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MEXICO No. 5.

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GENERAL GONZALEZ ORTEGA

AND HIS NINE ENDORSERS

VERSUS

THE MEXICAN REPUBLIC

AND THE

CONSTITUTIONAL PRESIDENT

OF ITS UNANIMOUS CHOICE.

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WITH AN APPENDIX

CONTAINING ACCOMPANYING DOCUMENTS.

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WASHINGTON:  
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1866.



MEXICO. No. 5.

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A pamphlet in English, intended for circulation in the United States and prominently put forward within a few days, has been issued by a Mexican General, Jesus Gonzales Ortega, a pretender to the Presidency of Mexico.

In Mexico, where, if any where, such an appeal is in place, scarcely a word, in reply to it, would be needed; for public opinion there, with a unanimity far greater even than that which re-elected Abraham Lincoln President of the United States, has already decided the question beyond recall.

Negative proof of this, of itself conclusive, is afforded by the pamphlet itself.

It contains, as appendix, what Ortega, in the title, calls "Letters in ratification of his position." He had seven months to collect these. They are spread over twenty-six pages.

WHO ARE ORTEGA'S ENDORSERS?

How many of these letters are from Mexican officials? Not one. How many are written from Mexico at all? Not

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one. How many are there in all? Nine; four written from Texas and five from New York. Who are the writers? Two are ex-governors of States; two ex-brigadier generals; one ex-postmaster general; one ex-colonel; every one of them disaffected *ex-officials*, absent from their native country in her hour of danger and suffering. Three more make the list of Ortega's endorsers; one an ex-editor and two others whom nobody knows.

Nine malcontent refugees! He omitted, on his muster roll, one additional supporter, whose name should have been the tenth; Manuel Ruiz, formerly Acting Minister of Justice, who, in November last, declared for Ortega and in December went over to the French. (*House Ex. Doc., No. 73, 1866, part 2, p. 40.*)

#### THE VOICE OF THE MEXICAN NATION.

How, meanwhile, during these seven months, has the announcement of Juarez' extension of term, necessitated by French intervention, been received? Jubilantly; by acclamation. The details would fill a volume. The Governor of the State of Vera Cruz, Alejandro Garcia, second in command of the Eastern Division of the Mexican Republic, in sending on (as early as February last) manifestoes from seventeen towns within his state, says: The letters already received on this subject are too voluminous to be sent." (*House Ex. Doc., 1866, part 2, page 52.*) The manifestoes referred to (pp. 54 to 63) exhibit in brief and simple phrase, the enthusiasm of the people.

There has been throughout the entire nation, whether as regards officials or municipal bodies or public men, no exception. *Not a Governor of a State, not a town or a 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 printed communication, express'd disapprobation of the extension of Juarez' term of office, or given in his adhesion to General Ortega.* We might search in vain, throughout modern history, for a parallel example of national unanimity.

## PROOFS.

So far as proof of these statements can be supplied without swelling this pamphlet beyond reasonable limits, it will be found in an Appendix. Letters are there given from every governor, now acting as such, within the Republic of Mexico, from distinguished officers now in the field and from public men; all approving the action of Juarez in prolonging his Presidency during the war. Several of the towns went farther than this, adding an expression of their earnest desire that Juarez should be elected President for a second term, after the present war is over.

## MEXICAN SENTIMENT IN CALIFORNIA.

But it is not to the country over which Juarez' jurisdiction extends, that the confidence reposed in him by his countrymen is restricted. California attracts Mexicans in large numbers, and from that country also comes to us, through loyal associations and otherwise, a concurrent meed of approbation. In the Congressional Document already quoted (pp. 43 to 48) examples will be found. The Patriotic Mexican Clubs of San Francisco, of Sacramento, of Virginia city, and others, by addresses numerously signed, testify, in the strongest terms, their approval of Juarez' course. Is there among these hundreds, one voice for Ortega? No. Of his corporal's guard of nine, not one hails from the shores of the Pacific.

Here these remarks might terminate; for the question is a domestic one, as to which Mexicans are the sole arbiters. But it may interest some readers, briefly to inquire whether the popular verdict is as just as it has been unanimous.

