, the most prominent man in the modern history of Peru expired.

To the name of Grand Marshal Castilla is linked the memory of all the events which have glorified the country since the day of Ayacucho.

On the 9th of December, 1824, Lieutenant Colonel Ramon Castilla entered the camp of Ayacucho, and in the beginning of 1867 Grand Marshal Castilla died, while for the third time engaged in an enterprise whose precursors had met with success through his efforts.

In the time intervening between these two periods the figure of Castilla is always prominent in the vicissitudes, the revolutions, the progress, and the glory of Peru.

By his own weight he has many times caused the banner which he followed to be victorious.

An indefatigable soldier, his success was sometimes the more marvellous from the scanty resources at his disposal.

Civil wars form the most mournful portion of Peruvian history.

In the midst of anarchy appeared the strong mind of Salaveney, and by him the people were called to do battle for their constitution against the encroachments of the then President, General Santa Cruz. Salaveney was successful, but influenced by weak and evil advisers, his government was found not to be worthy of the people's confidence.

Castilla understood the situation; he examined the mode of action alone, carrying on his back his saddle and bridle, reached the south, placed himself at the head of a powerful party, was victorious, and proclaimed constitutional President.

His administration covered Peru with glory; peace, political quiet, liberty of the press, abolition of the Indian tribute, establishment of the national credit, and the prosperity of

the country, were the fruits of an administration which, when its term expired, presented the novel spectacle of resigning its power without being compelled to do so by the bayonet.

In 1854 the will of the people called for a revolution; Castilla was the chosen and victorious chief. A second time did he resign his power peacefully to his successor.

The Spanish question arose; Castilla was torn from his family by hate and force, and was destined to exile from his home; advanced in years, infirm and feeble, the cruel treatment shown him hastened the event we now deplore.

Castilla is dead!

Let party passions be silent before the open grave. Forget private quarrels, and assume the honor reflected on Peruvians by the dead hero, a glory which belongs to his country.

He had his faults; during his long public life he committed errors, but on the tomb that covers his loved remains always will be read—

Liberty of the Press! Redemption of the Indians! Liberty of the Slave!

No. 2.

[Translation from the newspaper Nacional of June 6, 1867.]

THE DEATH OF GRAND MARSHAL CASTILLA.

The steamer Tumbez has brought to us the sad intelligence of the death of Grand Marshal Castilla.

This event happened in Tilibiche, on the 30th of May.

When political fury is calmed and the great questions of the moment are forgotten, then this public loss will be felt fully, because with this loss has disappeared that man who symbolized the greatest glories of the country, who was the most characteristic representative of democracy, the most sincere republican, the most valiant soldier. For him this fleeting moment of pain, called life, has terminated, but now commences the glory of his memory, which when time has passed slowly by will still be gilding the brightest page of Peru's history.

From Ayacucho to Tarapaca he always worked in obedience to his conscience, and he has left those indelible memories only left by men, who, like him, arise to show a people their true destiny and to leave them a great patrimony of fame.

The national gratitude, if it is not entirely given up to the conquerors, will render to that memory an immense tribute of admiration, that which civilized people should render to their illustrious men, who, like Castilla, devote their lives to only one idea, liberty, and one only sentiment, national honor.

What Peruvian has ever passed from the seats of power leaving such conquests as he? The manumission of slaves, suppression of the Indian tribute, liberty of the press! These are the glories that will shine around his memory.

A hundred battle fields and a hundred triumphs are his military records.

This privileged man, great as a statesman, great as a warrior, has died solitary and alone.

Full of grief for the fate of his country, and suffering cruel injustice, he died as he lived, battling for his constant principles.

A soldier of the law, he has given his soul to the God of mercy.

Humiliated, pursued, proscribed, he felt all of the saddest deceptions; but always proud, it was permitted to him to raise the cry of battle once more, and gain enough of his beloved country for his grave.

There is something mysterious, yet providential, in this brilliant end. He who suffered more from injustice than from age, returned to his country to be exiled for the second time.

He returns to his native land through the ranks of his foes, he meets his friends, the old war spirit bursts forth afresh, and—he dies!

His public life commenced *at the foot of the banner of liberty, and there it closed.*

We give to his memory our tribute of profound grief and sincere admiration.

Mr. Hovey to Mr. Seward.

No. 74.]

LEGATION OF THE UNITED STATES,

Lima, Peru, June 22, 1867.

SIR: The annexed law, with translation, in relation to the question of peace between Peru and Spain, will be read by you with interest. Its provisions, if carried into effect, must inevitably suspend all action for peace for months, and possibly for years to come.

The feeling in Peru is adverse to any adjustment until Spain retires from the present contest, abandoning all claims, public or private.

The port of Callao, now, with proper defence, could, in my opinion, resist successfully the combined fleet of Spain; and the people and government here are anxious that a second attack should be made.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

[Translation.]

DEPARTMENT OF WAR AND THE NAVY.

Mariano I. Prado, provisional President of the republic, since congress has decreed the following law:

The annexed law is resolved by the constituent congress:

ARTICLE 1. The executive power will continue the war with the government of Spain until the legislative power may otherwise resolve.

ART. 2. The executive power cannot initiate, on its part, negotiations which may tend to suspend or terminate the state of war. Neither can it sign treaties or the preliminaries of treaties with Spain without the corresponding instructions from congress.

ART. 3. The law of the 9th of September, 1864, is hereby annulled, and all other laws of the republic which may be contrary to this.

Given in the halls of congress, in Lima, the 21st of May, 1867.

JOSE JACINTO IBARRA, *President.*

AMBROSIO BECERRIL,
L. GARCIA,
Secretaries.

The PROVISIONAL PRESIDENT of *Peru.*

Therefore this law must be executed, archived, and published.

LIMA, June 13, 1867.

M. I. PRADO.

MARIANO PIO CORNEJO.

[Translation.]

DEPARTMENT OF WAR AND MARINE.

Mariano I. Prado, provisional President of the republic.

The constituent congress has passed the following law:

ARTICLE 1. The executive power shall continue the war against the government of Spain till the legislative power passes a contrary resolution.

ART. 2. The executive power shall not initiate, on his part, any negotiations tending to suspend or put an end to the state of war. Neither shall he sign treaties or preliminaries of treaties with Spain without proper instructions from the legislative power.

ART. 3. The law of the 9th September, 1864, and all other laws of the republic contrary to the present law, are hereby repealed.

Let this be made known to the executive power for his observance.

Done at Lima on the 21st of May, 1867.

JOSE JACINTO IBARRA, *President.*

AMBROSIO BECERRIL,
L. GARCIA,
Secretaries.

The PROVISIONAL PRESIDENT of *the Republic.*

Let this law be recorded, promulgated, and obeyed.

LIMA, June 13, 1867.

MARIANO I. PRADO.

MARIANO PIO CORNEJO.

Mr. Hovey to Mr. Seward.

No. 77.]

LEGATION OF THE UNITED STATES,
Lima, Peru, June 28, 1867.

SIR: I have the honor to transmit to you the copy and translation of a law, passed by the constituent congress, in relation to the late Grand Marshal Ramon Castilla, who died on the 30th ultimo, while at the head of forces in rebellion against the government.

There is so much childishness or charity in this law that the civilized world cognizant of the fact will read it with wonder and astonishment.

Before the rebel chief is laid in his tomb, congress, many of the members of which would have been sacrificed had he proved successful, hastens to cast its honors upon himself and his family. There is no disemboweling, hurdling, hanging in chains, and corruption of blood in Peru, and the most criminally guilty in this case is speedily clothed with all the honors that his country can bestow. It is not strange that revolution should succeed where traitors are thus rewarded.

There was not even the shadow of a just pretext for this revolution. His compatriots and friends, who, with himself, opposed President Pezet, the treaty with Spain, and the Spanish invasion, were in the ascendant, and held the reins of government. Prado had been his protegé and favorite.

In this condition, with all the unpopular decrees of "dictadura" repealed by congress, the dictatorial powers surrendered to the representatives of the people, moved by personal ambition solely, the "old marshal," for the third time in his eventful life, heads a rebellion, dies in his saddle, and receives a grand ovation from congress before he is interred.

This is more than Christian charity; it not only forgives the enemy, but honors him in the acme of his crime. Another chapter should be added to the romance of history.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

[Translation.]

LIMA, *June 22, 1867.*

The constituent congress resolves—

ARTICLE 1. That the government give the necessary orders for the funeral ceremonies, in Lima, of Grand Marshal Ramon Castilla.

ART. 2. The body of Grand Marshal Ramon Castilla shall be brought to this capital, observing the prescriptions of the law of 23d December, 1846; and shall be deposited in the general cemetery, in a mausoleum of marble, for whose erection the sum of 16,000 soles is appropriated.

ART. 3. The mausoleum will bear the inscription, "Peru to Grand Marshal Castilla."

ART. 4. A committee composed of seven members of congress will attend the funeral.

ART. 5. The widow of Grand Marshal Castilla shall receive the pension which legally is due to her, as if her husband had died in service.

This is to be communicated to the executive.

Mr. Hovey to Mr. Seward.

No. 78.]

LEGATION OF THE UNITED STATES,
Lima, Peru, July 14, 1867.

SIR: I have the honor to transmit herewith the copy and translation of a despatch received, on the 6th instant, from his excellency the minister of for-

sign affairs, informing me of a law passed by the congress of Peru, obliging the executive to continue the war against Spain, and at the same time sending me a copy of the said law, which I likewise transmit, with translation.

This information was laid before the department by me, in my despatch of May 28th, 1867, No. 68, but I am now informed of it officially for the first time.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Señor Osorio to Mr. Hovey.

[Translation.]

No. 36.]

LIMA, July 5, 1867.

Your excellency knows how gratefully the Peruvian government received the good offices of the President of the United States in our questions with Spain, and also how willingly it accepted the proposition to hold an international conference of the belligerents in Washington; but bound by a treaty of alliance, Peru could not, by herself alone, accept definitively the offer made by the United States, but had, naturally, to consult her allies. Since then the constituent congress, charged with the supreme direction of the affairs of the country, have passed a law which binds the executive power to a line of conduct to be followed in the pending questions with Spain.

This is now the rule that Peru must obey, and consequently is also that which the executive must regard as the standard of its conduct.

The provisional president, convinced of the interest felt by the government of the United States in everything affecting Peru, desires to give also a proof of consideration and frank friendship to the government of the United States, acquainting it with these ideas and the law of June 13th, a copy of which I enclose to your excellency, and beg that it may be transmitted with this note to his excellency the Secretary of State of the United States.

Giving my thanks, in anticipation, to your excellency, I beg to renew my assurances of my most distinguished consideration.

FELIPE OSORIO.

His Excellency the ENVOY EXTRAORDINARY AND
MINISTER PLENIPOTENTIARY of the United States.

[Translation.]

MARIANO I. PRADO, PROVISIONAL PRESIDENT OF THE REPUBLIC.

Wherefore since congress has passed the following law :

The constituent congress declares the following law :

ARTICLE 1. The executive power will continue the war against the government of Spain until the legislative power may dictate a contrary resolution.

ART 2. The executive power cannot initiate on its part any negotiations which may tend to suspend or cause to suspend the state of war. Neither shall it sign treaties or the preliminaries of treaties with Spain without the corresponding instructions of the legislative.

ART. 3. That the law of September 9, 1864, is hereby declared null, and likewise all laws of the republic in opposition to this.

Let it be communicated to the executive power for compliance.

Given in the hall of sessions, Lima, 21st May, 1867.

JOSE JACINTO IBARRA, *President.*

AMBROSIA BECERRIL, *Secretary.*

S. GARCIA, *Secretary.*

The PROVISIONAL PRESIDENT of the Republic.

Therefore let it be complied with, registered, and published.

LIMA, June 13, 1867.

M. I. PRADO.

M. P. CORNEJO.

Mr. Hovey to Mr. Seward.

No. 80.]

LEGATION OF THE UNITED STATES,
Lima, Peru, July 14, 1867.

SIR: I have the honor to transmit the translation of a despatch from S. D. Francisco de Rivero, envoy extraordinary and minister plenipotentiary of Peru near the governments of France and England, to the department of state here, in relation to the question of asylum.

You will see from the despatch that Lord Stanley, secretary of state for foreign affairs of her Britannic Majesty, has, subsequently to the action of our government, adopted the views which were heretofore assumed in this legation and approved of by the government at Washington.

The illustration given by his lordship of a Fenian (who is nothing more than a political offender) taking refuge in a legation clearly shows that the English government will deny the doctrine of asylum in the only class of cases which has heretofore been claimed as legitimate in South America.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Señor Rivero to Señor Osorio.

[Translation.]

LEGATION OF PERU, *London, May 30, 1867.*

MR. MINISTER: Since my arrival in London I deemed it proper to pay a visit of courtesy to Lord Stanley, secretary of state for foreign affairs, and he received me in his department on the 21st of the present month.

I adverted, in an incidental manner, to the question of asylum, desiring to learn the opinion of the British government upon this point—alluding to the memorandum of the secretary of foreign affairs, Mr. Pacheco; and, as Lord Stanley had informed me, he had seen the said document, I endeavored to enumerate the reasons why this custom, never considered by us as a right, should be abandoned.

I stated that even when diplomatic agents had availed themselves of this custom, from humane motives, its effects had been embarrassing and compromising.

The difficulty of distinguishing sometimes between the political refugee, who from his very asylum continued conspiring against the law, and the criminal, the debtor, or the man already sentenced by a court, complicated more and more the position of foreign diplomatic representatives.

In conformity with the ideas expressed in the memorandum, the limits of the law of nations are sufficient for the object in Christian and civilized nations.

Lord Stanley, agreeing with me in these observations, remarked that if any Fenians were to take refuge in an embassy in London, it would be ridiculous to suppose that the British government would have no right to reclaim them.

In general, he said that asylum had been greatly abused, and he hoped that the custom might now be limited and finally done away with altogether.

I transmit these ideas of Lord Stanley to you, thinking that they might in the future be useful.

FRANCISCO DE RIVERO.

Mr. Hovey to Mr. Seward.

No. 82.]

LEGATION OF THE UNITED STATES,
Lima, Peru, July 16, 1867.

SIR: The 34th section of an act of Congress entitled "An act to increase and fix the military peace establishment of the United States," passed July 28, 1866, and the act of Congress passed at the last session forbidding the use of

uniforms or court dress, will be a sufficient apology for asking the following questions of the Department of State :

1. Can I wear my uniform of major general on court occasions or days of ceremony in Peru, without infringing upon the recent act of Congress ?

2. Am I entitled to be addressed as Brevet Major General A. P. Hovey, envoy extraordinary, &c., &c., instead of A. P. Hovey, esq., &c., &c., &c., as in despatches and letters received at this legation ?

The 34th section of the act above referred to reads :

And be it further enacted, That all officers who have served during the rebellion as volunteers in the armies of the United States, and who have been or may hereafter be honorably mustered out of the volunteer service, shall be entitled to bear the official title, and upon occasions of ceremony to wear the uniform of the highest grade they have held by brevet or other commissions in the volunteer service.

In case of officers of the regular army, the volunteer rank shall be entered upon the official army register: *Provided,* That these privileges shall not entitle any officer to command, pay, or emoluments.

The questions involved are matters of personal pride more than of substance, but at the same time they are not altogether unimportant in this country, in other points of view. Should the department be pleased to give me my name alone, without the *Mr.*, in accordance with what they may deem to be the policy or the law, I shall be content; but I know of no just right to be styled esquire, any more than I have to be yeleft "my lord."

It seems to me that the act of Congress of July 28, 1866, conferred an *honor* equal to the cross of the legion, or the ribbon of the garter, upon those who served their country in the hour of its greatest peril. If I am right in this position, I am not only entitled to wear my old uniform when I please, but I am likewise entitled, as well as some *captains* now in the regular service, to be addressed as a general. If a captain or colonel in the regular service can wear his uniform and be addressed by his volunteer rank, I see no reason why the same honor should not be awarded to those now serving in the diplomatic corps. I shall be pardoned for saying that I have too much of the feeling of the soldier yet to be indifferent to any honor that my country may think proper to bestow upon those who have done battle for her cause.

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Seward to Mr. Hovey.

No. 59.]

DEPARTMENT OF STATE,

Washington, August 14, 1867.

SIR: I have to acknowledge the receipt of your despatch of July 16th, No. 82, and I reply to the questions therein propounded.

This department understands that you are entitled to wear the uniform of a major general on state occasions, or days of ceremony, in Peru, and understands also that you are entitled to describe yourself, and that you may properly be addressed, as Brevet Major General, which was the proper appellation of the military office you held with so much distinction in the volunteer service of the United States, and that these privileges are in conformity with the laws of the United States.

In addressing or mentioning the civil officers of the government of the United States, this department, for itself, complies with the practice which has been constantly pursued since the foundation of the government. It addresses and speaks of the President as President of the United States, without any complimentary title. It applies to the Vice-President, Speaker of the House of Representatives, heads of departments, members of the Senate, and members of the

House of Representatives, the designation of "The Honorable;" to the justices of the courts of the United States the title of "His Honor;" to all diplomatic agents of the United States in foreign countries the title of "Esquire;" to the governors and functionaries of the several States, the titles which are ascribed to those officers by the constitutions and laws of the State in whose service they are. The department concedes to foreign sovereigns, their representatives and agents, the titles prescribed respectively by the customs and laws of the countries concerned.

In the cases of persons actually engaged in the military service of the United States, the department recognizes their proper military rank.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

Mr. Hovey to Mr. Seward.

No. 83.]

LEGATION OF THE UNITED STATES,

Lima, Peru, August 21, 1867.

SIR: I have just returned from a visit to Chili, where I remained two weeks, as the guest of General Kilpatrick, at Santiago. Visited by and conversing with the leading men of both parties, including the President, I had a very good opportunity to perceive the current of public feeling.

The sole and engrossing topic was the war with Spain, and the possibilities and probabilities of peace.

Admiral Dahlgren having kindly tendered me a passage on the United States steamer Wateree, the importance of my visit was augmented in the eyes of Peruvians and Chilians, and the journals of both countries soon elevated me into the position of the great ambassador of peace, "the dove with the olive branch!"

In this position both parties, as well as foreigners, talked to me without the least reserve, and I think that I can truly say that the sentiment in Chili is decidedly favorable to an adjustment of the Spanish question, but they would like to be ravished into a compliance with their own desires.

Whilst this is the case, there is no one that dare take the initiative. In fact, the politicians, who fully see and acknowledge the necessity, hesitate because they know that *something done* may be the cause of their future downfall.

There is but little self-sacrifice in South American politics, and but the shadow of patriotism. A few families govern Chili and Peru, and they are constantly quarrelling among themselves for the spoils. But, notwithstanding this, they believe themselves thoroughly republican, and their sympathies and respect for the United States are very great.

My impressions are that no peace can be made by Spain with these republics until they have felt more keenly the evil effects of war. Should Spain make a strong and strict blockade of the ports of Callao and Valparaiso, and bombard and ruin the lesser ports, it is probable that propositions would be entertained. Now all efforts will be useless. I have to add that, after having seen the fortifications of Valparaiso and Callao, I deem them impregnable to any force that Spain will probably send to the Pacific. The combined force of the allied fleet would amount to nothing in contact with the Spanish ships of war that bombarded Callao on May 2d, 1866.

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Hovey to Mr. Seward.

No. 86.]

LEGATION OF THE UNITED STATES,
Lima, Peru, September 14, 1867.

SIR: I have the honor to inform you that, on the 31st ultimo, the new constitution of Peru was promulgated with due solemnity. The following brief résumé embraces the material and most important portions of the instrument:

The Catholic religion is the religion of the state, and no other can be publicly exercised. Kingly and hereditary privileges and entailments are prohibited; congress alone can impose taxes. The government *de jure* does not recognize the acts of a government *de facto* unless these may have been confirmed by the national congress. Acts committed by those who usurp public functions are null. There is no *ex post facto* law; no punishment of death; slavery is prohibited; prisons are for security and not for punishment, and unnecessary severity to prisoners is not allowed; no expatriation can be ordered without previous condemnation; all labor not injurious to the public health or morality may be exercised; primary public instruction is free; material or intellectual property is inviolable; aliens are permitted to hold property under the same conditions as Peruvians; public assemblages and the right of petition are permitted; "a man's house is his castle;" impressment of soldiers is to be considered as a crime; there are two classes of Peruvians, those by birth and by naturalization; all foreigners who engaged in the campaign of the independence or who were present at the battles of Abtao and of the 2d May, 1866, are citizens of Peru on registering their names; all citizens have the right of suffrage; the government is democratic and republican; government is divided into the executive, legislative, and judiciary; there is but one house of congress; one-half of the representatives are elected every two years; congress assembles every 28th of July, to remain in session for 90 days; congress judges of the election of the President, declares it, and approves or rejects his nominations for civil and military appointment; congress declares war, or establishes peace, after having heard the advice of the President; congress approves or disapproves all treaties, and also examines all concordats or bulls emanating from the Pope; in case of difficulty or doubt in the election of President, congress is to decide. The President is elected for five years, and is not re-eligible for five years from the end of his term. In case of the presidency becoming vacant, the president of the cabinet becomes President of the republic until a new President be legally elected. The President has general powers as commander-in-chief of the navy and army, but cannot personally command without the consent of congress. In time of peace the army will consist of 3,000 men, and the police force—gens d'armes—of a like number. In the capital there exists a supreme court; in departments, superior courts; in provinces, judges of the first instance; and in all towns or villages, justices of the peace.

I enclose a copy of this constitution in Spanish.

I have the honor to be, with great respect, your obedient servant,

ALVIN P. HOVEY.

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

Mr. Hovey to Mr. Seward.

No. 89.]

LEGATION OF THE UNITED STATES,
Lima, Peru, September 22, 1867.

SIR: On the 18th instant the diplomatic corps waited upon Colonel Prado, and paid their compliments to him as constitutional President of Peru.

They were then invited to a lunch, at which many sentiments were proposed, the only one possessing importance being the following, given by the President in regard to Chili and Peru :

I have invited you, gentlemen, to drink to Chili on her natal day. I drink to the prosperity of Chili identified with that of Peru, and even were this not so, I would always drink for the well-being of that republic, a very dear sister of our own. It would not be strange should some bad feelings arise between the two, but the governments prepared to resist them will cause them to disappear before the honor, interest, and sympathy which now unite the two countries.

I should not have presented this point to the government but from the fact that I believe a very considerable degree of bad feeling exists between Peru and Chili, which may lead eventually to serious troubles between the two countries.

I do not, at the present time, understand the cause of this ill feeling, but presume it has arisen from the war with Spain.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Mr. Hovey to Mr. Seward.

No. 90.]

LEGATION OF THE UNITED STATES,
Lima, Peru, September 22, 1867.

SIR : On the 11th of this month a portion of the people of the city of Arequipa endeavored to destroy the platform from which the new constitution of Peru was to have been read.

From this a serious riot occurred, in which the government troops were entirely victorious, and succeeded in re-establishing the public order.

About two hundred persons were killed and wounded in the affair.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Mr. Hovey to Mr. Seward.

No. 91.]

LEGATION OF THE UNITED STATES,
Lima, Peru, September 28, 1867.

SIR : On the 22d instant a very serious outbreak took place in Arequipa, (following that mentioned in my despatch No. 90, of the 22d instant,) in which all the military stationed in that city took part with the populace against the government, and remained, at last advices, masters of the situation. General Canseco, vice-president under General Pezet, has assumed command of the revolutionary forces, and declared himself constitutional chief of the republic.

Troops have been despatched from Lima to quell this insurrection, and if they remain faithful to President Prado will, I have no doubt, be successful.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Mr. Hovey to Mr. Seward.

No. 93.]

LEGATION OF THE UNITED STATES,
Lima, Peru, October 14, 1867.

SIR: I have the honor to inform you that, owing to the present outbreak in Arequipa, the President of Peru has gone to the scene of operations as commander-in-chief of the forces.

During his absence General Luis La Puerta has been named president of the cabinet, and is *ex officio* President of the republic until Colonel Prado's return.

The friends of the President in Congress, who constitute a majority, have determined not to allow that body again to assemble, in order that the acts of the President may be entirely untrammelled.

As well as I can see, this revolution is not sufficiently formidable to make me lose my faith in the success of Colonel Prado.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Mr. Hovey to Mr. Seward.

No. 96.]

LEGATION OF THE UNITED STATES,
Lima, Peru, October 22, 1867.

SIR: The steamer just arrived from the north brings the intelligence that, on the 15th instant, the gens d'armes, composing the garrison of the city of Trujillo, rebelled against the constituted authorities and assassinated Colonel Zavala, the prefect of the department. The officers of the revolted battalion, disgusted with the conduct of their men, have presented themselves in Lima ready to obey the orders of the constitutional government.

In this affair, as in all similar ones in Peru, personal ambition appears to have been the principal motive. The insurrection is considered insignificant, and does not in the least shake my confidence in the ultimate success of Colonel Prado.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Mr. Hovey to Mr. Seward.

No. 98.]

LEGATION OF THE UNITED STATES,
Lima, Peru, October 28, 1867.

SIR: On the 23d instant the government troops took possession of the city of Trujillo, whose revolt was mentioned in my No. 96. No resistance was met with, the rebel leaders having fled into the interior.

With this event the north of the republic remains perfectly quiet.

The last advices from Colonel Prado are that he is moving on Arequipa as fast as the limited means of transportation at his disposal permits.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

Mr. Seward to Mr. Hovey.

No. 68.]

DEPARTMENT OF STATE,
Washington, November 8, 1867.

SIR: Your despatches, numbered 89, 90, and 93, of September 22d and of October 14th, have been received.

Accept my thanks for the important information and reflections with which these despatches are replete as to the state of political affairs on the Pacific. The serious riot at Arequipa, on the 11th of September, causing so much bloodshed, is deeply to be lamented.

The delicate state of the relations existing between Peru and Chili, growing, as you presume, out of the war with Spain, should it terminate, as you apprehend, in serious troubles between the two republics, would be regretted by all the friends of democratic institutions.

I am pleased to find that in your No. 93, of October 14th, you have reason to believe that the revolution is not sufficiently formidable to cause you to lose your faith in the success of President Prado's expedition.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ALVIN P. HOVEY, Esq., &c., &c., &c.

Mr. Hovey to Mr. Seward.

No. 100]

LEGATION OF THE UNITED STATES,
Lima, Peru, November 14, 1867.

SIR: Since my last despatch, No. 98, dated 25th ultimo, several unimportant outbreaks, in favor of the rebellion, have occurred in different portions of the republic.

As yet, Colonel Prado has not succeeded in conveying his siege trains to the camp of his army, one league from Arequipa. The combat, about to commence near that city, will, no doubt, be the decisive one, and my confidence still continues in the success of the government arms.

I have the honor to be, with great respect, your obedient servant,
ALVIN P. HOVEY.

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

CORRESPONDENCE WITH THE PERUVIAN LEGATION.

Mr. Barreda to Mr. Seward.

[Translation.—Confidential.]

WASHINGTON, *December 13, 1866.*

SIR: I have had the honor to inform your excellency verbally that the governments of their Majesties the Queen of Great Britain and the Emperor of the French had expressed to my government and its allies the desire of exercising their good offices for the establishment of peace, and the settlement of questions pending between them and Spain. For that object their representatives in Lima addressed to the secretary of foreign affairs of Peru the enclosed note, marked No. 1.

As your excellency will observe, the purpose of those governments was to learn the feelings and intentions of the allies, to enable them to formalize a proposition which might be acceptable to the belligerents.

My government replied in the terms embodied in the enclosure No. 2, which, while it conveys its gratitude for the offer of mediation, also explains the necessity of consulting the allies before coming to any decision.

On the 11th of November the representatives of France and Great Britain addressed the enclosed note, marked No. 3, to the government of Peru, to ascertain the opinion of the allies concerning their tender of good offices. My government answered in the terms of the enclosure No. 4.

It appears, from this correspondence, that the mediating powers had not been made officially acquainted with the feelings and opinions of the allies to assist them in the formation of an acceptable proposal; but, notwithstanding this, their representatives in Santiago, on the 7th of November, presented, by order of their respective governments, the bases which your excellency will find in the protocol, marked No. 5.

The terms of that proposal are such as to render it impossible to enter into discussion concerning them, and the proceeding of the representatives of Great Britain and France has caused the revocation of the conditional acceptance of their friendly offices by the Chilian government.

The enclosure No. 6 contains the expression of opinion of Chili, and that of my government is embodied in the despatches marked Nos. 7 and 8.

But the rejection by the allies of a proposal humiliating and incompatible with the position which they have secured by arms in the contest to which they have been provoked, does not involve the refusal of every plan of settlement. They are prepared to make peace with Spain upon honorable and dignified bases which shall end satisfactorily the present difficulties and lend guarantees for the future.

My government, animated with these sentiments, accepts without reservation the plan of arrangement proposed by your excellency, which I had the honor of communicating to it in my confidential note No. 168, of the 8th of October last, in terms approved by your excellency; and it will use its best efforts to obtain the unreserved acceptance of that plan by Chili, Bolivia, and Ecuador.

My government awaits the extension of the invitation of your excellency to the other allied governments and Spain to unite for the realization of this idea, and, as soon as it shall know that it has been done, will associate its action with that of your excellency.

I improve this opportunity to renew to your excellency the assurance of my most distinguished consideration.

F. L. BARREDA.

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

No. 1.

Messrs. Barton and De Lesseps to Mr. Pacheco.

[Translation.]

LEGATION OF FRANCE IN PERU,
Lima, September 21, 1866.

The government of his Majesty the Emperor of the French, and that of her Majesty the Queen of Great Britain, are desirous of seeing the re-establishment of peace between the allied governments of Peru, Chili, Bolivia, and Ecuador on the one side, and of Spain on the other. They are for this effect disposed to offer simultaneously their good offices.

However, the governments of the undersigned have no certain data concerning the feelings and intentions of these republics which may permit them now to formalize a proposition and fix upon the bases of a subsequent arrangement whose acceptance might be recommended to the allied States, as well as to Spain herself.

Consequently, and to conform with instructions recently transmitted to them, the under-

signed have the honor to beg that his excellency the secretary of foreign affairs may declare whether his government partakes of the same peaceful ideas, and if it is disposed to accept on its part the friendly office which the undersigned have the order to offer it in the name of their respective governments.

The undersigned are authorized to inform his excellency Mr. Pacheco that analogous orders have been prescribed to the ministers and agents of the two countries accredited in the allied republics, and near the court of Spain.

The undersigned improve the present occasion to renew to his excellency Mr. Pacheco the assurances of their highest consideration.

JOHN BARTON.
E. DE LESSEPS.

His Excellency Dr. T. PACHECO,
Secretary of Foreign Affairs.

No. 2.

Mr. Pacheco to Messrs. Barton and De Lesseps.

[Translation.]

OFFICE OF FOREIGN AFFAIRS,
Lima, September 27, 1866.

The undersigned, secretary of foreign affairs of Peru, has had the honor to receive to-day the note addressed to him by the honorable chargé d'affaires of France, and the honorable chargé d'affaires of Great Britain, manifesting to him that their governments, desirous of seeing peace re-established between Peru and the allies on the one side and Spain on the other, are disposed to offer, simultaneously, their good offices for this end.

The honorable Messrs. Lesseps and Barton desire to know if the government of Peru participates in the same peaceful ideas, and if it is willing to accept such good offices, and add that the same intimation was to be made to the allied republics and Spain.

The government of Peru, considering the war only as a means of obtaining peace, can not but receive with gratitude the indications of friendly governments for the accomplishment of that end, but the alliance of Peru with the republics of Bolivia, Chili, and Ecuador, creates for her the inability to adopt alone a definite decision. This must be the result of accord between the four allied governments. She cannot say that she accepts those good offices, because the other allied governments may have strong motives for not doing so, which may even be considered conclusive by the Peruvian government; neither can she refuse them, for an analogous reason in an opposite sense. To be able to give them a definite answer, it is indispensable that the government of Peru should previously consult the governments at Quito, La Paz, and Santiago.

The governments of France and Great Britain, which have been placed in an identical position, are too competent judges in matters of honor, and of the duties imposed by an alliance, not to do justice to the feeling which has caused this reply, and to be convinced that the Peruvian government views the offer of good offices as a proof of friendship.

The undersigned begs to renew to the honorable Messrs. Lesseps and Barton the assurance of his most distinguished consideration.

T. PACHECO.

To Messrs. E. LESSEPS, *Chargé d' Affaires, France.*
J. BARTON, *Chargé d' Affaires, Great Britain.*

No. 3.

Messrs. Barton and De Lesseps to Mr. Pacheco.

[Translation.]

LEGATIONS OF FRANCE AND GREAT BRITAIN,
Lima, November 11, 1866.

The undersigned, chargés d'affaires of his Majesty the Emperor of the French, and of her Majesty the Queen of Great Britain, have the honor to remind his excellency the secretary of state in the department of foreign affairs, that in his despatch of the 27th of September last, relative to the offer of good offices made by their governments, he was pleased to inform them that in order to be enabled to give a definite reply it was considered a duty to consult the cabinets of Santiago, La Paz, and Quito.

The opinion of those three cabinets in this regard being known now at Lima, the undersigned would thank his excellency the secretary of state in the department of foreign affairs, if he should be pleased to enable them to inform their governments by the mail of the 14th instant of the resolution taken by the Peruvian government.

The undersigned improve with pleasure this new occasion to offer to his excellency the secretary of state in the department of foreign affairs, assurances of their most distinguished consideration.

JOHN BARTON,
E. DE LESSEPS.

His Excellency the SECRETARY OF STATE
In the Department of Foreign Affairs.

No. 4.

Mr. Barreuechea to Messrs. Barton and De Lesseps.

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Lima, November 13, 1866.

The undersigned, assistant secretary of foreign affairs, has the honor to address himself to the honorable chargés d'affaires of his Majesty the Emperor of the French, and of her Majesty the Queen of Great Britain, to inform them, first of all, that the secretary, Don Taribio Pacheco, having been obliged to absent himself on an important service without the time necessary to give them notice of an absence which, contrary to all expectation, has been prolonged until now, the undersigned has been charged by his excellency the supreme chief with the department of foreign affairs, under the supreme resolution of May 23d last, inserted in the "Peruano" of the same date.

The undersigned has received, yesterday, the note of the honorable chargés d'affaires of the 11th instant, reminding him that in order to reply to the offer of good offices made to Peru by France and England it was believed necessary to consult the opinions of the cabinets of Santiago, La Paz, and Quito, and that this now being known at Lima, they desire to inform their respective governments, by the steamer of the 14th, of the determination of the Peruvian government. His excellency the superior chief has ordered the undersigned to reply to the honorable chargés d'affaires in the following terms:

The government of Peru receives with the greatest consideration and gratitude the offer of mediation of France and England, but, compromised by a treaty of alliance with Bolivia, Chili and Ecuador, it could not reply definitely without consulting its allies.

The government of Chili has declared in an individual way, and under certain reservations that it was disposed to accept the mediation of France and England, but as the precise terms of the reply of the cabinet of Santiago are not known to Peru, it does not imply for her a consummated fact. The governments of Bolivia and Ecuador have not yet given their opinion, and await an understanding with their allies to enable them to reply.

The government of Peru, from a sense of duty and loyalty towards these, has not yet had the satisfaction of giving a definite answer to the honorable chargés d'affaires of France and England.

Similar causes have also prevented it from replying to the government of the United States, which, as early as the 24th of May last, offered its mediation to Peru, by the medium of its minister in Lima, and the undersigned mentions this circumstance so that the honorable chargés d'affaires may excuse the delay which has existed until now in replying to their offer of good offices, considering that the same fault exists also in regard to an offer of mediation previously made.

So his excellency the supreme chief waits to ascertain the definite opinion of all his allies in order that he may give to General Hovey and to the honorable Messrs. Lesseps and Barton a final answer, which may contribute to the realization of the important ends which friendly nations have proposed.

The undersigned is pleased to assure the honorable chargés d'affaires that that answer will not be long delayed, and improves this first opportunity to offer to the honorable chargés d'affaires of France and Great Britain the assurance of his highest consideration.

J. A. BARREUECHEA.

No. 5.

[Translation.]

Protocol of the conference of the 7th of November, 1866, between the minister of foreign affairs of Chili and the chargés d'affaires of France and England.

Mr. Thomson, chargé d'affaires of her Britannic Majesty, explained that he had asked for this conference in the name of his colleague, Señor Flory chargé d'affaires of France, and himself, in order to lay before the government of Chili, by order of their respective governments, a proposal for the re-establishment of peace between Chili and Spain. That proposal was in the following terms:

1. Reciprocal declarations on the part of Chili and Spain in the same spirit as those which were proposed in the *memorandum* addressed by the governments of France and England to the cabinet of Madrid on the 7th of December of the last year when they interposed their good offices, with the exception of the exchange of salute, which would be omitted because of the absence of the Spanish flag from the waters of the Pacific.

2. Re-establishment in its full force and vigor of the treaty between Peru and Spain of the 27th of January, 1865.

3. Declarations on the part of Bolivia and Ecuador re-establishing the same state of things as existed prior to the declaration of war.

4. Revoking of all measures adopted by the governments of the allied republics against Spaniards since their respective declarations of war, and especially those which refer to their expulsion, and to the conditions imposed on their remaining and the imposition of American citizenship.

5. Reciprocal indemnity for all damage caused after the declaration of war by acts independent of military operations, or in virtue of official measures foreign to the execution of such operations.

6. Exchange of prisoners.

7. Reciprocal return of all prizes made in whatever manner by both, without right to establish claims for damages, or to seek indemnity for such prizes as any of the belligerents may have destroyed.

The minister of foreign affairs answered that the nature of the negotiation having entirely changed, because of the presentation of bases without awaiting the explanation of the views of his government which had been asked, he could not enter upon the discussion of these new propositions without having previously consulted the governments of the allied republics; that he would consult them by the next mail, and as soon as their reply was received he would communicate the decision of the Chilian government in relation to the bases now presented.

In faith of which the minister of foreign affairs of Chili, and the chargés d'affaires of France and England approved and signed the present act in triplicate.

SANTIAGO, November 7, 1866.

A. COVARRUBIAS.
W. TAYLOR THOMSON.
FLORY.

No. 6.

Señor Covarrubias to Señor Martinez.

[Translation.]

No. 144.]

SANTIAGO, November 9, 1866.

The chargé d'affaires of her Britannic Majesty presented me yesterday with a copy of the bases upon which a settlement of our present contest with Spain could be reached, intimating that they should only be considered as bases for discussion.

I had already received beforehand information of the step to be taken by Mr. Thomson, and although I was unacquainted with the stipulations of the propositions mentioned, I had agreed with Señor Pacheco not to express to the British diplomat any opinion concerning them, and had promised him that only after having submitted them to the other allied governments would I transmit to him and his French colleague the resolution which it should in common be thought proper to adopt.

Thus, in fact, I did, intimating at the same time to Mr. Thomson that in the presentation of those bases of arrangement, a notable deviation from the primitive form in which the governments of France and England offered to the Chilian government their good offices was observed.

As you will notice on referring to the last of the copies mentioned, from no point of view are those bases acceptable. However much we may desire peace, we would never agree to it rather than subscribe to such conditions.

I do not doubt that the government of Peru is of the same opinion, and in charging you to communicate to it what I have said, and to give me in due time its reply, the only end I have in view is to fulfil my promise to the representatives of the governments of France and England.

God preserve you!

A. COVARRUBIAS.

No. 7.

Señor Martínez to Señor Covarrubias.

[Translation.]

No. 245.]

LEGATION OF CHILI IN PERU,
Lima, November 20, 1866.

I have had the honor to receive your despatch No. 144, of the 9th instant.

In fulfilment of your instructions, I have informed this government of its contents, and laid before it the protocols referred to. The reply of his excellency Señor Prado, personally given me, is as follows: That the bases of arrangement proposed to you by Señor Thomson, chargé d'affaires of her Britannic Majesty in Santiago, are from every point of view unacceptable, and so much opposed to the legitimate interests of Peru and her allies, that it would be neither possible nor decorous for this government to open discussion concerning them. He added that until now he had not pronounced any opinion on the French and English offer of mediation because he had hoped that the allies would have agreed among themselves as to their reply, especially as a previous suggestion of the government of the United States was awaiting decision; but that since the representatives in Santiago of the mediating powers had presented extensive bases of settlement to Peru and her allies, (and, as I have said, entirely unacceptable,) this government was obliged to excuse itself from even entering on the discussion of those bases.

Explaining the positive reasons for that refusal, his excellency the supreme chief observed that it appeared to him that the mediating powers themselves would already be found embarrassed for the performance of the duty of mediators, since they had commenced by declaring opinions that the American republics cannot but consider injurious to their legislative interests and rights. Even in mediation there is a certain kind of prejudgment incurred when the mediator anticipates his decision, giving it to be understood that he holds in less esteem the cause of one belligerent than of the other, as happens in the present case, for not one of the bases embodied in the protocol of the 7th of November consults the condition of the question or the rights which the republics of America have acquired over their enemy.

Besides, his excellency Señor Prado regrets that the acceptance of good offices by the government on the 2d October, with reference to the proposition established in the protocol of the previous day, has resulted in nothing, for no other reason than that the mediating governments have themselves reversed the substantial order of proceedings.

Such is the reply which this government has given in regard to the contents of your despatch No. 141, and which I hasten to communicate to you.

God preserve you!

M. MARTINEZ.

MINISTER OF FOREIGN AFFAIRS of *Chili.*

No. 8.

Señor Pacheco to Señor Barreda.

[Translation.—Confidential.]

No. 219.]

DEPARTMENT OF FOREIGN AFFAIRS,
Lima, November 21, 1866.

I have carefully read your despatches Nos. 168, 169, 174, 189, 193, and 196, and have informed his excellency the supreme chief of their contents.

You will find annexed copies of the bases of arrangement proposed by France and England of a communication addressed by Señor Covarrubias to Señor Martínez, and of the reply of the latter; all of which documents have been received from the Chilean legation. The despatch of Señor Martínez contains the expression of opinion in this matter on the part of the Peruvian government, and this is formed entirely in conformity with that manifested by the government of Chili.

You have perfectly understood the spirit and tendencies of such propositions as those offered to us, and it is truly surprising that the governments of France and England should have qualified them as moderate when, even in the event of Spain having obtained a complete triumph over the allied republics, they would not voluntarily have accepted any arrangement which would imply a full confession of their impotency and dishonor.

As you have very well said, to declare in force the treaty of the 27th of January would be to condemn the revolution which took place in Peru for its destruction, and the absurdity of such a proposition ought not to be hidden from the statesmen of France and England, who undoubtedly are acquainted with the events which have occurred in these republics during the conflict with Spain. Moreover, it is well known that the celebration, ratification, and fulfilment of the treaty of the 27th of January have given rise to a criminal suit, actually in progress before the *central court*; and it is impossible to conceive how Peru can now declare satisfactory that which she has considered and still considers as one of the gravest faults committed by the government of General Pezet.

The foregoing observations on one of the proposed bases of settlement furnish sufficient excuse for not proceeding to analyze the others.

From what I have said, it must not, however, be deduced that it is the determination of the government of Peru and of their allies to continue the prosecution of the war at all hazards, closing their ears to every proposal of agreement. The allied republics are ready to make peace with Spain, but always providing that it be an honorable and worthy peace, with sufficient guarantees for the future.

Among the various means of arrangement until now presented the only one which seems acceptable, without restriction to the Peruvian government, is that recently indicated by the government at Washington. We accept it at once, and will employ our best endeavors to persuade Chili, Bolivia, and Ecuador to do the same.

If Spain is sincere in her desires for peace, she will hasten to accede to the plan proposed, and in this manner the grave questions which to-day divide us may receive a prompt solution, which has seemed to have been deferred by the means proposed for their termination.

We hope, then, that in view of our decision, the honorable Secretary of State of the United States will hasten to invite the other allied governments and that of Spain to assist in the realization of this plan; and we only await being advised of his having done so to unite our action with that of Mr. Seward.

God preserve you!

T. PACHECO.

The ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY
from Peru to the United States.

Señor Garcia to Mr. Seward.

[Translation.]

NEW YORK, November 26, 1867.

SIR: At the interview to which I had the honor to be invited by your excellency on the 15th instant, you deigned, with marked kindness, to express some opinions on the internal condition of Peru, and more especially in relation to the state of war which continues between Spain and the Pacific alliance. On that occasion it was pleasant to me to express to you my acknowledgments for the thoughts and feelings ingenuously manifested by you, feelings and ideas which were in harmony with those of my government, which had not persisted in war through obstinacy, but in defence of the dignity and of the plainest rights of Peru and her allies, because, as I permitted myself to remind your excellency, I well knew the causes which had rendered ineffective as well the mediation offered by England and France as the good offices interposed by the government of your excellency.