## CONSTITUTIONAL ARGUMENT.

The articles of the Mexican Constitution upon which Ortega's pretensions are based, will be found in House Executive Document, 1862, No. 100, at page 148, as follows:

ART. 79. In temporary default of a President of the Republic, and in the vacancy before the installation of the newly elected, the President of the Supreme Court of Justice shall enter upon the exercise of the functions of President.

ART. 80. If the default of President be absolute, a new election shall be proceeded with, according to the provisions of Article 76, and the one so elected shall exercise his functions, until the last day of November of the fourth year following his election.

ART. 82 If, from whatever reason, the election of President shall not have been made and published by the first of December, upon which the change is to take place, or if the newly elected is not able to enter promptly upon the exercise of his functions, the term of the preceding President shall nevertheless cease, and the Supreme Executive power shall be deposited *ad interim*, in the President of the Supreme Court of Justice.

This is from the translation of the Mexican Constitution, officially communicated to the State Department. The concluding phrase of Article 82, which contains the gist of the matter, reads, in the original, as follows:

“El supremo poder ejecutivo se depositará interinamente en el Presidente de la Suprema Corte de Justicia.”

The literal translation of the word *interinamente* is, *provisionally, temporarily*. And the provision is, that the Supreme Executive power shall be deposited (or, as we express it, shall vest) *provisionally* in the President of the Supreme Court.

Originally, Mexico had, like the United States, a Senate and a Lower House, the Vice President, as with us, being President of the Senate. When a change was made limiting the Congress to a single Chamber, the Chief Justice was selected as Vice President, to fill any vacancy caused by death or other default of the President.

The whole context of the Articles quoted, shows, that the arrangement which placed the Chief Justice in the Presidential chair, was to be strictly a temporary one. “In *temporary* default of a President,” (Art. 79,) the President of the Supreme Court is to take his place.

Against his *permanent* occupation of the seat a jealous guard is set. In case of the President's death, the Chief Justice is not allowed, as under our Constitution the Vice President is, to serve during the rest of the Presidential term. “If the default of President be absolute” (Art. 80) *a new election shall be held*. The policy is plain. Its spirit



cannot be misunderstood. *No one but the man actually voted for as President is, under any circumstances, permanently to occupy the Presidential Chair.*

There was jealousy on another point. An ambitious President, hoping perhaps to hold office in perpetuity, might intrigue to prevent or postpone an election for his successor. In order to defeat any such intrigue, it was provided (Art. 82) that, when the term for which a President was elected had expired, the Executive power was to vest in the Chief Justice. The debates in the Convention which adopted the Mexican Constitution, shew that *this was the spirit and intent of the provision.*

Article 82, taken alone and according to its letter, undoubtedly gives the Presidency temporarily to Ortega, as Chief Justice; the words being "if, from whatever reason, the election of President shall not have been made and published by the first of December;" and the election, in point of fact, not having been made and published by that day. 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, intrepred 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 Articles quoted, had the substitute in this case become the principal.

It will be observed that the words are not "if, from whatever cause, no election can be held." The contingency anticipated evidently was that in which an election, though possible, was not held or was not published: a contingency much more likely to happen, through intrigue of an unscrupulous incumbent, in an unsettled Government like the Mexican, than among us. But, in the case we are considering, no man can doubt Juarez' great desire that it had been possible to hold an election; and as little can we doubt that, if it had been possible, he by an overwhelming vote, would have been, a second time, the people's choice.

The contingency of a foreign invasion so formidable in its

proportions as to overrun the country, and render impossible the holding of an election at all, was evidently not in the minds of the framers of the Constitution. Not anticipating it, they did not provide for it. In providing for another case they used words, which, if we accept the letter to the exclusion of the spirit, and construe the word *interinamente* to mean *indefinitely*, may be claimed to justify a proceeding which was clearly neither foreseen nor intended.

But, in addition to this, the Mexican Congress, in view of the military necessities, which, when the French invasion began, they foresaw, granted extraordinary powers, suited to the emergency, to the President. By a law of December 11, 1861, they decreed :

ART. 2. The Executive is hereby fully authorized and empowered to take such steps, and adopt such measures as in his judgment may be necessary under the existing circumstances, without other restrictions than that of saving the independence and integrity of the national territory, the form of government established by the constitution and the principles and laws of reform.