The official language of the Peruvian government, uttered on a recent occasion by his excellency the President of the republic, comes once more in confirmation that, although resolved to sustain with firmness the rights and sovereignty of the nation, she is not deaf to the voice of peace, nor refuses to enter with dignity upon frank and honorable negotiations which may lead to it. On replying to a congratulation from the diplomatic corps resident at Lima, his excellency General La Puerta spoke as follows:

Mr. DEAN: I accept the language you have addressed to me, in the name of the diplomatic corps, with so much the more satisfaction, because, in filling temporarily the presidency of the republic, it shows you have confidence that the harmony which exists between Peru and other nations will not be interrupted through me. My constant effort is, even governing me, that Peru may be at peace with all nations, and, as citizens of the republic, to contract friendship with each of the representatives who are here, as I already have with some of them.

In this age, when all nations are advancing with gigantic strides in prosperity, whose basis is peace, interminable wars can no longer exist. If Spain, recalling the illustrious past, frankly seeks to renew her relations with the allied republics, my government will lend the greatest facilities, and will aid with all her friendly and conciliatory efforts in pointing out the way to them for so sacred a purpose, and to resolving, by common accord, that the cause is a solidarity which becomes the interest of all.

I make known to your excellency this incident in the policy of my government in devotion to the sincere affection and lively interest which you deign to manifest toward the country, and, with like satisfaction, I will inform your excellency in succession of whatever may conduce to perfect understanding of the rectitude of the Peruvian government in its international policy.

Accept, sir, the assurances of my personal consideration, and of the respect with which I subscribe myself your very obedient servant,

JOSE ANTONIO Y GARCIA.

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

Mr. Seward to Mr. Garcia.

DEPARTMENT OF STATE,

Washington, December 4, 1867.

SIR: I have had the honor to receive your note of the 26th November last, in which you are pleased to refer to the interview which took place between us on the 15th of the same month, in relation to the war between Spain and the allies, and quote the remarks of his excellency General La Puerta in replying to the diplomatic corps resident in Lima upon the same subject.

I cannot permit this opportunity to pass without expressing to you the great pleasure which the sentiments contained in the address of General La Puerta referred to has afforded me.

I avail myself of the occasion to tender to you the assurance of my high consideration.

WILLIAM H. SEWARD.

Señor Don JOSE ANTONIO GARCIA Y GARCIA, &c., &c., &c.

SALVADOR.

Mr. Williams to Mr. Seward.

No. 5.]

LEGATION OF THE UNITED STATES,
San Salvador, January 22, 1867.

SIR: In my despatch No. 3, January 19th instant, I had the honor to inform the department that the President had named the 21st instant for my official reception. Accordingly, yesterday afternoon, accompanied by two officials, I was driven in the President's carriage to the Government House, where I was received by Señor Gregorio Arbizu, secretary of state or minister of foreign relations, (terms variously used by himself,) and by him conducted to the reception room and presented to the President, Doctor D. Francisco Dueñas.

In a brief address I said to the President, in substance, that I had repeated the assurances of the letter of the President of the United States in saying that the government and the people of my country entertained cordial sentiments of sympathy and friendship for the government and people of the republic of Salvador; that we rejoiced in the evidences of their good order and tranquillity, and of their national prosperity and progress, as proofs of the beneficent fruits of free institutions and republican governments faithfully administered; that my government desires, not only to preserve the harmony and good understanding now happily subsisting, but that it looked forward to an increase of commercial intercourse and friendly relations, which could but advance the interests and happiness of both countries; that while the government of the United States, faithfully representing the views and sentiments of the people, sought amicable relations with all established governments and powers, it naturally entertained and manifested an especial interest in the prosperity and advancement of the sister republics of the American continents; that, sincerely entertaining these feelings of my government and my countrymen, I should deem myself fortunate if, during my official residence near the government of Salvador, I could succeed in giving a faithful expression to them, and in so doing be instrumental in adding strength and permanency to the friendship of the two republics.

The President, in reply, said, in substance, that the mission with which I was intrusted, and the friendly expressions of sympathy I had uttered in the name of my government, gave great satisfaction to the government of this republic. He was happy of a new opportunity, through me, to transmit to the government of North America the most ardent pledges of sincere friendship and cordial understanding; that I had come to reside near the government of a republic small in extent, but most favorably disposed towards the great republic I represented, to the example of which they owed the adoption of the republican form of government and those free institutions under which their people now lived with satisfaction. He had heard with much pleasure the desire of my government to preserve and strengthen the good relations now existing between the two republics, from which he looked for happy results for both countries. He desired me to assure my worthy President that no effort would be spared on his part to respond to his good wishes.

After some personal compliments and welcomes, the interview ended.

I was received at the Government House by a guard of honor, and in all respects by marked courtesy and respect by the officers of the government.

In another despatch I shall send you some extracts from the President's message to the legislative chambers at the opening of the regular session on the 19th instant, exhibiting the commercial and financial condition of the republic during the past fiscal year.

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

A. S. WILLIAMS.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Williams to Mr. Seward.

No. 6.]

UNITED STATES LEGATION,

San Salvador, January 26, 1867.

SIR: I have the honor to forward herewith extracts from the message of the President of this republic, read to the legislative chambers at the opening of the regular session on the 19th instant, which will show, so far as official documents in this country are reliable, the condition of Salvador in the various branches of the government.

So far as I have been able to inform myself during the few days I have been here, I am satisfied that the country is unusually tranquil and the people very generally contented with the existing government. If any revolutionary elements exist, they are too feeble or cautious to manifest themselves.

The special products of the country (indigo, coffee, sugar, and rice) have had an unusually abundant yield during the past year, while the attempts to cultivate cotton, as an article of export, is pronounced by all a failure, the crop having suffered more and more each year from the numerous insects which infest the soil of the tropics. In 1865 the export of cotton amounted to \$533,225 92; the past year to only \$157,577 77. In the mean time the exports of the other products named increased the past year, in valuation, \$307,449 92. The exportation of the mineral ores (for smelting in other countries) fell off in value for the same period \$227,153 18.

In connection with this subject it may not be improper to remark that a considerable amount of machinery is being introduced, mostly from England, for sugar mills. An English agent, but a short time in the country, informs me that within a few days he has received orders for upwards of £30,000 in value. Inconsiderable as this sum may seem in a great manufacturing country like ours, it is a significant fact here, where machinery of the simplest kind has been hitherto almost wholly unknown. Labor is nominally abundant and cheap, but of the most unreliable kind, owing to the indolent habits of the people and the almost costless means of subsistence to the lower classes.

I shall endeavor to keep the department informed, from time to time, of such facts relative to the internal condition and resources and to the external relations of this country as may be of interest or value.

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

A. S. WILLIAMS.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.]

Extracts from the message of the President of Salvador, read to the two legislative chambers at the opening of the regular session, January 19, 1867, at San Salvador.

Foreign relations.—"The foreign relations, as well those we cultivate with the neighboring States of Central America as those existing with the Nations of Europe and America,

are in the best possible condition, and without a single cause of disagreement during the year. Existing treaties have been scrupulously observed in all cases."

Judiciary.—"The supreme judicial tribunal, as well as the inferior courts, have performed completely, and with entire independence, their delicate functions, and given to the republic the benefits of their services with punctuality."

Public instruction.—"Public instruction has been fostered during the year, augmented in its branches, and redeemed from former difficulties with much attention. The national college and the university are in a prosperous condition, and private establishments have received such aid and encouragement as fell within the powers of the government. In the edifice of the national college an academy of design and painting has been formed, and the necessary provisions made to build up an establishment worthy of the noble object.

"In the departments centres of education have been formed to which additional impetus will be given during the current year. In many of the principal villages schools for girls have been established, and measures taken to secure European female teachers, who shall found a seminary in this capital."

Public works.—"The public works of most importance are being prosecuted with earnestness. New wagon roads have been and are being opened, without neglecting repairs upon the old, to an extent that contemplates furnishing the entire republic with convenient routes for the transportation of its products.

"The work on the national palace, commenced at the end of last year, is already far advanced, and a portion of it will be ready for use in the present year. A contract has been closed for the establishment of a mint, and proposals received from Europe for the creation of a national bank in this republic."

Finances.—"The revenues are in a favorable condition, augmenting each year in proportion to the development of the rich resources of the country.

"In the past fiscal (economic) year the receipts reached the sum of \$783,713 56, an increase over last year of \$58,834 14, derived mainly from the increased revenue from brandy, (aguardiente.) which, after remaining stationary many years, has been greatly augmented this year by the more permanent advantages held out by the government to the lessees, (arrendamientos.)

"The expenditures, including payments of public debt, reached the sum of \$693,003 84, leaving a balance in favor of receipts of \$90,710 07, consisting of money in the treasury, uncollected claims, merchandise, and powder.

"Of the public debt, \$94,311 44 has been funded. The debt existing in bills amounts to \$693,019 56, besides which there was, at the end of the fiscal year, a further indebtedness of \$188,955 89, incurred for civil salaries, military forces, dues to the commerce of Guatemala, subsidies to steamboat lines, armament and material of war, and purchases of real estate, of which debt a good part has been paid within the last three months, and payments continue to be made.

"From this statement it will be seen that the whole debt of the republic, not equal to one year's revenue, is diminishing day by day, and will soon be extinguished."

Imports and exports.—"The imports of foreign merchandise for the fiscal year amounted to \$1,644,344, a decrease of \$44,292, which is attributable to the fluctuations in the price of cotton and the interruptions in commercial affairs caused by the war in Europe. The importations, however, within the last three months exceed those of the preceding year for the same period.

"The exports of the products of the country for the fiscal year reached \$2,434,801 50, a decrease on the former year of \$453,329 18, which is mainly owing to the failure of the cotton crop, (the culture of which is being abandoned from year to year,) and to the diminution in the product of the metallic ores, which has greatly fallen off the past year.

"These losses, however, will be more than made up in the future by the increased productions of indigo, coffee, sugar, and those fruits which are now looked upon as of secondary value."

Interest, war materials, &c.—"The message continues that "Such has been the favorable condition of the revenue, that no new debts have been contracted, and the government has been enabled to turn its attention to many works of public utility, of which the country stands in sufficient need."

"The interest on the internal debt has been punctually paid, and the remaining external debt cancelled. The existing revenue system has produced the best results, and it is greatly to be hoped that no innovations will be made, as stability is an essential condition of progress."

He does not propose to refer to the matters of the war department further than to say that "the republic possesses a well-organized military force, in competent numbers, and that acquisitions have been made in the materials of war, (such as rifles of best quality, artillery, bombs, mortars, howitzers, &c.) to such an extent that the republic is to-day better prepared than ever before for any event.

"If peace and order are preserved, as he has good reason to expect, the progress of Salvalo will assume large proportions, and, perhaps, the year upon which they enter will be one of great improvements, such as have been projected, and will be prosecuted with vigor. It is

not possible, however, rapidly to accelerate movements, because matters are progressing now in proportion to their means and to their necessities. Still, nothing will be neglected that can contribute to the prosperity and happiness of the Salvadoreans."

He concludes: "Delegates of people: You have been selected to prepare, by wise measures, the field from which we look for abundant fruits to spring. The country has a right to anticipate much from your patriotism and your intelligence, and I promise you that my best efforts shall be employed to give effect to your determinations for the prosperity and happiness of the republic."

Mr. Williams to Mr. Seward.

No. 7.]

LEGATION OF THE UNITED STATES,
San Salvador, February 2, 1867.

SIR: Since writing my despatch No. 6, January 26th, I have read the official report of the minister of foreign relations, made recently to the legislative chambers.

I find some matters introduced into this report which are not mentioned in the President's message, to wit:

1st. That this government has accepted an invitation of the President of the United States of Colombia to send a representative to the proposed new congress of plenipotentiaries of the South American republics.

2d. That a project is in contemplation for admission, free of duty, of all articles of commerce of the growth and product of the Central and South American States, on condition of complete reciprocity for similar products of this republic.

The minister, alluding to the project of such a law about to be introduced, as he understands, by some members of the legislative chambers, judiciously says: "It will be necessary to draught such a law with mature deliberation, and with reference to the obligations of existing treaties with other countries."

3d. That the ratifications of a treaty made with Spain last year have been exchanged.

The legislative chambers have as yet acted finally upon no new measure.

I have the honor to be, with much respect, your obedient servant,

A. S. WILLIAMS.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Williams to Mr. Seward.

No. 9.]

LEGATION OF THE UNITED STATES,
San Salvador, February 20, 1867.

SIR: I avail myself of the semi-monthly mail to say that nothing important has occurred in this republic since my last despatch.

The *pronunciamiento* of the liberal party in Guatemala, under the leadership of General Don Serapio Cruz, has caused some excitement, though the government profess to regard it as a matter of little consequence. The President has formally tendered to the government of Guatemala all the available resources of Salvador to assist in suppressing this rebellion; and I notice the number of troops in garrison here has been increased, and that military exercises and drills are frequent.

Our minister in Guatemala will, of course, give you the latest information of the progress of the rebellion. Here reports are very conflicting and contradictory

The legislative chambers are still in session, but nothing important has received final action. Considerable opposition to certain government measures has developed itself; but no signs of a revolutionary character have appeared in the chambers or in the country. It is thought, however, by the best informed here that the success of General Cruz in Guatemala would bring down upon this government the united forces of that state and Honduras. It seems there is a strong misunderstanding existing between Honduras and Salvador, growing out of the appointment to office of political refugees. Each state charges the other with this offence.

It is to be hoped for the sake of the people here and for the good name of republics that these recurring wars and revolutions, almost always springing from personal motives and ambitions, may have a finality after a time in the increased intelligence of the people.

I have the honor to be, very respectfully, your obedient servant,
A. S. WILLIAMS.

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

Mr. Williams to Mr. Seward.

No. 10.]

LEGATION OF THE UNITED STATES,
San Salvador, March 7, 1867.

SIR: Since my last despatch the legislative chambers have adjourned without day, after a session of forty days. Their acts, so far as made public, are an increase of the President's salary, provision for a new election of deputies, and an approval of the reports of the ministers. I see, moreover, in the speech of the president of the chambers allusion made to some authority conferred on the President to consent to a free interchange of the products of the Central and South American states. This law has not yet been made public.

The dissolution, as well as the assembling of the chambers, is an affair of great pomp and ceremony. The President of the republic is escorted to the halls of the assembly by a procession composed of the civil, ecclesiastical, and military dignitaries. The troops line the passage of the procession, and artillery salvos are fired in all the public squares. At the hall the president of the chambers recounts in a brief address the doings of the two houses, to which the President of the republic replies briefly, and, on the present occasion, very complimentarily.

It was evident the President was gratified that they had done so little, and that little so in consonance with his views.

The excitement growing out of the Guatemala rebellion seems wholly to have subsided.

I have the honor to be, very respectfully, your obedient servant,
A. S. WILLIAMS.

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

Mr. Williams to Mr. Seward.

No. 29.]

LEGATION OF THE UNITED STATES,
San Salvador, September 22, 1867.

SIR: The only matters of any interest in this quiet republic since my last despatch, which I deem worthy of reporting, are the concession of exclusive

banking privileges to an English party, the celebration of the forty-sixth anniversary of its independence, and the successful harvesting of an unusually large indigo crop.

Of the banking concessions I shall report in another despatch.

The independence day was celebrated on the 15th instant. It cannot be said that the popular enthusiasm was as great as is customary with us on similar occasions, but there was a general observance of the day here and in the other principal towns. The President, with the civil and military authorities, after attending high mass, listened to an oration and subsequently assisted at a banquet in honor of the day.

I was gratified to observe the respect and admiration manifested towards our great republic in many of the toasts and speeches delivered on the occasion.

The recent events in Mexico naturally directed much of the independence-day sentiment towards that country.

The gratulations on the final overthrow of the monarchical party were very decided and universal. In this republic, whatever may have been the sentiments in some other parts of Central America, there has been from the first but one feeling of hostility to the French occupation and to the monarchical party in that unfortunate country. If one may judge from the tone and expressions of an occasion in which were represented all parties, the feeling here is equally universal that to the wise, judicious and firm policy of our government is Mexico mainly indebted for its rescue from monarchy, and the American continent from the danger and dishonor of European intervention in its governmental affairs. Indeed it is highly gratifying to the pride of an American here to observe on all occasions how much even the unhappy events of the past few years seem to have advanced the name and consideration of his country, not only among the natives, but among the foreigners found here from most of the nations of Europe. It may be said that the sentiment is universal that no government more securely and firmly protects the rights of its citizens or more promptly redresses their injuries, and that, too, in the midst of domestic troubles of gigantic proportions. I hope I do not transcend the proprieties of an official despatch in saying that one cannot fail to see in the increased respect for our country, of foreigners who do not especially love our republic, abundant proof that its foreign as well as domestic policy has been, through all our internal troubles, most wisely and firmly administered.

The staple crops of this republic are reported unusually abundant. Indigo, the harvest of which has just been completed, has an extraordinary yield of superior quality. It is estimated that it will reach 15,000 ceroons of 150 pounds each, with a home valuation of nearly \$2,500,000. This article pays an export duty of \$3 37 a ceroon.

The crop of coffee, the harvesting of which is about to begin, will also be unusually large. The number of new coffee estates and of new bearing trees it is thought will double the product of last year. The government pays an export bounty on this article of 50 cents a quintal in bills receivable for customs duties.

The number of sugar estates is also rapidly increasing, and what is of more consequence to the production of this article, a very considerable quantity of improved steam machinery is for the first time being introduced. I have seen no reliable estimate of the quantity that will be produced this year, but it must be greatly in excess of any preceding year. Upon Muscovado sugars the government pays an export bounty of 25 cents a quintal in bills receivable for duties. Of these two products I have been seeking reliable statistics respecting the cost, quantity and quality of production, which I hope at no distant day to communicate to the department. They will show, I think, that this small republic, rich in a most fertile soil and in natural resources, is beginning, under the happy condition of internal tranquillity and confidence, a marked development of its

abundant sources of agricultural wealth, and needs but the permanency of peace to insure its future rapid progress and prosperity.

The country still continues exempt from the cholera, which threatened it from the direction of Nicaragua.

I have the honor to be, your obedient servant,

A. S. WILLIAMS.

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

Mr. Williams to Mr. Seward.

No. 34.] LEGATION OF THE UNITED STATES,
San Salvador, November 6, 1867.

SIR: I have the honor to acknowledge the receipt of your despatch No. 12, October 3d, 1867, kindly acceding to my request for leave to make a trip to Panama for the benefit of my health. I am much better at present, and may not find it necessary to avail myself of this leave.

There is nothing of especial importance to communicate.

The reports from the custom-houses for the fiscal year, which closed on the 30th of September last, have been received at the proper department here. They exhibit a gratifying increase in the trade and commerce of the country compared with the preceding year, as follows:

Exports for 1866-'67	\$2,737,244	34
“ “ 1865-'66	2,434,801	50
Increase in 1867	302,442	84
Imports for 1866-'67	\$1,856,389	90
“ “ 1865-'66	1,644,344	51
Increase in 1867	212,045	39

The business at the three ports of entry of the republic was as follows:

Ports.	Exports.	Imports.
La Union	\$1,010,469 50	\$657,217 31
La Libertad	1,159,534 90	953,770 14
Acajutla	499,239 94	245,402 45
Frontiers of Guatemala and Honduras	70,000 00
Total	2,737,244 34	1,856,389 90

The principal articles of export were as follows:

Indigo	\$1,905,790	00
Coffee	242,073	40
Sugar	165,653	32
Cotton	80,394	67

Rice	\$43,770 55
Tobacco	34,498 90
Balsam	27,675 63
Rubber	12,062 83
Hides	16,556 99
Silver ores	80,196 00
Other articles	128,572 05
	<hr/>
	2,737,244 24
	<hr/> <hr/>

These reports do not designate the countries to which the exports were sent, and as we have no consular officers except at La Union, I am not able now to say what portion went to the United States.

The same remark applies to the imports, which are generalized as "merchandise and machinery from United States, Europe and South America." The exportation of coffee and sugar, without doubt, will be greatly increased the current year. The crop of indigo now being brought to market, it is estimated will exceed that of last year a half million of dollars.

I have the honor to be, with great respect, your obedient servant,

A. S. WILLIAMS.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

VENEZUELA.

Mr. Wilson to Mr. Seward.

No. 28.]

LEGATION OF THE UNITED STATES,

Caracas, January 31, 1867.

SIR: General Guzman Blanco, late envoy extraordinary and minister plenipotentiary of Venezuela to certain governments in Europe, arrived in this city on yesterday, the 30th instant.

The arrival of General Guzman Blanco at this time is generally regarded as very significant, as it is believed that he will soon be called by the President of the republic to some high position under the government. Whether this will occur or not, it is safe to assert that the government of Venezuela cannot, under any circumstances, be worse administered than it is at present.

The condition of the country, politically and financially, is deplorable. If I may be allowed the expression, the republic is simply an organized anarchy. It is now almost a year since the President, General Falcon, has visited the capital, causing thereby general dissatisfaction, and greatly injuring his previous popularity. During this period the peace of the different states of the republic has been seriously disturbed by ambitious chiefs overrunning with their forces the country, destroying its agriculture, paralyzing its trade, and sacrificing the lives of the people.

In addition to this the treasury is without a dollar, and the officials and employés of the government, from minister to clerks, have not been paid their salaries for the last seven months. Nor can this condition of affairs be attributed to the poverty of the country. On the contrary, Venezuela is rich beyond degree in all those productions which give wealth to a nation.

The gold mines of Guayana, the coffee plantations of Aragua, the cocoa of Carabobo, and the cattle of the vast plains of the Orinoco are of themselves sources of overflowing wealth to this country.

But, independent of these considerations, I am reliably informed that even now the revenues far exceed the amount necessary for all proper expenditures, and that, if they were honestly and economically managed, would not only be ample to support the government, but also, in a few years, to discharge the entire debt of Venezuela, home and foreign. Nevertheless, with all these advantages, Venezuela is every year becoming more and more embarrassed. Why this is so can then only be explained by the utter neglect of public affairs by those especially charged therewith, the dishonesty and corruption of subordinate officials, and the entire absence of responsibility in almost every department.

If, under such circumstances, General Guzman Blanco, by assuming control, can bring quiet to the country and in some degree restore the national credit, his return will be fortunate for Venezuela, her people, and her creditors generally.

I enclose herewith a slip from *El Federalista*, the leading newspaper of this city, containing an editorial on the condition of the country as connected with the payment of the French debt. The editorial and translation of the same are marked enclosure 1.

I am, sir, your obedient servant,

JAMES WILSON.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.—From El Federalista, Janu ry 15, 1867.]

Within 18 days more, the time assigned for the payment of the annual instalment on account of the French indemnities will expire, and with its maturity in prospect coincides the arrival of the French man-of-war D'Estaing at our port of La Guayra.

Whether this combination of circumstances be casual or not, it is not in our power to affirm; they may know it who are aware of the manner how this unfortunate country is officially treated by the representative of France, and the feeling which influences him at present, and in the presence of the disasters of all kinds that overwhelm the republic.

The fact is that on the 3d of February Venezuela must pay 150,000 pesos to the order of the French legation, and that that payment is little less than physically impossible on the part of a government without credit, and whose metallic resources, reduced down to the revenue of two custom-houses, a prey to smugglers, and decreasing by reason of the limited consumption, hardly are sufficient to cover with great exertions the military expenditures, which with pertinacity were not intended to be, although they should and could have been, diminished. An administration that owes almost one year's salary to its employés; that has not been able, now going on to six months, to pay something on account to the widows, orphans, and soldiers of independence favored by the national gratitude, is more than a desperate debtor in the judgment of any power or particular creditor. Doubtless this impotency has been comprehended in all its extent, and hence the presence of the vessel in the first port of the republic; in the face of force they may have imagined, and they may have said so, that there is no impotency to redeem nor to consent to a postponement; either the government of itself, or individuals responsible to the same, shall pay us in the name of the nation that signed the obligation.

Unfortunately the policy of the national government, especially in the department of the public treasury, neither gives rise to, nor authorizes any kind of excuse. An indebted government ought to be rigidly economical; ours has neither shone nor shines for the practice of that virtue. It ought, in like manner, to be a most severe and a very zealous administrator of what appertains to it as a fund for the expenses and liabilities that press upon the country, and ours has consented to, has tolerated, for nearly three years, the most ruinous and immoral remissness in the custom-house revenue, either through smuggling, by maintaining its actual vicious tariffs, or through the frauds of which the official powers of some states have rendered themselves guilty. There may exist, and do exist, in fact, circumstances which attenuate the responsibility of such tolerance, but they are not alleageable against requirements like the forthcoming one of the 3d of February.

But if the government is not authorized to offer excuses, directly growing out of its present situation and its own policy which has created it, it is much exceedingly so, in an augmented degree, in the name of the misery, of the disastrous, appalling ruin in which the country is plunged. Thus, if the diplomacy of international claims had any compassion, the postponement of the payment of the instalment of February would be more than justified, as a claim of the country, as a concession of the minister, or in its case of the French government. There is also indicated, by a noble feeling of interest for the misfortunes of the country that has proffered them its hospitality, the intervention, to the same end, of the French creditors themselves, who reside in Venezuelan territory.

However, we much fear that none of these considerations will avert coercive action, and we see coming many humiliating sacrifices arising from the maturity of the instalment, for which there has been no desire to make any redeeming preparative. How dear, in honor and metallic sacrifices, anarchy, by whose consent we allow ourselves to be dragged, personal passions and the interests of cliques, which give an irresistible impetus to that current, cost us! The humiliation and costly efforts which the payment of the 3d of February has in store for us, and the realization itself of the payment, stir in our patriotic memory recollections the most painful and irritating.

The ambition of our parties, the anger of their impatience, the avidity of the hatred which has plunged us into war; the abandonment in which we have left, at the hour of our shameful victories, the true interests of the country; all those bad elements united, have ended in imitating Esau selling for a mess of pottage—that is to say, for ephemeral power—the enjoyment of the right of primogeniture, or rather that of true national independence. This to-day does not in reality exist. Let us so confess and proclaim it, although we feel stirring under the sod that covers them the bones of our fathers, who, at the price of their lives and most noble property—home, fortune, and position—conquered it for us at the commencement of this century. It does not, in truth, exist, and an eloquent testimony of it is the metallic conflict, and one of honor, which awaits in February.

While the ruin of *Venezuelan property* by the combined action of the elements of nature and of public power—the latter by its taxes, its outrages in the States, or the want of probity in contracts—is the general spectacle in the whole circuit of the country, French property—that is to say, foreign property—presents itself, claiming, without appeal, without delay, and of that very Venezuelan property ruined, the payment of indemnities for damages, real or fictitious, moderate or monstrously and artificially augmented, which had been caused during the war, and will be no way to escape from the reagravation. *National ruin* will indemnify foreign property. Behold to what a point has our nationality been reduced by our own persevering efforts to toil at home to give pasture to the destruction of anarchy, or

to indemnify the fortunes of the foreigners which the former succeeds in crushing, or even in touching, with its wheels.

The difference in the kind of slavery does not weaken the opprobrious and mortal effects of this. In reality, our madness, opening a wide sluice to foreign voracity and corruption, has converted us into slaves. We work to pay either for the honor of being visited by the foreigner, or for the temerity to do with the property of the latter what we do with our own, to devour it wantonly.

The worst of all is that these reflections, so comprehensible to the whole world, in nothing rectify the error, little or very little stop the arm from continuing the work. Our government persist in their disregard for the rights of national property, although they spontaneously, or by force, are the most efficacious protectors of that which the foreign flag covers. To disrespect the property or the person of a Venezuelan requires but four bayonets, which are never wanting to do the same with a Frenchman; for instance, there must be an allowance made in the appropriation bill and a portion of the public contributions set apart. This amen to foreign fraud is propped up by that of the country to swell up into the proportions of an elephant what is in reality microscopic.

It is not the intention or the aim to bear in mind, to remember when it should be, that those two elements of demoralization combined cost us perhaps half a hundred millions of pesos, paid and to be paid in half a century of existence, and that in the conflicts, of which they served as a mournful origin, our honor, like the Englishman to whom in his case Sheridan referred, has run profusely through all our pores.

The problem of peace at home, solved by the establishment and maintenance of a government of laws in force and zealously respected by authorities and individuals, can only wrench us from the abyss to which, following in the track of Mexico, we behold ourselves to-day driven. But the best efforts and the most earnest exhortations that could be employed in the presence of such a heap of disasters appear, up to this hour, and for the object, impotent. Patriotism, which in this emergency does not imply self-denial nor duty, but legitimate personal convenience, lies entirely prostrate. Scarcely is its vitality felt beating, or, at most, moves its lips to stutter the delirious words of revolutionary fever.

What, then, is going to become of this country? what of the destinies of this nationality, which its founders bequeathed so glorious to it, at the price of their exemplary martyrdom?

Mr. Wilson to Mr. Seward.

No. 33.]

LEGATION OF THE UNITED STATES,

Caracas, March 4, 1867.

SIR: I have the honor to inform you that, on the 5th day of November, 1866, I addressed a note to Mr. Seijas, a copy of which is enclosed herewith, (enclosure 1,) in which I inquired as to the steps taken by the government of Venezuela for the arrest and trial of the parties implicated in the killing of Captain John W. Hammer and Julius de Brissot, and the wounding of Joseph Stackpole, and also for the indemnification of the widows and legal representatives of the sufferers.

On the 17th day of November, 1866, I received a despatch from Mr. Seijas, a copy of which and translation of the same is enclosed herewith, (enclosure 2,) advising me that he had urgently demanded information in regard to the matter, and promising an answer as to other inquiries. Not having heard anything further, on the 28th December, 1866, I addressed a second note to Mr. Seijas, a copy of which is enclosed herewith, (enclosure 3.) in which I called the attention of Mr. Seijas to the fact that my note of the 5th November last was without reply, and expressed regret at the apparent inattention of the government of Venezuela in this matter; also that more than two years had elapsed since the occurrence of this affair, and that the facts had again and again been presented to the Venezuelan government without any result; that, in the mean time, the widows and children of the sufferers had been reduced to great poverty; and that, while this was the case, the alleged guilty parties retained the confidence and support of the government; and that, under these circumstances, I regarded it as my duty to present again the instructions given to my predecessor, Mr. Culver, and also expressed the desire that prompt action would be taken as to the payment of the indemnification.

After having waited a reasonable time, and not having received any reply, I again, on the 25th of January, 1867, addressed Mr. Seijas a third note, a copy of which is enclosed herewith and marked enclosure 4, in which Mr. Seijas was informed that it was expected that this affair should be seriously considered by himself and the government of Venezuela.

Afterwards, on the 26th of January, 1867, I received a reply from Mr. Seijas, a copy of which despatch is herewith enclosed, (enclosure 5,) stating that his government considered: 1st. That the deaths of Captain John W. Hammer and Julius de Brissot were a mere accident, resulting from a combat between the forces of General Garcia and others who had rebelled against his authority, and that it was an act wholly foreign to its administrative organs and without the sphere of its political action. 2d. That, even supposing murder had been committed, still the representatives of the American sufferers, or the sufferers themselves, would be entitled to no indemnification; for, according to the general and to the particular principle adopted in the privileged decree, the Americans employed in the navigation of the Orinoco and Apure rivers had no right to greater protection than the native citizens, and that, as no indemnification had ever been paid to the representatives of Venezuelans who perished in the fight at Apurito, there was no reason why the representatives of the American sufferers should be so entitled. 3d. That, whether the deaths in question were the result of mere accident or "murder," the commission, shortly to be organized under the convention between the United States and Venezuela, was the proper tribunal to decide upon all the questions arising in this affair.

On the 25th of February, 1867, I addressed a fourth note to Mr. Seijas, a copy of which is enclosed herewith, (enclosure 6,) in which I replied at length to the views of his government, and concluded by demanding the arrest and trial, without delay, of Generals Garcia, Sosa, and Santos Mendez, implicated in the murders, and the payment into this legation of \$100,000 for indemnification.

It is possible that some of the positions which I have assumed may be incorrect. I am led to this conclusion from reading, since I addressed my last note to Mr. Seijas, the opinion of the Attorney General of the United States as to the question of indemnification of American citizens for losses sustained during the bombardment of Valparaiso.

But, while I may have stated the general principle as to indemnification of foreigners for losses, who are willingly within an enemy's territory, incorrectly, still, as the facts in this case are wholly different from those to which the opinion of the Attorney General referred, its application consequently will not hold good in this affair.

I also enclose an extract in the original, and a translation of the same, from the address of President Falcon, issued on the 10th day of August, 1866, from which it will be seen that the views of the President at that time were entirely different from those communicated in the despatch of Mr. Seijas. This extract is enclosure 7.

I also enclose herewith, in the original and translation, an order (enclosure 8) issued by this government on the 26th of January, 1866, directed to the national treasurer in Ciudad Bolivar, to pay to General Arismendi, at that time President of Guayana, 25,000 pesos out of the receipts of the custom-house in that city. I am informed that this order was made for the benefit of Mrs. Hammer, and the amount was to be paid her in the expectation, on the part of this government, that as Mrs. Hammer was the only influential survivor of the sufferers, her acceptance of that amount would conclude the whole affair.

General Arismendi being shortly after deposed from the presidency, the order was never paid, and still remains unpaid.

I, however, when I learned of this arrangement, and also of another similar arrangement subsequently to pay Mrs. Hammer ten thousand pesos, informed

Mr. Seijas verbally, that the government of the United States had not selected General Arismendi as its agent in this affair, and that I would recognize no payment except made through the legation of the United States.

Doubtless it was to this order that President Falcon referred in his address to the people of Venezuela in the extract enclosed when he alluded to the prudent and equitable action of the national government in avoiding this international difficulty. I also enclose herewith in the original, and translation of the same, the proceedings* of a meeting of consuls and foreign residents held at Ciudad Bolivar, on the 12th of November, 1865, enclosure 9.

I also enclose herewith, copies of the notes* following, namely: Mr. Culver to Mr. Seijas, of the date of November 13th, 1865; the reply of Mr. Seijas, of date of November 25th, 1865 Mr. Culver's note* of January 20th, 1866, to Mr. Seijas; Mr. Culver's despatch* to the State Department, No. 143, of the date of January 25, 1866; despatch † to Mr. Culver, No. 115, from Department of State, of date of March 2, 1866; and Mr. Culver's note to Mr. Rodrigues, acting minister of foreign relations, of date of April 11, 1866—for the purpose of placing the entire correspondence in regard to this affair before you at once for your consideration. This correspondence is marked enclosure 10 in No. 33, and numbered 1, 2, 3, 4, 5, and 6.

In submitting this case to you for final action, I beg to say that if my proceedings are approved, I fear no favorable results can be obtained from this government unless the most serious steps are taken on the part of the government of the United States. Indeed, in my opinion, nothing less than the appearance, at least, of an armed force, will prove sufficient to call forth action.

It is unfortunately too true, that this government does not appear willing to act in any matter, much less in a question of this magnitude, except under compulsion. By its own reluctance it has more than once subjected itself to humiliations, and besides the payment of claims of doubtful character, thereby rendering itself incapable of fulfilling just obligations. Indeed, so much has this been the case, that now the government of this unfortunate country seems paralyzed and impotent; as likely to act in a wrong as a right course, in the payment of an unjust claim as well as a just one; in fact, to do anything which a superior power compels it to do.

Without determining whether this affair demands a resort to severe measures, I would say that recent events have made its conclusion peculiarly desirable. The working of the gold mines of Guayana (surpassing, it is said, California in richness) will undoubtedly induce many Americans to emigrate to that region of Venezuela, and consequently their protection in person and life will become of the first and highest importance.

I respectfully ask the instructions of my government in this matter.

I am, sir, very respectfully, your obedient servant,

JAMES WILSON.

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

Mr. Wilson to Mr. Seijas.

LEGATION OF THE UNITED STATES,
Caracas, November 5, 1866.

SIR: The undersigned, minister resident of the United States, has the honor to ask of your excellency what steps have been taken by the government of Venezuela for the arrest and trial of Generals Sosa, Juan Santos Mendez, and others, implicated in the murder of Cap-

* For these enclosures see Diplomatic Correspondence 1866, vol. III, page 431.

† For this enclosure see Diplomatic Correspondence 1866, vol. III page 437.

tain John W. Hammer, Julius de Brissot, and the wounding of Joseph Stackpole, citizens of the United States, at Apurito, in October last. Also, what provision, if any, has been made to indemnify the widows and children or representatives of the sufferers.

The undersigned renews to Mr. Seijas the assurance of his distinguished consideration.

His Excellency RAFAEL SEIJAS,
Minister of Foreign Relations, &c., &c., &c.

JAMES WILSON.

Mr. Seijas to Mr. Wilson.

[Translation.]

UNITED STATES OF VENEZUELA, MINISTRY OF FOREIGN AFFAIRS, CENTRAL SECTION—
No. 555.

CARACAS, November 17, 1866,
3d year of the Law and 8th of the Independence.

The undersigned, minister of foreign affairs of the United States of Venezuela, in virtue of the despatch which, on the 5th of this month, was addressed to him by the minister resident of the United States, has urgently demanded the information that Mr. Wilson requires regarding the death of Captain Hammer and Julius de Brissot, and the wounds of Joseph Stackpole.

The undersigned thinks that he will soon be able to inform Mr. Wilson in respect to this matter and to the other inquiries made by him.

In the mean time, the undersigned renews to Mr. Wilson the assurances of his distinguished regard. God and federation!

RAFAEL SEIJAS.

Mr. Wilson to Mr. Seijas.

LEGATION OF THE UNITED STATES,
Caracas, December 28, 1866.

SIR: The undersigned, minister resident of the United States, would respectfully call the attention of your excellency to the fact that on the 25th day of November, 1866, he had the honor to address a communication to your department asking what steps had been taken by the government of Venezuela for the arrest and trial of Generals Sosa, Juan Santos Mendez, and others implicated in the murder of J. W. Hammer, Julius de Brissot, and others, citizens of the United States, at Apurito, and also what provision, if any, had been made to indemnify the widows and children or representatives of the sufferers.

The reply of your excellency of the 17th of November last, acknowledging the receipt of the communication of the undersigned, also informed him that the matter would shortly receive the attention of the government; since which time the undersigned has not been further advised by your excellency. The undersigned cannot but express his regret at this delay and apparent inattention of the government of Venezuela.

It is now more than two years since, in an attack on the steamer Apure, the lives of these American citizens were wantonly and without provocation sacrificed. The facts have again and again been presented to the government of Venezuela for its consideration, but without any result that can in any manner be recognized by the government of the United States.

In the meanwhile the widows and children of the victims have been reduced to great poverty and suffering; and while such is the case, the undersigned is informed that the alleged guilty parties, instead of being arrested, tried, and punished, retain their respective rank and command in the Venezuelan army. The undersigned cannot but regard this as a cause of serious complaint.

The government of the United States, relying on the friendship which has so long existed between the two countries, had the right to expect that the government of Venezuela would long since have taken that prompt and decisive action in the investigation and adjustment of this affair which its importance demanded. But having failed to do so, the undersigned regards it as his imperative duty to present the instructions to his government given to his predecessor, Mr. E. D. Cuiver, namely: "That the United States deem it right to ask that the offenders be brought to trial, and that prompt provision be made to indemnify the widows or representatives of the sufferers."

The undersigned will be happy to be informed that such will be the course of the government of Venezuela, and begs also to say to your excellency that he is ready, at all times, to receive in the legation of the United States such indemnification as may be agreed upon between the government of Venezuela and the undersigned.

The undersigned renews to the honorable Mr. Seijas the assurance of his distinguished consideration.

JAMES WILSON.

The Honorable RAFAEL SEIJAS,
Minister of Foreign Relations.

Mr. Wilson to Mr. Seijas.

LEGATION OF THE UNITED STATES,
Caracas, January 25, 1867.

SIR: The undersigned, minister resident of the United States, would respectfully remind Mr. Seijas that the communications of the undersigned of the 5th of November, 1866, and also of the 28th of December, 1866, in regard to the killing of Captain J. W. Hammer and J. de Brissot, and the wounding of Joseph Stackpole, citizens of the United States, the indemnification of the widows and representatives of the sufferers, and the arrest and trial of the alleged guilty parties, remain unanswered.

The undersigned would now respectfully ask that this unprovoked, as well as unfortunate affair, be seriously considered by Mr. Seijas and the government of Venezuela.

The undersigned again informs Mr. Seijas that he is ready to receive in the legation of the United States such indemnification as may be agreed upon between the government of Venezuela and the undersigned.

The undersigned renews to Mr. Seijas the assurance of his distinguished consideration.
JAMES WILSON.

His Excellency RAFAEL SEIJAS,
Minister of Foreign Relations, &c., &c., &c.

Mr. Seijas to Mr. Wilson.

UNITED STATES OF VENEZUELA, MINISTRY OF FOREIGN AFFAIRS, CENTRAL SECTION—
NO. 84.

CARACAS, *January 26, 1867,*
4th year of the Law and 9th of the Independence.

The undersigned, in charge of the ministry of foreign affairs of the United States of Venezuela, has the honor to reply to the despatches of the minister resident of the United States of America, in which he asks the government what steps have been taken for the arrest and trial of the parties implicated in the murder of Captain J. W. Hammer and Julius de Brissot, and wounds of Joseph Stackpole, and for the indemnification of the widows and representatives of the victims.

Since the first time the legation spoke of this affair it was answered under the date of the 25th November, 1865, that different reports were given of it, which, nevertheless, all presented it as a deed that had taken place in a combat between the forces commanded by the president of Apure, and others, that had rebelled against his authority. Information afterwards received confirmed the government in this opinion, so much so that when the widow of Mr. Hammer presented herself to the government, claiming an indemnification for the death of her husband, her petition was point-blank refused, declining the responsibility which she pretended to bring on the nation. The deed was declared totally foreign to its administrative organs and to the sphere of its political action.

In the different communications of the minister and of his predecessor, we have in vain sought for the basis or foundation they might have to qualify the death of those individuals as murder, and to claim indemnification in favor of its representatives. The undersigned has again perused them and has there found nothing but "that the citizens killed were pursuing a legitimate business under the flag of their country in Venezuelan waters and under the protection of its authorities;" that these citizens were employed in a legitimate occupation in the waters of Venezuela in virtue of an invitation and promise of protection from its authorities; that they had violated no laws, nor made any rebellion, nor committed treason of any kind, nor was any crime imputed to them when they were fired upon by an armed body of rebel forces, commanded by rebel chiefs, and their lives sacrificed.

The steamer Apure navigated in the Orinoco, one of the rivers of Venezuela, and in the Apure, another of them, in virtue of the privilege granted by the legislative decree of the 2d of May, 1849, for the term of 18 years. The vessels of the enterprise were to be national and sail under the Venezuelan flag, though they were allowed, on account of the privilege, to be foreign property and their crews to be composed of foreigners. Among the favors granted to the enterprise is the right of cutting and of using freely, in the laylands belonging to the government, both the wood and timber necessary for fuel and for the building and repairing of the vessels employed, the exemption of all municipal bay and port charges for a lapse of 18 years, and the exemption also of import duties as regards the steamers and their corresponding apparel. In exchange, the rates both of passage and freight were fixed or established. It was the duty of the proprietors to take the mail bags gratis, and also the officers or agents sent on commission by the government. It was also their duty to take both the officers and troops and any cargo belonging to them at a reasonable rate of passage

and freight, which should be previously agreed upon with the competent authorities. The law insured to the persons and things belonging to the enterprise, on the part of the authorities of the republic, the protection due to Venezuelans, in conformity with article 218 of the constitution. Finally it was established that the questions of any nature to which the establishment of the steamers might give origin should be decided or settled by the authorities or magistrates of Venezuela, and in conformity with its laws, without ever being made a matter of international claim. The enterprise, or better said the proprietors of it, by the fact of accepting the privilege and its condition, remained submitted to them.

The steamer Apure arrived at San Fernando in October, 1865. General Juan Baptist Garcia, the President of the state, engaged with the captain passage for himself, several officers, and for 50 soldiers, for the sum of 350 pesos, (\$350.) According to the protest of the employés of the steamer, when it reached Apurito it was fastened to the shore, for the purpose of passing there the night, and landing the cargo destined for that port. No merchant having made his appearance, Captain Hammer called out with the trumpet of the vessel. Mr. Edward Calderon was the only one to appear, and he informed of the presence of the enemy in the square, (plaza.) The enemy prevented the boat from being loosened. General Garcia sent them a *querrilla* on shore, and great firing commenced against the steamer. A combat ensued, and in this situation Captain Hammer landed, and had the misfortune to fall lifeless, struck by a bullet. During the fight Mr. de Brissot was also killed, who seems to have been wounded before. From all this it results that these painful deaths were due to a *fortuitous case*, to which the captain by his own will exposed himself, and also to his imprudent landing in the midst of the firing of the combatants. There was an insurrection in the state of Apure against the authority of General Garcia. No intention could there have been to kill determinately this or that individual, much less foreigners, who could not be supposed to share in these local dissensions. The fighters being so many, it is impossible to point out the killers of the Americans. Venezuelans perished also on the same occasion. The neutral that renders services to one of the belligerents, and in consequence of it receives harm, or is harmed, can impute it to nobody, especially if pay was stipulated. Foreigners that by their own will find themselves in a country in times of revolution, or of war, have to suffer the same fate of the natives by the mere fact of their having placed themselves among them. Though the bombs of the enemy burn their property or deprive them of their lives, they are bound to submit patiently to these, as well as if nature itself had caused them. We believe that the United States of America have refused to indemnify the damages caused by military operations in the four years' rebellion, and even by acts of its own authorities. We also believe that they have not been liable for any deed of the rebels.

Besides, and even supposing that murder had been committed, there would be no better ground for demand of indemnification. According to the general and particular principles adopted in the privilege decree, the Americans employed in the navigation had no right to greater protection than the natives. Mr. Webster sustained the same doctrine, speaking of all foreigners in contraposition with the natives, when he reported on the case of Mr. Thresher before one of the legislative chambers.

Now, then, the laws of the republic grant no indemnification with its funds for the deaths of citizens who have perished victims of a crime. Why, then, should citizens belonging to other countries and citizens as have been stated so identified with the natives be entitled to it?

On the 25th of April, 1866, and with the object of putting an end to all the claims which had been presented against Venezuela, a convention was entered into with the legation of the United States. Whether the claims be of a corporation, of a company, or of private individuals, they are to be examined and decided by a mixed commission composed of two individuals, one selected by each government. Its decisions will settle definitively and irrevocably all claims pending on the day of its first session, and those that are not presented within twelve months since the first sitting of the commission are proscribed.

That convention, approved by the Senate and ratified by the President of the United States, needs only the approbation of the national legislature of Venezuela. It is for this reason that the course of these claims has been stopped, since none of them were excluded from the application of its clauses. The government infers from this, that should you, in the present case, insist in the demand of an indemnification, it would be necessary to occur to the said means to have the justice of the case decided. There is no reason to deviate from what has been agreed upon and proposed by the United States itself.

Finally, I inform the legation that the government decided that a sum of money, which as yet has been impossible to pay, should be delivered to the widow of Mr. Hammer, not as a matter of obligation, but of favor; not as a debt of justice, but as an act of generosity, denying in this very act all right to any indemnification.

The undersigned renews to Mr. Wilson the assurances of his distinguished consideration.
God and federation!

RAFAEL SEIJAS.

Mr. Wilson to Mr. Seijas.

LEGATION OF THE UNITED STATES,
Caracas, February 25, 1867.

SIR: The undersigned, minister resident of the United States, has the honor to acknowledge the receipt of the despatch of Mr. Seijas of the date of January 26, 1867, replying to the notes of the undersigned of the dates of November 5, December 28, 1866, and January 25, 1867, inquiring what steps had been taken by the government of Venezuela for the arrest and trial of certain parties implicated in the killing of Captain John W. Hammer and Julius de Brissot, and the wounding of Joseph Stackpole, American citizens, and also for the indemnification of the widows and legal representatives of the sufferers.

The undersigned is now informed, by the despatch of Mr. Seijas, that from the first the government of Venezuela has held the opinion that the deaths and wounding of these American citizens were the result of a combat between the forces of General Garcia, President of the state of Apure, and others who had rebelled against his authority, and that it was a deed totally foreign to its administrative organs and without the sphere of its political action.

In thus presenting the views of his government, it seems to have wholly escaped the attention of Mr. Seijas that his excellency, President Falcon, had held and expressed entirely different views. In his address to the people of Venezuela, dated on the 10th day of August, 1866, at his headquarters in the city of Barquisimeto, the President said:

"Afterwards, by a declaration of the constituent assembly, Apure was ranked among the component states of the Union, recovering its independence, and the authorities of Zamora have been constantly watching for an opportunity to invade the neighboring territory—always coveted by them, but always opposed by Apure—to the idea of annexation. Finally, having lost all hope of a pacific submission, the commander, General Pedro Manuel Rojas, President of Zamora, appealed to arms to obtain by force what could not be obtained by the free will of the people, and consequently Apure was twice invaded during the year of 1865. In one of these invasions a painful incident occurred, which might have brought international complications to the country, had not a conflict been avoided by the prudence and equity of the national government united to the benevolent feelings of the United States towards Venezuela."

If no responsibility is attached to the government, why should the President make use of such language? Why the necessity to speak a word in the matter? Or why make its occurrence the cause of grave charges against General Rojas, at that time President of the state of Zamora.

It is evident that the President of the republic regarded this affair as very serious and painful, and it is not only to be regretted that his views have not been shared by those more immediately charged with the control of the government, but that the very prudence and equity of the national government, which, it is alleged by the President, avoided this international difficulty, is now simply designated as a mere favor, conceded, without right—indeed, a gratuity—and one which the government has never been able to pay.

The undersigned submits the following as the facts in the case:

Captain John W. Hammer, Julius de Brissot, and Joseph Stackpole, in the discharge of their respective duties as officers of the American steamer Apure, sailing under the Venezuelan flag, arrived with the steamer at the city of San Fernando, the capital of the state of Apure, of which General Juan Baptista Garcia was the president. On the arrival of the steamer, General Garcia demanded passage for himself, his officers, and a number of troops for the waters of the upper Apure. Captain Hammer having heard in Ciudad Bolivar of the threatened invasion of the state of Apure, refused the transportation demanded by General Garcia, and continued his refusal for the period of two days. Afterwards, during his absence in the city of San Fernando, and without his knowledge and over his protest, the officers and troops were placed on board of the steamer. Returning Captain Hammer again protested, but was thereupon informed by General Garcia that the steamer would not be permitted to proceed to its destination unless the general, his officers, and troops were also taken. Under these circumstances, and with the further understanding and declaration made by General Garcia that the expedition was simply one of observation, and not hostile in its character, and that the general, his officers, and troops would leave the steamer at the village of Apurito, the steamer proceeded.

The Apure arrived at Apurito at about 7 o'clock on the night of the 18th October, 1865, and was made fast with two ropes and a chain, attached in two places on the shore and to the prow of the steamer, and, as customary, planks were run out from the steamer to the shore for the purpose of discharging cargo and passengers destined for that port. At this time information was given that a body of hostile troops were in the square, (plaza.) Captain Hammer requested General Garcia at once either to take his troops on shore or place them in the boats belonging to General Garcia, and brought by him from San Fernando, attached to the stern of the steamer. Some few of the troops were ordered ashore, but being fired upon, they immediately ran back to the steamer. General firing from land then began against the steamer, the land troops having the advantage, being in perfect darkness and in a position to attack the steamer, it being lighted in the prow, centre, and stern. During

all this time the officers and crew were endeavoring to unloose the steamer from shore and urging the soldiers to land. While so doing de Brissot was wounded by a shot from shore. In the mean time Captain Hammer communicated to the troops on shore, who were commanded by Generals Sosa and Santos Mendez, that he had passengers on board and not to fire. The firing having ceased for a moment, the passengers begged Captain Hammer, as he was acquainted with Sosa and Mendez, to go ashore and try to save them from being killed. The request of the passengers having been reported by Captain Hammer, permission was given him to land. Captain Hammer at once, the firing having altogether ceased, started, and at the moment he was stepping ashore, in company with an officer sent by Sosa and Mendez to meet him, fell, instantly killed by a shot in his back, fired from the steamer. Thereupon the firing again opened from shore. De Brissot, wounded, earnestly insisted that General Garcia, with his officers and troops, should leave the steamer or all would be killed; and while remonstrating was struck dead by a bullet fired from shore.

It is believed that all these facts could have been established as stated, if not more fully, had the government of Venezuela ordered the arrest and trial of the parties implicated in the murders; and if any difficulty or misunderstanding now exists in regard to the facts, it is properly the fault of the government in neglecting to order a full investigation of the whole affair.

It is now contended by Mr. Seijas that these deaths were the result of an unforeseen accident, (*casa fortuito*), to which Captain Hammer in particular, by his own will, exposed himself, and also to his imprudent conduct in landing in the midst of the firing of the combatants. This view cannot be admitted by the undersigned. How could the combat at Apurito be said to be unforeseen? General Garcia was aware, at San Fernando, of the invasion of the state. When he placed his troops on board the steamer he knew of the hostile intentions of Rojas and of his chiefs and sympathizers, Sosa and Mendez. When the steamer arrived at Apurito General Garcia was duly informed of the presence of the invader. How can that, then, be called unforeseen which is the direct result of the act of General Garcia in placing the victims in the way of their death? Had not General Garcia gone with his troops to Apurito, or had the troops been immediately landed on their arrival, it is reasonable to conclude that no injury would have happened either to Hammer or De Brissot. This is demonstrated by the subsequent conduct of the troops of Sosa and Mendez in regard to the steamer and her crew, after the departure of General Garcia and his troops, on the succeeding day. Consequently that which happened at Apurito was the fault of Garcia, and was not only foreseen by him, but actually sought for, instead of being avoided.

But it may be here urged that it was the duty of General Garcia to expel from the limits of his state armed invaders. This may be so, but still that duty did not give him the right to expose others in nowise interested, either by nationality or citizenship, in the disputes between the several states, to the chances and calamities of war, or, if he did so, to claim exemption either for him or the government whose organ he was, from the responsibility resulting from his acts.

Nor can it be admitted that this affair is foreign to the present federal government, or without the sphere of its political action, for whether the painful incident was caused by General Rojas through his officers, as charged by the President, or by General Garcia, in either case it was the act of one or the other of the administration organs of the general government, and it is, therefore, answerable in this matter to the just demands of the United States. But Mr. Seijas says that the deaths were but a mere accident, caused by the will and imprudence of Captain Hammer in landing in the midst of the firing of the opposed parties. What was the duty of Captain Hammer? To him were confided the lives of the crew and passengers and the safety of the steamer and her cargo. To his employers he was responsible for a faithful discharge of his duty. Imperilled as all were by the attack, unable to extricate the steamer from shore, and in constant dread of an explosion, what could Captain Hammer do but try to save all intrusted to his care. His duty was the more urgent on account of the disorder in the troops of Garcia, the improbability of their landing, and the conversion of the steamer into a battle-field. It was worse than useless to look longer to Garcia or his troops for safety. The only alternative left was an interview with the parties on shore, in the hope they could be induced to cease the attack on the steamer. With this object in view Captain Hammer landed, not, as Mr. Seijas says, in the midst of the firing of the combatants, but when, as the undersigned is informed, the firing had wholly ceased, for the purpose of the interview, and was killed, not by the shots of the enemy, but by a single shot, fired from the steamer, and, as believed, and publicly asserted in Ciudad Bolivar, by the hands of Garcia himself, or by his orders.

The death of Captain John W. Hammer, then, was not the result of a mere accident, occasioned by his own will and imprudent conduct, but of deliberate and wilful intention to commit murder. Julius de Brissot, on the other hand, came to his death from shots fired by the invading troops under the command of Sosa and Mendez, first wounding, and afterwards, by a second bullet, killing him, while in the discharge of his duties as an officer of the steamer. Neither can it be said that the victims willingly rendered service to either one or the other of the contending parties, for whether Captain Hammer received a stipulated sum for the transportation of the troops or not is immaterial, in view of the imposition practiced upon him by General Garcia, in this, that the expedition was simply one of observa-

tion within the limits of his State of Apure, and not of a hostile character, or of the actual detention of the steamer by his superior power, until himself, his officers and troops, were embarked. In either event there was force in the first instance, by imposition; in the last, actual. Neither did Captain Hammer find himself with his steamer and crew at Apurito by his own will. In fact, he had no will in the matter. He was there, as has been said, by force, either actual or by imposition, or both combined, and the loss of his life and the life of de Brissot, with the wounding of Stackpole, are all the legitimate result of the conduct, acts, and representations of General Garcia, originally, at San Fernando. It is, therefore, not necessary to consider at any great length the views urged by Mr. Seijas in regard to foreigners who find themselves willingly in an enemy's territory, and who thereby, as asserted by Mr. Seijas, subject themselves the same as native citizens to all the casualties which may occur during a state of revolution or other commotions. It is believed, however, that such views are not correct. Foreign governments have nothing to do with the conduct of any other government towards its own subjects. That is not their concern. Their duty is to carefully guard the lives and property of their own citizens, demanding proper satisfaction or indemnification if the magistrates or officials of the government within whose jurisdiction they may be, disregard their duties towards such citizens, or cause them to be treated unjustly. Venezuela has again and again acted on this principle in granting indemnities to foreigners, in large amounts, for losses sustained by them during her late civil war.

But it is also urged by Mr. Seijas that even if murder had been committed, there would still be no better ground for the demand for indemnification, because, according to the general and to the particular principle adopted in the privileged decree, the Americans employed in the navigation had no right to greater protection than native citizens, and that no indemnification has been granted for the deaths of Venezuelans who perished on this occasion. There is, therefore, no reason why a distinction should be made in favor of the representatives of the American sufferers.

The opinion of Mr. Webster in the case of Mr. Thresher is produced to sustain this position.

It is considered that the doctrines set forth in that case have been misapprehended by Mr. Seijas; at all events, a closer examination of the case will, it is presumed, satisfy him that their application will not relieve the Venezuelan government in this affair.

Mr. John S. Thresher, a native-born citizen of the United States, removed to Havana, in the island of Cuba, where he resided for a number of years, engaged in business of various kinds. Besides, he not only became domiciled, but also, in the most solemn form, swore allegiance to the Spanish Crown.

After the invasion of Lopez and the failure of the expedition Mr. Thresher was arrested and tried for high treason, found guilty and condemned to eight years' imprisonment at hard labor.

His friends made application to the government of the United States in his behalf. After full consideration of the facts in the case, the government held that it was "bound to recognize the obligations of foreign nationality, voluntarily assumed by one who had been a native-born citizen, and not interpose in his behalf the claims of American citizenship to protect him against the consequences of acts committed against the country of his adoption."

Mr. Thresher had, of his own choice, abandoned his native country. He had made another election and had assumed new obligations. Undoubtedly, then, neither he nor his friends had the right to claim other or higher protection and privileges than those enjoyed by Spanish subjects in Cuba.

But it cannot be conceded that an American citizen who may happen to be in Venezuela, or any other foreign government, is, by that fact, entitled to no other or higher protection than that which may be accorded by such government to its own citizens. On the contrary, it is insisted that he is entitled, not only to protection of the government where he may be temporarily, but in the cases of denial of justice, outrages to person, or the violent taking of life, also to the superadded protection of his own government and its interposition in his behalf or in behalf of his representatives. Mr. Seijas need hardly be reminded Venezuela has so recognized, in the law of *Espera*, the indemnification of Mr. Ward, an English subject, on account of his imprisonment, and other similar cases. But there is no similarity between the case of Mr. Thresher and the present Captain Hammer, who was, and remained until the day of his death, a citizen of the United States. Nor did he ever, by any act, attempt to change his condition. It is true that he resided within the limits of the republic of Venezuela, but it was for a certain and specified time, under a certain and specified employment with the Orinoco Steam Navigation Company. The privileged decree of the company expired in 1867.

Had Captain Hammer lived until that period his contract with the company, and, consequently, his connection with Venezuela, would have terminated.

But it is not alleged by Mr. Seijas that he ever became a Venezuelan. At most, therefore, he owed but a local and temporary allegiance, and that he strictly discharged. Living, then, Captain Hammer would have been entitled to the protection of his own government; and if, without the violation of any municipal law, he should have been treated unjustly, he would have a right to claim that protection, and the interposition of the American government in his favor would be considered as justifiable interposition.

Are the claims of his widow and children and the widow and children of de Brissot weakened by their sudden and violent deaths? The undersigned cannot think so, and does, therefore, regard the interposition of the government of the United States as not only a right which they can justly claim, but as a duty, dictated by every principle of justice and humanity.

It is not considered that the 12th article of the decree of May 2, 1849, granting exclusive privilege to Turpin and Beelin to navigate by steam the rivers Orinoco and Apure, has any bearing in the present case; for though it says that the questions of any nature arising from the establishment of the line are to be decided by the authorities of Venezuela, and in accordance with its laws, without ever being made matter of an international claim, it must be supposed that this refers to questions simply of business transactions and nothing else, for it cannot be presumed that, in consequence of that section, the government of the United States would allow its citizens to be outraged and murdered with impunity. Certainly not.

Finally, the undersigned is informed that the commission to be organized under the convention, entered into between the legation of the United States and the government of Venezuela, on the 25th of April, 1866, is the proper tribunal to decide the questions involved in this affair.

It is with some surprise that this information is received; for, in the first place, although the convention has been approved by the Senate, and ratified by the President of the United States, it has yet, after great delay, failed to receive the sanction of the national legislature of Venezuela. Besides, it never may be sanctioned. But, in the second place, supposing that the convention is approved, ratified and exchanged, what jurisdiction would the commission have of the parties implicated in the murders? What power to arrest, try, or punish them? None whatever. As, then, the commission could have only partial control of the subject, and as the necessity for present relief of the suffering families of the victims is urgent, immediate action by the government of Venezuela is deemed by the undersigned of the utmost importance.

The undersigned, therefore, regards it as his duty to demand, and hereby does demand, the arrest and trial, without delay, of Juan Baptiste Garcia, Juan Santos Mendez, and Julian Sosa, implicated in the murders of John W. Hammer and Julius de Brissot, and the wounding of Joseph Stackpole, American citizens, and their punishment, if found guilty by a competent tribunal; and also the payment of the sum of \$100,000 (American) into the legation of the United States in Caracas, as indemnification to Joseph Stackpole and the widows and legal representatives of the victims.

The undersigned renews to Mr. Seijas the assurances of his distinguished consideration.

JAMES WILSON.

Extract from the address of marshal President to the people of Venezuela.

[Translation.]

* * * * *

"Afterwards, by a declaration of the constitutional assembly, Apure was ranked among the component States of the Union, recovering its independence, and the authorities of Zamora have been constantly watching for an opportunity to invade the neighboring territory, always coveted by them, but always opposed by Apure to the idea of annexation. Finally, having lost all hope of a pacific submission, the demander (General Pedro Manuel Rojas, President of Zamora) appealed to arms to obtain by force what could not be obtained by the free will of the people, and consequently Apure was twice invaded during the year 1865.

"*In one of these invasions a painful incident might have brought international complications to the country, had not a conflict been avoided by the prudence and equity of the national government, united to the benevolent feelings of the United States towards Venezuela.*"

[Translation.]

UNITED STATES OF VENEZUELA.—TREASURY DEPARTMENT.

CARACAS, January 27, 1866.

Order of payment: Pesos, \$25,000; number of the order, 194; number of the record, 7. Citizen treasurer of the nation in Ciudad Bolivar, pay to the citizen General José Loreto Arismendi the sum of "twenty-five thousand pesos," wherewith to comply with the requisition of the government, according to its resolution of this date, being obliged to make the payment from the ten per centum of diplomatic conventions and debiting contingent expenses.

God and federation!

JOSÉ D. LANDAETA.

Mr. Culver to Mr. Rodriguez.

LEGATION OF THE UNITED STATES,
Caracas, April 11, 1866.

SIR: It becomes the duty of the undersigned minister resident of the United States to inform the government of Venezuela that on the 25th day of January last he communicated to his government copies of all the correspondence between this legation and the minister of foreign relations touching the murder of Captain J. W. Hammer and others, citizens of the United States, at Apurito in October last; also, a statement of the evidence taken before the judge of the first instance at Ciudad, Bolivar; also, a statement of the facts therein related as found by consular body of that city, together with the fact that nothing had been done by or heard from the government touching the same to the knowledge of this legation, except as indicated in the note of the foreign minister of date 25th November last.

The undersigned, in reply to his communication, has been directed by his government to inform the government of Venezuela that he is instructed to say that the United States deem it right to ask that the offenders be brought to trial, and that prompt provision be made to indemnify the widows or representatives of the sufferers.

The undersigned is further instructed to express regret of the United States at the delay and apparent inattention of the government of Venezuela; all of which the undersigned has the honor to make known, and to add not only his own regret, but his utter surprise that his note of the 20th January last remains to the present moment without a reply.

The undersigned has the honor to renew to Mr. Rodriguez the assurance of his distinguished consideration.

E. D. CULVER.

Hon. C. RODRIGUEZ,
Acting Minister of Foreign Relations, &c., &c.

Mr. Wilson to Mr. Seward.

[Extract.]

No. 36.]

LEGATION OF THE UNITED STATES,
Caracas, March 20, 1867.

SIR: I have the honor to inform you that on the first instant President Falcon arrived at this capital to resume the presidency of the republic.

The reception of the President was by no means enthusiastic. But very few flags were displayed, in fact none, except by foreign representatives and residents, and such as were placed by order of the government on the line of the procession.

The long-continued absence of the President from the capital and the committal of the executive duties to General Colina as primer designado, added to financial difficulties and the embarrassments and suffering of all classes of the people, have, without doubt, contributed very materially to injure the great popularity once possessed by General Falcon.

Nothing less than the most serious attention to the duties of his office, with a permanent residence at the capital, and the devising of some plan by which the country can be relieved from its present condition, will again restore to the President his former popularity or avert, possibly, a revolution.

On the 6th instant President Falcon organized his cabinet.

I herewith enclose a copy of circular, and translation of the same, (enclosure 1.) of the secretary of the department of the interior and justice, transmitting to this legation the decree of the President.

I also herewith enclose a copy of the decree and translation of the same, (enclosure 2.)

But two changes have been made in the cabinet; Mr. Pulido succeeds Mr. Silva in the department of the treasury, and Mr. Sistiaga, Mr. Seijas in the department of foreign relations.

Mr. Pulido is said to possess good financial abilities, with more than ordinary acquirements in other respects.

* * * * *

Mr. Sistiaga has been but little in public life, and owes his position to the friendship and influence of General Guzman Blanco.

Mr. Seijas remains in the foreign department as under secretary.

The majority of the present cabinet are undoubtedly favorable to General Guzman Blanco, and will be influenced by him on all questions of importance whether financial or political.

I am, sir, very respectfully, your obedient servant,

JAMES WILSON.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Marmol to Mr. Wilson.

[Translation.]

UNITED STATES OF VENEZUELA, DEPARTMENT OF THE INTERIOR AND JUSTICE.—SECTION 2, NO. 60.

[Circular.]

CARACAS, March 6, 1867,
3d of the Law and 9th of the Federation.

CITIZEN: For your information I have the honor to transmit to you in the annexed printed sheet the decree issued on the date of yesterday by the great citizen marshal President organizing his cabinet.
God and federation.

FRANCISCO J. MARMOL.

Mr. JAMES WILSON,

Minister Resident of the United States of America.

Mr. Falcon to Mr. Marmol.

[Translation.]

JOHN C. FALCON, GREAT CITIZEN MARSHAL PRESIDENT OF THE UNITED STATES OF VENEZUELA.

Decree.

ARTICLE 1. In virtue of my constitutional powers, I appoint to administer the department of the interior and justice the citizen General Jacinto R. Pachano; for the treasury department, the citizen licentiate Lucio Pulido, who will also administer, *ad interim*, that of the public credit; for the department of foreign relations, the citizen Doctor Jesus Maria Sistiaga; for that of public works, the citizen Rafael Arvelo; and that of war and marine will be administered, *ad interim*, by the citizen General Juan Francisco Perez.

ART. 2. The secretary of the department of the interior and justice is encharged with the fulfilment of this decree.

Given in Caracas, March 5, 1867, 3d of the law and 8th of the federation.

JOHN C. FALCON.

The secretary of the department of the interior and justice with its execution.

FRANCISCO J. MARMOL.

It is a copy. Accidental secretary of the department.

ADOLFO CASANAS.

Mr. Wilson to Mr. Seward.

No. 37.]

LEGATION OF THE UNITED STATES,

Caracas, March 21, 1867.

SIR: On the 11th instant the Venezuelan congress of 1867 finally assembled, and organized by the election of General Guzman Blanco as president of the

senate and José Dolores Landaeta president of the house of deputies. On the succeeding day, the 12th instant, the ministry in a body presented the message of the executive to congress, signed by General Leon Colina, in his capacity of primer designado. That document (a copy of which, and translation of the same, is enclosed herewith, marked enclosure No. 1) recommends the following reforms:

1st. Protection of the arts and industrial enterprises, and particularly of agriculture, on account of its social, political, and economical importance.

2d. Reform of the constitution, reducing the number of states, and granting to the government general power sufficient to secure their obedience, and the reform of the judicial power.

3d. Laws explaining the true meaning of the fundamental basis of the union, and establishing their sanction, and determining the power which shall take cognizance of their infraction.

4th. Reduction of the imposts and expenditures.

5th. Reorganization of the public credit.

6th. Laws which shall correct the alleged practice of foreigners in prosecuting their affairs through the diplomatic channel.

7th. Substantial reforms in the matter of public order and of the national police.

Many of these suggestions are undoubtedly worthy of the serious consideration of congress, especially the one in regard to the reduction of the number of states. With a population not exceeding 1,500,000, Venezuela has twenty states. These states are, in fact, whatever may be the theory, sovereign and independent, not only of each other, but, almost, also of the general government. Even in cases of insurrections in the states or invasion of one by another, the general government is denied the power to interfere, unless, indeed, its very existence, in consequence of either, is imperilled. The reform of the constitution, in respect to the number of states, and also granting additional powers to the general government, is urgently asked for in the message, and it is understood that these recommendations are particularly approved by President Falcon, and that all of his influence will be brought to bear to effect their accomplishment.

In regard to the alleged practice of foreigners prosecuting their business through the different legations, I would say that in most cases where such course has been adopted, I believe it to have been a necessity on their part, imposed by the fact that the judicial tribunals of this country are not only dilatory to the last degree, but subject to the suspicion of bribery, and often easily controlled in their action by dislike to foreigners.

It is, however, not one or two reforms that are needed. This government requires a thorough reform in almost every department before it can hope to assume any position among or be respected by other governments. Republicanism in Venezuela is but a name, and is neither comprehended by her people nor desired by her leaders.

I am, sir, very respectfully, your obedient servant,

JAMES WILSON.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

[Translation.]

LEGISLATORS OF MY COUNTRY: I cordially congratulate you on your having been chosen by Providence to organize, upon a solid basis, the federal system, assailed as well by the prostration consequent upon the great efforts necessary to establish it as by sectional passions and interests.

I trust that, being elected to so exalted a mission, there will not be wanting to you the assistance of the light from on high to accomplish it fully.

The reassembling of the legislative body is an event that, by its influence upon the common weal, necessarily calls the attention of all citizens who expect of it, as the depository of the supreme power, salutary rules to govern them in their public and private conduct. For this reason, if congress, disregarding the importance of their august functions, do not correspond to the hopes of their constituents, they end in becoming the cause of the greatest evils, because the citizen, not finding in the institutions and laws the protection he wants, looks upon himself as lost; deems his forlorn situation interminable. Victim of despondency, his patriotism droops, and in his hatred for the institutions looks for the remedy for his sufferings to extreme means, even to the subversion of public order. Although it is impossible to ascertain at once all the measures indispensable to insure happiness to the nation, nevertheless the public powers are bound to show by their acts that they are working to accomplish it; that they watch, in the first place, over the inestimable boon of peace, acting in such a manner that the interests, well understood, of all the members of society should tend to preserve it, and to this end they should be the foremost in giving the example, since they sanctioned the precept, of respecting what is due to the sacred rights of individuals, inculcating, in order to effect this, in all its members, the knowledge of their rights and their duties; stimulating public instruction in all its branches by protecting, with adequate laws, the arts and enterprises of the country, and, above all, agriculture, this nurse of States, eternal reproducer of the fruits and gifts of the earth, which, furnishing the means of subsistence, augments population, and yielding the prime materials affords abundant nourishment to industry and commerce, thus constituting a perennial stream of riches and prosperity for the nation. For this reason, when agriculture has reached a flourishing condition, all citizens are interested in removing all causes of war, both intestine and foreign, its irreconcilable enemies, which succeeds in this way in becoming a sure guarantee of peace. For this reason governments in all ages of the world, in fulfillment of their most unrelinquishable duty, have endeavored to encourage this first art, innate in man, an unequivocal token of the progressive march of countries and of the consequent welfare of their inhabitants. Submitting to opinion, that legislator of nations, that echo of the voice and of the reason of the people, a principle which, as an enemy to despotism, ought to rule in all free countries, our constitutional chart was framed the most liberal one that the history of nations records. Therein was created the sovereignty of the States, so ample that it came near attacking the federative principle itself; that is, the union principle to constitute a common authority. The institution of a general government supposes the relinquishment or abandonment on the part of the States of a portion of the rights that constitute their absolute sovereignty. To deny this portion to the general government, under any pretext whatever, is to oppose the existence of the federative system; breaking the links that constitute the union, without which, instead of confederated states they would be separate and absolutely independent. If the general government is not to have power sufficient to make itself obeyed within the States, it will have no object, or, rather, there will be no government.

If the federal republic has been saved, during the period it counts of existence, from the evils and horrors of anarchy, it is owing to the omnipotent power of public opinion, because the deficiency of the central power has been supplied by the prestige of the great marshal, seconded by his ardent patriotism, thus furnishing the means most adequate for the people to convince themselves of the necessity of investing the central power with the attributes indispensable for the due performance of its high functions; without this the federation would be an anarchy.

The reform of the constitution has been asked for by the majority of the States; it behooves congress, then, to satisfy this desire by sanctioning measures which, at the same time that they strengthen the central power, do not dismember the autonomy of the States, except in the part necessary for that object. In regard to which I proceed to make those suggestions which I think most indispensable—reduction of the number of the States. This is the point to which those who ask for the reform of the constitution principally confine themselves, impelled, no doubt, by the conviction which they have acquired during the period already transpired, that the multiplicity of weak States, incapable, by their own efforts, of coming out of their stationary and sad situation, of causing themselves to be respected by their neighbor, and of supporting suitably a regular administration, exposes them, at every step, to intestine revolts, and to become victims to the evil passions of some of their own sons, who, in despite of the laws and of the constitutive principles of every society, climb to power, employing means which should precisely banish them perpetually from it. This truth is proved by lamentable occurrences that should be remembered only to be endeavored to be avoided, and so I recommend it to you.

The reduction of the States carries along with it the reform of some other articles of the constitution, among which the judicial power particularly calls your attention, the essential and constitutive basis of all societies, since it is that which decides upon the life, the honor, and property, the three objects most dear to man, at once the motive and end which have led him to constitute himself in society, and without the attainment and real enjoyment of which, vain are so many sacrifices which he has imposed upon himself, vain the suppression of his passions, his respect to the law and the authorities, vain his very devotedness to labor. It is necessary, before anything else be done, to free this power from local influences and from political vicissitudes and instability, to insure which, not only should the nature and amount

of business serve as a rule, but the security of men fit to administer justice, which, together with the want of resources, is the cause that in some States the judicial power has not as yet been constituted; that in others there is hardly held the first instance; that in many, in order to satisfy the urgent necessity of its existence, an attempt has been made to repair the evil with one still greater, raising to the rank of judges men who are wanting in the knowledge necessary to act as such, and only fit to divest authority of its lustre, the law of all respect.

Although the constitutional compact establishes the basis of the union in facts, as well as laws and local regulations, it is necessary to say it, the greater part of them have been violated; it is proper, then, to frame laws that, embodying the true meaning of the fundamental basis, shall establish their sanction, and designate the public power which is to apply punishment to the infractor. You must remember that it is the central power that represents the interests of the Venezuelan federation in the great society of nations, to which it alone is amenable for all the acts that, violating the principles of international law, are committed by any State whatever, to the end that you grant to the central power the attributes necessary to avoid and correct them.

The report of the interior and justice will inform you of all relative to the revolts which have unfortunately taken place in some of the States. To-day, notwithstanding, I can assure you that the peace of the republic is re-established; but this is owing solely, it can be so expressed, to the beneficent principle of the authority centred in the great marshal President, who, absent temporarily from the executive administration of the nation, has visited all the points where peace has been disturbed, to return to the country a condition so indispensable to its complete welfare. Without this prestige, without this moral power, without this affluence of authority, based upon his high civic and military endowments, the republic would have fallen into anarchy; being such that, in order to quell it, his clemency and respect for the law—qualities which, for the happiness of Venezuela, are combined in an eminent degree in the present chief of the union—have sufficed. These very disturbances furnish reasons justifying the measures, which I trust you will take, in order to prevent their repetition.

The treasury.—The object of this department is to attend to the expenditures of the nation by means of its contributions; but these expenditures ought to be such as are solely indispensable and economically necessary, and the contributions that exceed these limits are unjust, without there being any power whatever authorized to impose them, because to create expenditures, under whatever title, calculating to pay them with the augmentation of the contributions, is a system highly ruinous to the prosperity of the country, and, besides, contrary to the very end itself that it proposes, because, by impoverishing the citizens, it renders them incapable of paying the contributions, and the treasury impotent to pay its expenditures. It is, therefore, necessary to reduce these expenditures until their proportion be equal to the product of just contributions, and to effect it the list should be reduced of the employés in all the branches of the administration. In this respect no fear can be entertained that the public service will suffer, because a small number of capable employés, punctually paid and therefore devoted to the rigorous performance of their duties, as might be required of them, would give a result more satisfactory than a large number of employés, less capable, badly compensated, disheartened, and under the necessity of devoting a part of their time to procure the means of subsistence.

In the military list, also, great economy can be introduced, as well as in pensions and reward. In regard to these let me be allowed to plead on behalf of those who legitimately are deserving thereof.

Nothing is more just, nothing more humane, than that the whole nation should contribute to succor those who, in defending their country, have remained unable to procure by their work their daily subsistence; but to grant the same favor to many who are not in this case, is to render it impossible for the treasury, by reason of the increased number of the pensioners, to comply with those truly worthy of this succor, who behold themselves defrauded of a right so well acquired.

I must here urge you to turn your attention to the internal and foreign public debt. It is all-necessary that, by well-meditated measures, credit should be sustained, and that there be given to both debts a value which, by its circulation, may tend to raise the arts and agriculture from the state of prostration in which they lie; for it is a principle admitted by all enlightened nations, that the circulation of the national debt is equivalent to the creation of coin, which increases with the credit that measures, wisely combined, cause the debt to enjoy. In the report of this branch you will find further detail upon this point.

Our foreign relations have not suffered any alteration; this is one of the ends to which the government has devoted its attention; the respective reports will inform you of the course which they have taken. The meagreness of our revenues on one part, and the extraordinary augmentation of the expenditures caused by intestine revolts on the other, have not allowed us to comply entirely with the obligations imposed by diplomatic conventions; notwithstanding the regard that our situation has elicited is commendable, and this conduct is a further reason why you should provide some secure means to discharge them.

I must also submit here very particularly to your consideration an abusive practice among foreigners, who prosecute their business through diplomatic channels, it being so that the laws of nations have defined clearly the cases and circumstances in which this recourse

ought to be availed of. I think, therefore, that you ought to pass a law which, restraining this abuse, shall destroy the unjust difference that exists in this respect between foreigners and Venezuelans, and renders the condition of the former better than that of the latter.

War.—I have already made you acquainted with the motives that obliged the great citizen marshal President to declare himself in campaign service, assuming the command in chief of the army, respecting the operations of which the report of the branch presents to you further details, as likewise the measures of organization which have been introduced, and others which are asked for.

The matter of public works or progress of the country embraces all the branches of the public administration; but herein it is only possible to touch upon those points which I deem most urgent to organize. The civil legislation of Venezuela is a chaos, wherein are to be found discordant and heterogeneous elements. It consists of the Spanish laws existing up to 1808, and whose origin goes back to the thirteenth century; of the laws of the Indies, enacted for a people conquered and treated as savages; of a few laws of Colombia, and of those passed by our legislative bodies during the 36 years we count of political existence. The progress, then, of the country needs the creation of national codes, corresponding to the position we have reached in civilization, which should establish the statutes of law and regulate the proceedings in all the branches of civil legislation. This is a work that requires time, study, and an abundance of special knowledge, theoretical as well as practical, and which only a commission of persons of ability can duly perform. Public order and national policy require also substantial reforms to place them in harmony with the federal institutions that govern us to-day. Public instruction, the germ of the future welfare of the country, demands most especially your careful attention; sanctioning for the purpose a plan well combined, which, imparting unity to studies throughout the republic, may raise them to the height that the federal principles demand that we have proclaimed, and that only concede superiority to talent, to moral endowments, and to patriotism.

Another of the branches of public works is the explanation of our rich territory; the expenditures in its realization that may be incurred will be amply recompensed. Infinitely profitable will be to the enterprises of the country the knowledge of all the productive capacities of the land when once discovered by learned investigation into the three kingdoms of nature.

Statistical reports of the republic and private lands that the republic contains, together with a scientific classification of their suitability for the different branches of production, are an indispensable basis, both to establish the imposts with justice, and to guarantee public and private credit; to serve as a powerful auxiliary of immigration and colonization, as well as, finally, to facilitate the opening of roads for communication.

I have sketched the outlines of the measures that the nation most urgently demands: it devolves upon you to develop them without forgetting that you are a power independent of any other power; that the public wants and opinion should be your only guide, and that the best laws are those which are best adapted to the character and nature of the people for whom the laws are made.

May God inspire you in your deliberations.
CARACAS, February 20, 1867.

LEON COLINA.

J. R. PACHANO,
Minister of the Interior and Justice.

NICOLAS SILVA,
Minister of Treasury.

VICENT CABRALES,
Minister of Public Credit.

R. ARVELO,
Minister of Public Works.

JUAN F. PEREZ,
Minister of War and Marine.

RAFAEL SEIJAS,
Minister of Foreign Relations.

Mr. Seward to Mr. Wilson.

No. 16.]

DEPARTMENT OF STATE,

Washington, April 6, 1867.

SIR: I have to acknowledge the receipt of your despatch of the 4th ultimo, No. 33, with enclosures, relating to the claims of the representatives of the American citizens killed upon the steamer Asuncion in October, 1865. This government continues to be of the opinion that the families of those citizens who lost their

lives in the performance of a service for Venezuela, undertaken reluctantly, if not under military coercion, are fairly entitled to a liberal indemnification from that republic. You will, therefore, continue to employ your good offices in their behalf. We would much prefer that their meritorious claims should be recognized and satisfied by the voluntary action of the government of Venezuela than that they should be referred to an international commission. Inasmuch, however, as the minister for foreign affairs admits them to fall within the provisions of the convention for the adjustment of claims, now awaiting the ratification of Venezuela, and which he is understood to expect at some proximate time, there seems to be no occasion for further controversial discussion.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WILSON, Esq., &c. &c., &c.

Mr. Wilson to Mr. Seward.

No. 46.]

LEGATION OF THE UNITED STATES,

Caracas, June 1, 1867.

SIR: I have the honor to acknowledge the receipt of your despatch No. 16, of date of April 6th, in reference to the claims of the representatives of the American citizens killed on the steamer Apure, in 1865. With all due respect, I beg leave to state that, while regretting that my government has not in this case deemed proper to adopt more active measures, still, as it continues to be of the opinion that the families of those citizens are entitled to indemnification from the republic of Venezuela, it will afford me the highest pleasure to employ every good office in my power in their behalf.

From interviews held with President Falcon, at my request, in regard to this case, and from the conversations had upon this subject, as well as by the sympathy expressed by him at the time in favor of the families of the victims, I am led to believe that some voluntary action of this republic in their behalf may yet be obtained without submitting the matter to the great delay of the payments of the international commission. Knowing, however, the almost entire want of faith to be placed in the promises of this government, I have considered it my duty, without entering into any further discussion, to press earnestly and repeatedly the necessity of immediate relief to those unfortunate families, informed, as I am, of their extreme destitution.

President Falcon is at this time absent from Caracas, but will return soon. I shall then take the earliest opportunity of speaking to him again in regard to this case, and will exert to the utmost my good offices for immediate relief and liberal indemnification in favor of those distressed parties.

I am, sir, very respectfully, your obedient servant,

JAMES WILSON.

Hon. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Wilson to Mr. Seward.

No. 49.]

LEGATION OF THE UNITED STATES,

Caracas, June 7, 1867.

SIR: I beg leave to inform you that the Venezuelan congress closed its sessions on the 25th of May last. Nothing of any importance to our government has taken place with the exception of the new tariff, which has, to a certain

extent, reduced the import duties, which are enormous in this country, and very considerably the export duties. The duties on flour from eight pesos have been put down to four pesos. Wheat is free, and also most of the articles necessary for general consumption and use. The government published a decree some ten days ago ordering the new tariff to go into operation. This is much sooner than was expected, and I can hardly tell what influence the measure may have on the mercantile community, at least for some months. I shall send by the first vessel a copy of the new tariff, not being able to do it at present on account of its not having as yet been circulated.

A new civil code will also be enforced on the 1st July next. It is planned on the one formed by the eminent Spanish lawyer, Goyena, and reduces all the conflicting laws which exist in this country to one complete system. This is considered to be a very important measure.

The mines of Guayana I understand become richer and richer every day, and I have no doubt that in the course of time they will be a source of immense wealth and aid to Venezuela. Many of our southern citizens have arrived at Ciudad Bolivar, under the contract entered into by a Mr. Price with this government. They are to devote themselves to agricultural purposes in the State of Guayana.

The contracts heretofore granted by this government to different parties for the working of the mines have, by an act of this congress, been extended to all others who desire to form companies for that purpose.

President Falcon, by the power vested in him by a resolution of this congress, has entered into a contract with Edward Burnett, agent of the Western Union Telegraph Company, by which said company has obtained the right of way in Venezuela for thirty-three years, to construct and operate their telegraph line. The government of Venezuela pays said company thirty thousand dollars a year for the use of said line. This unites Venezuela with the United States.

I am, sir, very respectfully, your obedient servant,

JAMES WILSON.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Wilson to Mr. Seward.

No. 51.]

LEGATION OF THE UNITED STATES,

Caracas, June 20, 1867.

SIR: The 19th of April is a national holiday in Venezuela. It marks the commencement of the struggle against Spanish authority in South America, and is always observed with great enthusiasm throughout this republic.

This year, however, its observance was interrupted by the ceremonies of holy week, and its celebration, on that account, was postponed to a future day.

On the 26th of April I received from the minister of foreign relations a note, a copy of which, and translation of the same, marked enclosure 1, enclosed herewith, informing me that President Falcon would receive on Sunday, the 28th of April, to which day the celebration of the 19th had been transferred.

On the following day I acknowledged the note of the minister of foreign relations, and enclosed to him a copy of the remarks I proposed to make on the occasion on behalf of the diplomatic body, a copy of which note and of the remarks is herewith enclosed and marked enclosures 2 and 3.

On Sunday, at the hour appointed, the diplomatic body proceeded to the government house and were immediately received. Having delivered the address, enclosed, his excellency the President replied, a copy of which reply, and translation of the same, is herewith enclosed, marked enclosure 4.

This being the first public reception of President Falcon since his elevation to the presidency, the day was distinguished in many other respects with more than usual display and ceremony, which, however, was not participated in by the members of the diplomatic body.

I am, sir, very respectfully, your obedient servant,

JAMES WILSON.

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

[Translation.]

CARACAS, April 26, 1867,
Fourth year of the Law and ninth of the Federation.

The minister of foreign relations of the United States of Venezuela salutes, courteously, the minister resident of the United States, and informs him that the great citizen marshal president will receive at the Government House on Sunday, the 28th, at 11 a. m., to which day the celebration of the national festival of the 19th, which fell on the holy week, has been transferred.

LEGATION OF THE UNITED STATES,
Caracas, April 27, 1867.

The minister resident of the United States presents his compliments to Mr. Sistiaga, and begs to acknowledge the receipt of his note of yesterday, informing him of the reception of the president on to-morrow at 11 o'clock a. m.

The minister resident has the honor to enclose, herewith, a copy of the remarks he proposes to make on the occasion on behalf of the diplomatic body.

YOUR EXCELLENCY: In the name of the members of the diplomatic body, I am most happy to offer to your excellency and to the people of Venezuela our congratulations that the institutions of government, which had their birth 57 years ago, have survived all the vicissitudes of time and still continue unimpaired in all their grandeur and strength.

This day is memorable in the history of Venezuela. It recalls heroic names. Miranda Roscio, Martin Tovar, Sojo, Rivas, Alamo, Madriaga, Auzolo, and above all and over all the liberator, who is now, always has been, and forever will be, "first in war, first in peace, and first in the hearts of his countrymen." It recalls grave deliberations, stern resolutions, and self-sacrificing acts, which, under God, led to separation, independence, and finally to the formation of a government based on the enduring principles of liberty, equality, and brotherhood.

In this first reception of the diplomatic body by your excellency, permit me to say that we have witnessed, with the greatest satisfaction, your patriotic efforts to preserve peace, maintain order, promote progress and advance the general welfare of the republic, and we present our felicitations that a grateful people, not unmindful of such services, have proclaimed with one voice your excellency the pacificator of Venezuela.

[Translation.]

MR. MINISTER: I accept, with the greatest satisfaction, the felicitations which you, in the name of the diplomatic body, direct to the people of Venezuela, and the honorable manner in which you mention myself in reference to the glorious memory of this day.

Venezuela has always thought that the governments which you represent will do justice to her efforts and sacrifices to make herself worthy of their esteem and to maintain in glory and veneration the memory of the immortal Bolivar and of the distinguished men who have inspired you with those noble thoughts and gained themselves the admiration of all centuries.

I thank you for the benevolent sentiments you show towards me, and I wish, most sincerely, that your respective nations and governments may enjoy the blessings of peace in the path of progress.

UNITED STATES OF COLOMBIA.

Mr. Burton to Mr. Seward.

[Extract.]

No. 288.]

LEGATION OF THE UNITED STATES,
Bogota, December 9, 1866.

SIR: I have the honor to inform the department that President Mosquera tendered his resignation of that office to the national supreme court on the 6th instant, but which was not accepted.

* * * * *

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

ALLAN A. BURTON.

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

[Translation.]

BOGOTA, *December 6, 1866.*

In conformity to article fifth of the law of May 19, 1863, the resignation of the high post of President of the United States of Colombia can be accepted by the supreme court; and I now address you with the object that you, as president of the supreme court, may submit to the consideration of that body my formal renunciation of that office, to which I was spontaneously called by the people while absent from the republic.

I have made great efforts to save the country by calling the attention of the nation to its material interests, in order to secure its prosperity and to consolidate the public peace.

The administration of Doctor Manuel Murillo has left the country prostrated by reason of his incapacity to improve the national finances. I have found nothing but disorder and the disregard of all the laws regulating the national credit.

The congress of 1865 passed an ill-considered law on supplies furnished the belligerents in the civil war, which the supreme court has had to obey, and to impose on the nation, against the feelings of its members, a burden of more than four millions of dollars; and the efforts that I have made to diminish the evil have stirred up a commotion among the forces of false claims and proofs in their support.

In adjusted military claims the abuses are without number, and by forged certificates the nation has been charged with at least a million of dollars through the neglect of the public treasury of the last administration.

The archbishop of Bogota and other bishops are in complete rebellion against the institutions of the country, and have usurped the national authority by erecting tribunals, and the legal measures that I have adopted serve the conservative and *golgotha* opposition for making attacks on the executive branch of the government.

The circular on public order, which is nothing more than a frank avowal of the principles which uphold the public peace in all countries, and which are in consonance with the constitution, have aroused the spirits of the ambitious, who wish to seize on the governments of the states, as if the principles proclaimed were annulable.

There is, citizen President, a purpose to disturb the public peace, and, as I am the disturbing cause, for the conservatives as well as the fanatics and *golgothas* know that I have the means and will to suffocate revolutions, they appeal to assassination to take me from among them; they cry out tyranny and Cæsarism to enrage the masses. None of the members of the supreme court are ignorant of what is passing, and the abuses of the freedom of the press to excite the people to rebellion. That the conspirators may have greater facilities for operating I withdraw from command. Let the people, who have the power to save themselves and leave me quiet in my home, even till it be assailed by terror and anarchy, when I will be found calm and serene, lamenting the aberrations of political parties.

The magistrate who has given so many proofs of zeal for his country as I have done

ought not to serve a community in which there is no moral sanction, and where revolutionary nullities (worthless fellows) aspire to power in order to fatten on dissensions and changes.

Such are, among others, the grounds on which I base my renunciation.

T. C. DE MOSQUERA.

The PRESIDENT OF THE SUPREME COURT of the Union.

[Translation.]

Decision of the federal supreme court.

In Bogota, on December 7, 1866, the court being assembled for consultation as to the renunciation of the great general President of the United States of Colombia of the office of President thereof, the magistrate Señor Doctor Emiliano Restrepo E., made the following motion :

“The supreme court does not accept the renunciation of the office of President of the Union, made by the great general T. C. de Mosquera. The president of the court will incorporate in his response the reasons which influence the court in declining to accept said renunciation.”

This proposition, after full discussion, was approved by yeas and nays ; voting affirmatively, Señors Ceron, Gutierrez, Nuñez, and Restrepo E.; and negatively, Señor Araujo. It was requested by the magistrates who voted in the affirmative to set forth in the answer to be given by the president of the supreme court to the President of the Union the following ideas : 1. The causes on which the President of the Union bases his renunciation show that it ought not to be accepted. 2. The assertion of the President of the Union that he has “the means and the will” to suffocate the revolution which it appears is feared, the court would be morally responsible for the anarchy which would overrun the country if the present President of the country were out of that office, and the revolt should break out which he declares that he “is willing and able to suffocate.”

Whereupon, this convention is ended and signed by the members of the court in the presence of the undersigned, secretary thereof, and which he testifies.

ANDRES CERON.
MARCELINO GUTRIERREZ A.
JOSÉ ARAUJO.
EMILIANO RESTREPO E.
AGUSTIN NUÑEZ.

VICENTE VANEGAS, *Secretary.*

Señor Ceron to President Mosquera.

[Translation]

No. 108.]

UNITED STATES OF COLOMBIA,
PRESIDENCY OF THE SUPREME FEDERAL COURT,
Bogota, December 7, 1866.

I have given an account to the supreme federal court, over which I have the honor to preside, of your formal renunciation of the post of President of the Union, which you presented through me in your letter of the 6th instant.

The supreme federal court, after a careful and mature deliberation, believes it ought not to accept your renunciation, and consequently I, who am its organ on the present occasion, hasten to inform you that the said body does not accept the same.

However grave, however well-founded the motives which have impelled you to lay aside the powers which the people conferred on you by calling you in a manner so spontaneous as significant to occupy the position of the First Magistrate of the Union, the court does not believe them sufficient to justify your withdrawal from the public administration, and above all at the present time, when society is alarmed, as you assert, by serious fears of being overturned, and when your presence in the government is a guarantee of order and security to the people who, having trusted to your patriotism, in your past example, and in your elevated administrative gifts, called you, when absent from the country, to direct their destinies by filling the high post of chief of the executive branch of the government.

If the exercise of the public power and the patriotic defence of the national interests which you have undertaken have given you annoying cares, they are so much the more meritorious, as is all the more notorious the purity of your intentions and the elevation of the ideas which have directed your policy. Wherefore, the court does not see in those annoying cares a cause sufficiently powerful for your renouncing the constitutional and legal powers conferred on you by the people.

Furthermore, you insinuate in your renunciation that you have the means and the will to stifle the revolution which may break out. The court would assume a grave moral responsibility before the republic were it to consent to your withdrawal, and in effect to allow the public peace to be disturbed, which you promise to preserve, and the people, with abundant justice, would disapprove the proceeding of the court in this important affair.

ANDRES CERON.

Citizen GREAT GENERAL PRESIDENT
of the United States of Colombia.

[Translation.]

PROCLAMATION.

T. C. de Mosquera, great general of the Union, President of the United States of Colombia, to the Colombians:

FELLOW-CITIZENS: The first duty of the President of Colombia is to uphold the constitution and preserve the precious achievements which we have secured in behalf of democratic liberty. It has come to my knowledge that it is believed in some states that the preservation of peace and material progress of the country depends on the continuation of my administration, and that some citizens have occupied themselves with the idea of a possible re-election. If I were to allow this idea to pass unnoticed I should be wanting in my duty to maintain intact the holy book of our rights. In it is written that there can be no immediate re-election, and I declare that if, by any misguided proceeding, I shall be re-elected I cannot accept the continuation in power, for the man who has bestowed on him the confidence of the country ought not to lend himself to an act contrary to the constitution.

Countrymen, if I can ask you for anything as a recompense for my sacrifices for the country it is that you respect the constitution. In the day of danger to independence and liberty you will find me at the side of the defenders of the right.

Nothing can be more honorable to the loyal servant of the country than to march without faltering by the road of honor. The Colombians must all be united to save our institutions, and you will find me ready on all occasions when the safety of the Colombian people may need it to devote myself to their cause. The badge of a good republican is obedience to the people, and on the latter rest our constitution and the peace of the country.

T. C. DE MOSQUERA.
 JOSÉ MARIA ROJAS GARRIDO,
Secretary of the Interior and Foreign Relations.
 RUDECINDO LOPEZ,
Secretary of War and Marine.
 FROILAN LARGACHA,
Secretary of the Treasury and National Credit.
 ALEJO MORALES,
Secretary of Finance and Public Works.

BOGOTA, December 14, 1866.

CORRESPONDENCE WITH THE LEGATION OF THE UNITED STATES OF COLOMBIA.

General Salgar to Mr. Seward.

[Translation.]

LEGATION FROM THE UNITED STATES OF COLOMBIA,
Washington, December 22, 1866.

SIR: I had the honor to receive your excellency's note of 27th October last, in answer to mine of 17th of same month, in which I requested the delivery of the seaman of the American war steamer James Adger, convicted of the offence of homicide on the person of an English subject, George Holmes.

Doing justice to what is right, your excellency placed beyond question the jurisdiction of the courts of Colombia to take cognizance of the case, and made manifest that the government of the United States does not approve the omission to deliver him, when he was demanded from the respective American agents by

the competent authorities of Colon (Aspinwall,) immediately after the offence charged upon him was committed. But judging, nevertheless, from the note of your excellency, that the question is not yet solved which I agitated, and enclosed with my note of the 17th, already cited, which is the extradition of the seaman, founded on the documents sent through the American legation at Bogota to the Department of State, I find myself under the painful necessity of drawing again the attention of your excellency to this affair, insisting, as I do insist in said application, that things be placed back in the state they were in at the time when the wrong was done by the said agents of the United States in that omission, which the government of the United States has disapproved. The fact that the accused is employed in the public service of the country; the refusal of the consul and of the captain of the vessel to deliver him up by receiving him on board, whence he could not be taken because he was outside of Colombian sovereignty, whose authority had at all events to respect the flag of the vessel, and the prerogatives inherent to its extraterritoriality; all this, and the anticipation of some feeling avdverse to the gratuitous permission which is held to be allowed to those employed in the American navy to do certain services for their own benefit in Colombian territory, are, in my opinion, circumstances which make the present case of extradition not a common one, and give strong moral support to the request of the government of the United States of Colombia.

With my government the investigation made by the naval court held at Aspinwall is regarded with all respect; of the result of that investigation you were pleased to inform me, and that induces the belief that the final decision of the court would have been *absolutory*; but notable as may be its moral force, as in fact it is, the condition of legality does not attach to it, because that could not be the court called to determine a criminal act committed in a foreign country.

I submit to your excellency the examination of the foregoing considerations, and it will be very pleasing to me should they be sufficient to serve as an excuse for this persistence, and that they may contribute to draw to a satisfactory conclusion my application to which reference is made.

I avail of this occasion to renew to your excellency the assurance of the high esteem with which I subscribe myself, your very respectful and obedient servant,
EUSTORJIO SALGAR.

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

Mr. Seward to General Salgar.

DEPARTMENT OF STATE,

Washington, December 29, 1866.

GENERAL: I have received your note of the 22d instant, requesting the surrender for trial by the tribunals of Colombia of the marine attached to the United States steamer James Adger, who is charged with killing, at Aspinwall, on the 10th of November, 1865, of one George Holmes, alleged to be a British subject.

In reply I have to state that in the absence of an extradition treaty between the United States and the United States of Colombia, the request cannot, it is conceived, be properly complied with.

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

WILLIAM H. SEWARD.

Señor General Don EUSTORJIO SALGAR, &c., &c., &c.

Mr. Seward to General Salgar.

DEPARTMENT OF STATE,

Washington, February 13, 1867.

SIR: The attention of this government has been drawn to a decree "upon the adjudication of maritime prizes," made by the President of the United States of Colombia, at Bogota, on the 17th of November, 1866, which decree is understood to have been promulgated at that capital. By the aforementioned decree it is declared—

1. That the cruisers of the allied republics of the Pacific, in the war with Spain, may carry their maritime prizes into any port of the republic of Colombia, but their adjudication shall belong to the supreme federal court, conformably to the national constitution and law, it being understood that the fact of bringing in the prizes shall be proof of the acquiescence of the sovereign of the captor that they shall be adjudged by the said tribunal.

It is declared by said decree, secondly, that the cruisers of Spain, in the war mentioned, may carry their prizes into the ports of the republic of Colombia, and that their adjudication shall belong to the supreme federal court, it being understood that the fact of bringing the prizes in shall be proof of the acquiescence of Spain that they may be adjudged by said tribunal.

It is declared, thirdly, that the highest political authority of the port in which any such prize may arrive shall require the captor to present the sea-papers of the vessel or property captured, and shall proceed immediately to examine the officers and mariners, which proceedings, proofs taken, and original documents of the captured vessels shall be, as soon as practicable, reported to the supreme federal court, that it may take jurisdiction of the case.

It is declared by said decree, fourthly, that the captured vessels that may be declared good prize by said court may be sold in the ports of said republic of Colombia.

It is the opinion of this government that the decree of the President of Colombia, in all its parts thus recited, absolutely contravenes the law of nations, which devolves upon the sovereign of the captor exclusive jurisdiction over prizes, and the responsibility to parties concerned for the just and lawful exercise of that jurisdiction.

The President is of opinion, further, that that exclusive jurisdiction cannot be, either directly or indirectly, delegated or conveyed to any foreign power, whether an ally or neutral, and that no such ally or neutral can, in any way, acquire jurisdiction over prizes made by a belligerent in any such manner as is specified or indicated in said decree.

The government of the United States is obliged to suppose it possible that vessels, papers, or other property of citizens of the United States may, by means of capture or otherwise, be found in the ports of the republic of Colombia, and be subjected to proceedings of some sort, judicial or otherwise, under the said decree. The President, therefore, deems it his duty to announce to all the belligerent parties concerned, as well as to the United States of Colombia, that it is held by this government that the decree, in the respects recited, is entirely null and void against the United States, and that it may be expected that the said decree and all proceedings under it will be regarded by this government, including its several executive and judicial authorities, as having no effect upon citizens of the United States, or upon vessels, papers, or other property belonging to them.

I avail myself of this occasion to renew to you the assurance of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor General Don EUSTORJO SALGAR, &c., &c., &c.

General Salgar to Mr. Seward.

[Translation.]

LEGATION OF THE UNITED STATES OF COLOMBIA,

Washington, February 22, 1867.

SIR: On the 20th instant the note from your excellency was delivered to me, dated 13th, in which you are pleased to make known to me that the government of the United States is of opinion that the decree issued by the President of Colombia on the 17th of November, 1866, "on the adjudication of maritime prizes," is contrary to the principles of international law, that it is null and of no force so far as it may operate against the United States, and that the government of your excellency will consider the proceedings which may be deduced from it as without any effect in respect to American citizens.

In acknowledging the receipt of the despatch mentioned, I have the honor to inform you that it has been transmitted immediately to the government of Colombia for the purposes it may have relation to, and of the result I will take care to give you advice in season.

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

EUSTORJIO SALGAR.

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

General Salgar to Mr. Seward.

[Translation.]

LEGATION OF THE UNITED STATES OF COLOMBIA,

Washington, April 17, 1867.

SIR: That your excellency's government may exactly understand the matters which have recently occurred in the chief city of Colombia, and to do away any unfavorable impression which may have in respect to our condition been produced by the false and gratuitous news sent from Panama about a *coup d'état* having happened there in prejudice of the majesty and prerogatives of the national congress, I have the honor to send to you three printed papers which I received by last mail, the contents of which give a true relation of the facts.

Not for a single moment were the immunities of congress disregarded; and although, unfortunately, there was not perfect harmony between the President and a majority of the chambers, constitutional order was not disturbed, and finally a perfectly satisfactory understanding was reached in respect of the peaceful and sure progress of the country.

I avail of this occasion to renew to you the assurances of my very distinguished consideration.

EUSTORJIO SALGAR.

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

[Translation in substance of the proceedings of the Colombian senate and representatives and President Mosquera in March, 1867.]

LA PAZ—CONGRESS BEFORE THE COUNTRY.

On the 16th March, 1867, many senators and representatives, in view of the alarming state of public affairs, resolved to go into private caucus for the adoption of measures that might settle existing complications. General Santos Acosta was chosen president, and Manuel Plata Azuevo secretary. The propositions of the majority and of the minority were read. The matter was discussed in all its bearings, and Mr. Borrero offered as amendment:

"In case of agreement between the two fractions of the liberal party represented in the legislative chambers, by common consent the executive authority shall be required to withdraw the message he addressed to the chambers on the 14th instant."

This proposition was adopted by the *unanimous vote of all present*, except three.

Discussion then turned on the reorganization of the Panama railroad arrangements. Several propositions were discussed and passed over, when Mr. Plata Azuerro offered the following for consideration:

"The executive authority shall be empowered, public notice being previously given, to make a contract for the alienation of the reserves of the Panama railroad, so that the nation may not lose its territorial rights, and may secure to itself a considerable annual income.

"The bases of such contract shall be fixed by congress, taking for minimum the contract made with Mr. Totten, with the amendments made up to the day when the law was discussed. Such alienation shall not take place unless in case the contract for a loan made in London with Messrs. Robinson and Fleming be not carried into effect."

The proposition for suspension of discussion being approved, and this said motion argued and voted upon in detail, was approved in all its parts by the unanimous vote of the members.

The second proposition of the majority was then discussed and modified by citizen Mateus. and approved by the meeting in these terms:

"The project of the law on public order shall be modified as soon as the President withdraws his message and offers further remarks on said project."

The religious question then coming up, the report of the majority was presented, and then the report of the minority, and the result was adopted (on discussion) in the following terms:

"In this present year no law shall be passed on religious affairs; but the banishment of the bishops shall be taken off by means of an amnesty granted by congress."

In continuation, citizen Plata Azuerro proposed, and the meeting unanimously approved, the following:

"The acts of the present session being extended and signed, the minority will require the executive to withdraw the message he addressed to congress on the 14th instant; and in case the President of the republic should refuse to do so, or refuse to enforce the execution of the laws, the two liberal fractions into which congress is divided solemnly engage to work together in perfect unity to sustain at all hazard such propositions, as well as also the constitution and the laws of the republic."

It was then agreed to appoint a committee to address the nation. The president appointed citizens Aroseneena and José Joaquin Vargas. The meeting rose, to meet again the next day at noon, requiring the secretary to have the propositions adopted extended, ready for signing. These were five in number, as above stated, and a sixth added, providing for expenses of the year in the footing of those of 1866.

[All the officers and members signed the proceedings. Their names will also be found appended to the legislative allocution to the nation, page 823.—TRANSLATOR.]

[Translation.]

PROCLAMATION.

T. C. de Mosquera, grand general of the union, President of the United States of Colombia, to the nation:

COLOMBIANS: The 16th of March, 1867, will be recollected by you as a memorable day in the annals of Colombia. The liberals who have seats in the two chambers, after having had conferences among themselves and with the members of the executive government, listening to the voice of patriotism, have knitted afresh their republican relations and sentiments. to produce the disappearance of that uneasiness which held the nation in conflict.

Union is strength!

The hydra of discord which unhappily was beginning to raise its head amongst us, has disappeared. Peace has been secured, the executive power has re-established its constitutional relations with the chambers. Colombians! the triumphs of reason are more glorious than such as may be obtained in the fields of battle defending a good cause. Civilization feels proud on this day. Forget forever the causes which might have blindfolded you, believing that conquests achieved during seven years in favor of the federal democratic system could not be lost. In this classic land there is none soever, nor can there be any, to pretend that the republican form of government can be replaced by those absolute governments.

We still need wholesome reforms to complete the true system we have adopted, but they should be the sincere expression of patriotic feeling and of study of social necessities.

Colombians! the necessities of the country are many. It belongs to Congress to remedy them. Doubt it not. Animated by the most lively desire to do good, and united to the executive power by the constitutional bonds which the people have traced out for them on delegating to them the law-making power, will put an end to this abnormal situation which agitates opinions. Colombians! return in tranquillity to your ordinary occupations. The dark

cloud which threatened a horrible tempest has disappeared; and on my part I assure you I will be the guardian of your liberties, of your repose, and of the national honor, that the creeds of Colombians and their habit of worship of the Deity shall be respected, because religious liberty is inseparable from civil liberty. That is the mission which you have confided to me. Compatriots! may the understanding initiated between the members of congress and the President carry into your hearts the same sentiment, and that with the disappearance of the names of political parties there be none but Colombians who can discuss theories of government calmly, and may adopt what the national majority may consecrate as necessary. Listen to the sacred invocation of your hearts, and the republic will be saved.

T. C. DE MOSQUERA.

BOGOTA, March 17, 1867.

[Translation.]

To the nation:

After long and arduous labor in the bosom of the legislative chambers, and when it was thought that could only terminate in war, providentially it has terminated in peace.

This peace is the union of the fractions into which congress was divided; union which was formed yesterday and is to-day ratified by this manifestation; and by the union of those fractions with the executive power on the ground of the constitution and the law, the executive power will this day address itself to the nation to confirm these words.

Fellow citizens! we have not in our legislative labors for an instant forgotten what a terrible evil war is to all of you, and how great is your just yearning for peace. We have decided in favor of the policy which spares you from bloodshed and death, without having had anything to do in our latest relations with the executive power, animated by the like sentiments as ourselves, contrary to the duty and dignity of congress. It is on this account that we have called providential the happy event which we announce to you.

In peace we can follow out the development of all legitimate interests, strengthen our institutions, and give guarantees to all Colombians without distinction of parties.

Colombians! may God grant that the policy which takes account of humanity may be inaugurated on our soil, seconding the example of congress which initiates it.

Colombians! to the grievous expectation in which you have been placed, looking forward to battles, may there now follow tranquillity to devote yourselves to the work which constitutes the prosperity and true honor of the republic.

Senators—Manuel Abello, Santos Acosta, Manuel Amador Fierro, Simon Arboleda, Augustin Arias, Ruperto Anzola, I. M. Barrera, Rafael Buenaventura, Miguel Cotes, Jesus Maria Chaparro, Ignacio Fernandez, Pedro Goitia, M. de Guzman, M. Hurralde, Santiago Izquierdo, Rafael Mendoza, R. Nevarro, Benjamin Noguera, Nicholas Rocha, Ramon Santo Domingo Vila, Silvestre Serrano, Augustin Vargas, Manuel M. Villiquiram Espada.

Representatives—Pablo Arosemena, Pablo Blanco Garcia, Napoleon Borrero, Jose Maria Campo Serrano, M. Gonzales Carazo, Dominico Castro, César Conto, Inocencio Cuealon, Anibal Currea, S. Chaparro, Martin Guerra, I. Herrera, Matias Herrera, Juan N. Iregui, Jernan Jimenes, Jesus Jimenes, Bartolome Lievano, J. C. Lobo Jacomé, Francisco de P. Mateus, Nereo Mattalana, José Maria Navarrete, Temistocles Paredes, Guillermo Pereira, Luis Gonzalez Vasquez, Manuel Maria Ramirez, M. Plata Azuero, José A. Porras, Salvador Ramos, Demetrio Rei Rodriguez, Erasmo Rieux, C. Nicolas Rodriguez, José C. Romero, Francisco de P. Roza, Gabriel A. Sarmiento, Segundo Soler, Manuel Suarez Fortoul, Jesus Temistocles Tejada, Julian Trujillo, Francisco Useche, Vicente Vanegas, José A. Vargas, I. Joaquin Vargas, Avelino Vela, Felipe Zapata.

BOGOTA, March 17, 1867.

General Salgar to Mr. Seward.

[Translation.]

LEGATION OF THE UNITED STATES OF COLOMBIA,

Washington, April 27, 1867.

SIR: The executive authority of Colombia took into consideration the project of a convention for the exploration of the isthmus of Darien, which I had the honor to propose to your excellency last year, but there having been proposed about that time various projects for the immediate excavation of the interoceanic canal, the Colombian congress, to which the affair was referred, judged it more convenient to issue the decree inserted in the *Diario Oficial*, which I send to you herewith, and which fixes the basis for the concession of a privilege for the opening of a canal.

Messrs. Thomas Page, Sir Henry Keppley, Robert Marshall, and E. B. Webb, of London, have addressed a petition accepting the concession of the privilege

in the terms of the law, by my government, desiring that the American nation may be associated in that undertaking, has charged me to make report thereof to your excellency, as I do in the law referred to, in order to see whether the government of the United States will make an offer similar or better for Colombian interests.

I have the honor to repeat to you, sir, the assurance of my most distinguished consideration and respect.

EUSTORJIO SALGAR.

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

[Translation.]

LAW disapproving the contract made by executive authority on the 25th January last with the attorney duly empowered of Mr. Henry Duesbury, and giving bases for the concession of a privilege for opening an interoceanic canal.

The Congress of the United States of Colombia decrees :

ARTICLE 1. The contract made by executive authority on the 25th January last with Mr. Eustatis de la Torre Narvaez, attorney of Mr. Henry Duesbury, for the excavation of an interoceanic canal in Colombian territory, is disapproved in all its parts.

ART. 2. The executive authority is empowered to make a contract for the grant of an exclusive privilege for the opening of an interoceanic canal through any part of the Colombian territory on the following basis :

1st. The duration of the privilege shall be for 99 years, which shall begin to be reckoned from the day on which the canal may be opened to public service in whole or in part, and the grantee or his representative may begin to collect dues for the transit or navigation.

2d. During the continuance of the privilege the government of the republic will not itself make, nor grant to any company or individual, by whatever title, the privilege of constructing another canal which may bring into communication the two oceans through the territory mentioned in the first part of this article. If the grantee should construct a railroad as ancillary to the canal across the said territory, the government will not itself do, nor grant to any company or individual the right to construct another interoceanic railroad over the same territory during the time granted for making and profiting by the canal.

3d. The canal shall be completed and delivered over for public use within ten years, reckoned from the date of this present concession ; but if through fortuitous circumstances, independent of the will of the grantee, after more than a third part of the canal shall have been constructed, he shall give notice that he could not complete it throughout the whole extent in said ten years, the executive authority shall have power to allow further time of four years more.

4th. The canal shall have the breadth and depth, and all the conditions necessary for its navigation by steam or sailing vessels of highest tonnage now used by those vessels, with exception of the Great Eastern.

5th. The vacant lands necessary for the excavation of the canal, establishment of seaports, roadsteads, wharves, tramways, warehouses, and in general all things needful to the construction and service of the canal, as well as those which may also be needed for the establishment of the railroad, if thought advisable to build one. These lands shall devolve to the domain of the republic, with the canal and railroad, when the period for the privilege shall be at an end.

6th. There is also granted for the uses of the canal a strip of land along its outer bounds, not exceeding 30 metres wide on each side of it, but along the whole line the neighboring land owners shall have perfect right of easy access to the canal and its ports, as well as to the use of the road which the grantees may construct there, without paying anything to the company for this right.

7th. If the territory through which the canal must be excavated, or the railroad be built, should be wholly or in part private property, the grantee shall have the right to expropriate to this use, previously having recourse to all legal formalities, the indemnity to the owner being at the cost of the grantee.

8. The grantee is authorized through all the time he may remain in possession of the canal in the privilege or right to the use of the ports situated at the two extremities of the canal for the anchorage of ships ; for the landing of merchandise, which is to be left at such ports, or tranship to other vessels, to continue the voyage through the canal in case the ship which brings them is not intended to pass through the canal ; to use the intermediate ports necessary to and especially intended for the storage and free deposit of all articles and merchandise, which may be intended for transit or may be previously disembarked at such intermediate

ports, at which the government of the republic may place such officials as it may deem necessary, and take the measures it may hold indispensable to prevent smuggling.

The buildings which may be erected by the grantee for storage warehouses at the ports and landings shall be so arranged that a single person may suffice to guard against smuggling.

9. The ports at each end of the canal shall be free and open to the commerce of all nations, and thereat no duties on imports shall be collected, except on merchandise intended to be introduced for consumption in the republic. Said ports shall in consequence be privileged for the import of goods from the time the canal is open, and such custom-houses and outports as the government may judge proper shall be established thereat for collection of import duties on effects intended for other parts of the Union, and for preventing any smuggling.

The officers the government may deem necessary for the discharge of this duty shall be paid by the company exclusively, and their wages be designated by the government.

10. The government of the republic declares neutral for all time the ports at the one and the other extremities of the canal, and the waters of the canal from sea to sea, and in consequence, in case of war between other nations, or between some or any of those and Colombia, the transit by canal shall not be interrupted on such account; and merchant vessels and individuals of all nations may enter said ports and pass through the canal without being molested or delayed. Foreign troops are expected which shall not pass except through permission given by congress.

11. Entry to the canal shall be vigorously forbidden to vessels of war of nations which may be at war with another or others, and whose manifest purpose may be to take part in hostilities.

12. The grantee shall have right freely to import, free of any duty on importation, or of any kind soever, all instruments, machinery, tools, building materials, provisions and clothing for workmen, that he may require during the term granted to him for construction of the canal.

13. No contributions, national, municipal, or of any other class, shall be imposed on the canal, the vessels that may pass through it, the towing vessels of the grantee, his warehouses, wharves, machinery and other works or effects of whatever kind that may belong to him, and which in the judgment of the executive authority may be necessary for the service of the canal, and its dependencies, during the time given to the grantee for its construction and use.

14. The passengers, money, merchandise, objects and effects of all classes which may be transported by the canal from one ocean to the other, shall be exempt from any national, municipal, or any other kind of duty of whatever class.

The like exemptions extend to all effects and merchandise which remain in the character of deposit at the ports, warehouses, or landing places of the grantee intended for the interior, or for foreign ports; but articles intended for the domestic consumption of the republic shall pay the duties or national imposts established, or that may be established, payment of which shall be made on taking said effects out of the warehouses of the grantee; for which purpose it shall be done with the knowledge of the persons employed by the government, and in conformity with the rules and regulations which the executive authority may dictate.

15. Passengers who may pass through the canal shall not have need of passports except in case of war or internal commotion, if the executive should think proper to require it; but vessels passing through said canal shall be under obligation to present, at the port at the end of the canal at which they may arrive, their respective sea letter and other seafaring papers that may be necessary according to the laws and public treaties, in order that a vessel may navigate freely. Vessels which lack said papers, or may refuse to present them, shall be detained and proceeded against according to law.

16. When national duties or imports on importation of effects introduced into territory adjacent to the canal may exist and be in force, vessels shall pass through it with their hatches closed, and sealed up by the custom-house of the port at which they may arrive at one of the ends of the canal, and shall receive on board one or more officers of the government, who may during the transit watch that nothing of the lading of such vessels be landed. If after having passed through the canal the owner of the vessel should desire to land or sell the cargo at the port at the extreme end at which he may come to this resolution, the unloading shall be permitted upon going through all lawful formalities.

17. Vessels which carry effects intended for the work on the canal, according to section 12 may be entered freely at any of the points comprehended in the territory designated in the first part of this article (although there may not be any custom-house established) from the day on which the grantee may have needed them, in order to make a beginning with the work; and for preventing any fraud he must enter into bond to give previous notice at the proper custom-house in relation to what port the said vessels are bound.

18. The grantee has, during the term of his privilege, the right, exclusively, to establish the tariff of rates which shall be collected for the passage through the canal, the use of its landings, warehouses, and wharves, with the like, so as not to exceed the maximum which is settled hereby, to wit: 75 cents the ton in ballast; \$2 on each ton of cargo; \$10 for each person; one-half per cent. on gold, silver, or platinum, coined as money or in bars, and on precious stones. The prices shall always be equal on individuals, vessels, merchandise, and property of all nations; and no vessel can pass through the canal without having satisfied

such charges. Nevertheless, all ships and government vessels of the United States of Colombia, and all ships and vessels which, without belonging to it, are in the exclusive service of said government, shall pass through the canal and shall enter all its ports completely free from payment of any duty to the company.

19. The undertaking of the canal is reputed a public benefit.

20. The Colombian government will dictate the regulations which must spring out of the grant of this privilege as necessary and suitable for preventing smuggling.

21. The grantee is authorized to submit to the executive authority the regulations he may think needful for the police, use, and security of the canal, havens, works, and establishments of all kinds; but such regulations shall not take effect without the express approval of the national government; which, after having approved them, may modify or abrogate them as may be deemed proper, always proceeding in conformity with the laws of the republic.

22. In consideration of the receipt of duties and values fixed by the tariff, the grantees contract the obligation to carry out constantly, with care, punctuality, and without exception of nationality, the carrying of travellers, animals, merchandise, goods, and material of every kind which may be intrusted to it. The carrying shall be done without other special rebate of the rate of the tariffs than what may be agreed in favor of nations which may have committed themselves, or in future may commit themselves, by public treaties concluded by the United States of Colombia, to guarantee positively and effectively to this republic its rights of sovereignty and ownership over the Isthmus of Darien and Panama and the adjacent coasts, and the perfect neutrality of the said isthmus and its coasts, in order that there may not be at any time an interruption or embarrassment to the free transit on the isthmus or by this canal; but it shall continue to be expressly understood that the United States of Colombia, the Colombians and their property, shall enjoy all the benefits and advantages of every kind which any other nation may obtain by virtue of anything contained in the provisions of this article.

23. The grantee shall carry gratuitously in their vessels men in the service of the Union, where there may be need to transport by canal or by the ancillary railroad, for the purpose of maintaining security abroad or the preservation of public order; and if the company should not have vessels, those which may supply this transportation shall be exempt from payment of any duties.

24. The grantee engages, at his own cost and expense, and risk and hazard, to carry from one end of the canal or railroad to the other all the correspondence which may come from the territory of the republic or from abroad, receiving for such service one-third of the amount they might collect for receiving, carrying, and delivering such correspondence in conformity with the contracts the company may make for the purpose, with the approval of the government; the two-thirds remaining belonging to the United States of Colombia.

25. The grantee is under obligation to execute, at his expense, risk, and hazard, all the works necessary to the construction and establishment of the canal of communication between the two oceans on the line he may choose through any part of the Colombian territory.

26. The grantee will pay to the government of Colombia, for the first twenty-five years, six per cent., and for the seventy-four years remaining eight per cent. of the clear annual profit of the enterprise, without taking into account for the payment of this percentage any deduction for presumptive interests of capital invested in the work, nor for any sum intended for a reserved fund or for amortization; and for the collection of said so much per cent. the government will rely, as well as the shareholders in the undertaking, on the accounts liquidated according to the regulations of the company; and of which accounts, as well as of those of the costs of the undertaking, and of its books and documents, the agent of the republic who shall be indicated for the purpose shall take cognizance and make the observations and reclamations for which there may be place, like any shareholder, but without power to mix himself up with the direction of the affairs of the republic. The payment of the rate of percentage shall be made annually at the place which the executive authority may designate. The grantee shall guarantee that this percentage shall not be less than six hundred thousand dollars annually, so that six hundred thousand dollars will be the minimum of the annual sum which the government will in any case receive.

27. On the expiry of this privilege, the canal, the wharves, warehouses, depot, and all buildings and work annexed, above mentioned, which the contractor may have constructed at either extremity, and through the channel of the canal, or for other purposes connected with the service and administration of the enterprise of the canal, shall become public property, and shall be delivered over to the government, together with the ancillary railroad and things thereto annexed, in case they may have been constructed by the grantee or the representative of his rights, to the effect that after the completion of the works the grantee shall make, at his cost, with the assistance of the officers of the government, a circumstantial inventory of the canal, and buildings and works annexed to it, and of all property which ought to be turned over to the republic. The grantee shall make, besides, statements similar and descriptive of all works of like nature which he may have caused to be executed while he continued in possession of the privilege.

28. An exact and authentic duplicate of the documents spoken of in the former article shall be signed by the grantee at the department of state—which department is the branch

for public works—in order that they may be deposited in the national archives, and serve therein their needful purpose during the course of the privilege or to the time of the expiration thereof.

29. The grantee is bound to make, one year before the expiration of the privilege, with summons to the agents of the government who may be commissioned for the purpose, a valuation of the works which, at the close of such privilege, are to be ceded to the republic; and of these valuations, and of descriptive lists of the works at the time such valuations are made, a duplicate shall be deposited in the office which may be designated by executive authority, that it may be at hand at the time of delivering to the government the canal and its dependencies.

30. The grantee shall give security for the fulfilment of the obligations to which he subjects himself in the sum of one hundred and fifty thousand dollars, which he shall place at Bogota, London, or New York, at the disposal of the Executive of the republic, in this manner: sixty thousand dollars immediately after the contract shall receive the approval of the Executive, and the remaining ninety thousand during the three following months, at the rate of thirty thousand dollars a month. This consignment shall be made in American dollars. Said sum shall be without interest, to account of the dividends which may belong to the republic from the profits of the canal.

31. The grantee shall not have power to cede this privilege by sale nor in any other manner to any foreign nation or government, nor take recourse in any case to any foreign power to intervene in the settlement of differences which may arise respecting this privilege or the works that may be built in conformity therewith, by reason of non-fulfilment of the conditions established, because such differences shall always be decided by the judges and according to the laws of the republic; and in no case shall right, immunity, or exemption, not expressly recognized in this present privilege, be alleged.

32. In case the line of the canal should pass by some portion of territory to which may extend the privilege granted to the Panama Railroad Company under the contract of the 15th April, 1850, it shall be a charge devolving on the grantee to obtain the assent of that company to the construction of the canal.

33. The grantee binds himself to organize an anonymous company to carry out the excavation of the canal, and shall reserve one-tenth part of the shares for Colombian capitalists who may choose to take part in the enterprise, not having leave to dispose thereof till six months after the organization of the company. Moreover, all that is stipulated in this contract in favor or at the charge of the grantee shall be understood as accepted by said company.

34. This privilege shall fall through in the cases following: 1st. If the grantee should not deposit to the satisfaction of the executive authority of the republic, at the times fixed in section 30, the sum which is to secure the execution of the work and the fulfilment of other obligations to which he is subject. 2d. If within 18 months the termination of the exploration should not be completed, and the determination about the line of the canal made. 3d. If within the two first years of the ten conceded for the construction of the canal the work shall not have been formally commenced. 4th. If at the time fixed in section 3 for the construction of the canal it should not be concluded. In case that the extension of time spoken of in the same section be allowed, it shall be at the close of such extension that the privilege shall fall through if the work be not completed. 5th. If the undertaking company should alien the privilege in favor of any foreign government or nation. 6th. If the company should co-operate in any act of rebellion against the government of the republic intended to take from its dominion the territory in which the canal may be. 7th. When for more than six months the service of transit by canal should be suspended, saving fortuitous cases with reference to laws of common application.

35. In the first of the cases of forfeiture of the privilege, pointed out in section 34, the act declaratory of such forfeiture shall be done by executive authority immediately after the term fixed for depositing any of the sums by which the execution of the work was to be secured may have passed by without such deposit having been made.

In cases 2 and 3 of forfeiture indicated in the same section, it pertains also to the executive authority to make the declaratory act if the exploration and determination about the line of the canal should not have been made, or if it should appear by trustworthy documents that no work has been begun upon the canal in the term fixed upon in said section. But if some work shall have been done in manner to justify a doubt whether the company has or has not come within case 3 of forfeiture of privilege, the decision thereon shall belong to the judicial authority.

36. In cases 4, 5, 6, and 7 of section 34, it shall pertain to the judicial authority of the Colombian states to decide whether or not the privilege has become forfeited.

37. In whichever case the forfeiture of privilege may be declared, the company shall lose in favor of the republic, first, the sums by which it should secure the execution of the work in conformity with section 30; secondly, all the lands which by sections 5 and 6 are granted to the company, which shall devolve to the dominion of the republic in the condition in which they may be found; third, all the works, buildings, and betterments which the company may have made, in the state in which they may be found, and the materials which may have been prepared for the execution of any works on the canal and its annexations.

The republic shall not give any indemnity for the buildings, works, betterments, and materials, which, according to this section, the company may forfeit in its favor.

38. The government of the United States of Colombia and the company which may have obtained the privilege, reciprocally bind themselves to make to the governments of England, Prussia, Holland, France, and the United States of America, the arrangements necessary for the absolute guarantee of neutrality of the canal by said powers, and the sovereignty of the republic over the territory through which the canal may be constructed, the Isthmus of Panama and Darien, and the coast adjacent.

39. The diplomatic or consular agent of the republic resident in the domicile of the company shall be *ex officio* member of the directory counsel of the enterprise, with all the prerogatives which other members may enjoy under the statutes of the company.

40. The disbursements required for keeping up the public force which may be held necessary to give security to the interoceanic transit shall be at the charge of the company as part of the general expenses of the undertaking.

ART. 3. The executive authority is also equally empowered to require as a condition of the adjudication of the privilege that the grantees bind themselves to make a contract with the associate founder and inspector general of the undertaking of the wagon roads of Buenaventura to convert it into a railroad from the port of Buenaventura to the most convenient point on the river *Cauca* near the city of *Cali*, receiving the work which is being done, and the disposable funds. The company shall recognize the national government, that of the sovereign state of *Cauca*, and the individual shareholders, as shareholders in the new enterprise to the extent of the amount they have invested.

ART. 4. The contract alluded to in the former article will be a contract of simple transfer of the privilege of the Buenaventura road, without mixing therewith any measure by which any burden may be imposed, of any kind, on the national treasury.

ART. 5. If the privilege should not be awarded to Mr. Henry Duesbury or to the company of which he is or was a part, the executive authority will promptly arrange the devolution of the hundred and twenty thousand dollars received by the government of the republic in consequence of the agreement for the excavation of the canal, made the 25th January last between the attorney of said Mr. Duesbury and the President of the United States of Colombia.

ART. 6. The executive authority will make public this law and the project of contract in the most notable newspapers of Europe and of North America, and fix a reasonable time for proposals to be addressed to the commissioner who may be appointed in London or such place as may be deemed most proper for receiving such proposals, and accept the most advantageous, which the said executive authority will definitively approve, provided always that the stipulations accord with this present law, having in the contrary case to submit the same to the approval of Congress.

Given at Bogota, 27th June, 1866.

The President of the Senate of Plenipotentiaries—
SANTOS ACOSTA.

The President of the Chamber of Representatives—
ANIBAL GALINDO.

The Secretary of the Senate of Plenipotentiaries—
AURELIANO GONZALEZ.

The Secretary of the Chamber of Representatives—
FRANCISCO V. DE LA ESPRIELLA.

BOGOTA, June 27, 1866.

Be it published and have effect.

[L. s.]

T. C. DE MOSQUERA.

The Secretary of Treasury and Production—
FRANCISCO AGUDELO.

Mr. Seward to General Salgar.

DEPARTMENT OF STATE,

Washington, May 10, 1867.

GENERAL: I had the honor to receive the communication you addressed to me on the 17th ultimo, with an account of certain proceedings of the legislative and executive branches of the government of the United States of Colombia, forming a very interesting and instructive account of the now adjusted political questions which so profoundly agitated that country. I trust that the patriotic aspirations expressed by the President and Congress in their respective procla-

mations to the people may be realized in the future progress of the United States of Colombia.

I avail myself of this occasion to renew to you the assurance of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor General Don EUTORJIO SALGAR, &c., &c., &c.

Señor Martin to Mr. Seward.

[Translation.]

DEPARTMENT OF THE INTERIOR AND FOREIGN RELATIONS,
UNITED STATES OF COLOMBIA,
Bogota, May 23, 1867.

The undersigned, secretary of state in the department of the interior and foreign relations of the United States of Colombia, has the honor to address the honorable Secretary of State of the United States of America, and enclose him an authentic copy of the autograph letter in which the Citizen General Santos Acosta informs his Excellency, the President of the American Union, that he this day takes charge of the presidency of the republic in the character of second delegate, elected by congress to exercise the executive power of the union, making the customary promise to that effect before the supreme federal court.

For this reason the undersigned is pleased to present to the honorable Secretary of State of the United States of America the assurances of his very distinguished consideration.

CARLOS MARTIN.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

The President of the United States of Colombia to the President of the United States of America, &c., &c., &c.

SIR: I have the honor to inform your Excellency that I have this day taken possession of the presidential chair of the United States of Colombia in my character as second delegate, elected by congress to exercise the executive national power in default of the President, and on account of the absence of the first delegate, Citizen Santos Gutierrez. For that purpose I have made the constitutional promise before the supreme court of the republic.

In communicating this fact to your Excellency it is my pleasant duty to say that one of the chief aims of the government of the union will be to maintain the good relations that already exist between the government and people of Colombia and the country whose destinies you so happily direct.

To increase these ties, and make them firmer through courtesy and justice, will be a fraternal duty in progress, which the government of the United States of Colombia will ever keep in view.

Your Excellency will please accept the sentiments of the high and distinguished consideration with which he has the honor to be your good friend.

SANTOS ACOSTA.

Done in Bogota, on the 23d day of May, 1867.

CARLOS MARTIN,
Secretary of the Interior and Foreign Relations.