Suppose the term of election of the Governor of a State had expired during the war, with no possibility to elect his successor, is it not certain that Jnarez had the power, under that law, to prolong his term of office? Is it not equally certain that he had the power, if he saw fit to exercise it, to prolong his own? Must he not have been certain that the people, almost unanimously, desired that prolongation? Has it not since been proved, beyond all denial, that they did? And ought he, from motives of false delicacy, and to satisfy a technical scruple, to have thwarted the national will at a moment when every thing—even the salvation of the very Constitution from which we have been quoting—depended upon popular unanimity, and popular confidence in the Executive Head? That would have been to reverse what we are told of the Sabbath, and to say: “Mexicans were made for the Constitution, not the Constitution for Mexicans.”

“The letter killeth, but the spirit giveth life.” Never was there a more complete exemplification of the text than in the present case. Blindly to follow the letter of the law, under

circumstances in which it was clearly never meant to apply, and thus to violate its spirit, would have been to prefer technicality to vitality, and, in all human probability, to have sacrificed the life of the nation thereby.

Is it strange that the Mexican people, listening to common sense, preferred the substance to the shadow and ratified Juarez' decision?

#### ORTEGA RESIDES IN NEW YORK.

But the people of Mexico may have had additional cause, of a personal character, for their decision.

On the 28th of December, 1864, General Ortega made an application to the Mexican Government, through the Minister of Foreign Relations. He does not give the text of that application in his pamphlet; but we find it in the Congressional Document already quoted, (No. 73) page 30. He applied for "license to repair to the interior of the Republic, or elsewhere within Mexican coasts, to continue to defend with arms the independence of Mexico." And he added: "As the interior States are occupied by the invaders, I may have to pass some sea or foreign territory to realize my desires, and I hope you will inform the citizen President of this."

Two days afterwards, to wit: under date December 30, 1864, his request was acceded to, leave being granted him to "proceed either directly or by traversing the sea, or through some foreign country, to points of the Mexican Republic not occupied by the enemy, to continue to defend the national independence, &c.;" but not a word about going to a foreign country, there to remain.

Yet the said General Gonzales Ortega, leaving Mexico in February, 1865, and passing, by way of Sante Fe, to New York, instead of proceeding to any part of Mexico, there to fight for her independence, has absented himself even to the present time, throughout these darkest days of his country's history.

Which of the two men were the people of Mexico more likely to desire as their standard bearer?—the patriot who has remained faithfully at his post and endured, even to this hour, the burden and heat of the day, or the man who, under cover of a license to proceed through some foreign country to

points of the Mexican Republic, there to defend her independence, went direct to New York, and has since spent his time chiefly in that city, leaving his country to her fate.

But these are trifles. The fact is, indeed, that the Mexican people have no longer any confidence in Ortega; but even if that had been otherwise, the national decision would have been the same; in favor of their long tried leader, Benito Juarez, and of the spirit of their Federal Constitution.

#### ANIMUS AND OBJECT OF ORTEGA'S PAMPHLET.

This appeal, by a Mexican General, to a foreign people, against the unanimous verdict of his own countrymen, is a scheme fraught with unmixed mischief, and not even redeemed, as many unprincipled schemes are, by the poor excuse of possible success in attaining its ostensible object. Mrs. Lavinia Janetta Horton Ryves, a recent claimant for royal rights in the English Law Courts, was as likely to dethrone Queen Victoria, as General Ortega is, to displace President Juarez. No sane man even slightly conversant with the facts, for a moment imagines that he can. That is not the object of Ortega's pamphlet. If it had been, that document would have been published in Spanish and in Mexico, not in English, to circulate among us, who have no voice in the matter. Its object is, injury, by base indirection, to a noble cause. Its object is, to create doubts, throughout this country, in the minds of the uninformed, as to the stability of executive authority in Mexico, for what ulterior purpose we need not enquire.

Suffice it that the whole affair is the flimsiest pretext; an effort, transparent as glass, to get up the idea that there is a contest for the Mexican Presidency. A contest! If there be, it is one in which there is the Mexican nation including all its officials civil and military, duly represented near our Government by its accredited Minister, on the one side;—and, on the other, nine absentees, without present position or influence, led by a Mexican General, brave very likely, and who in former days may have done good service in the field—as Benedict Arnold did, before he turned traitor to his country.

## APPENDIX.

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The following are letters, or extracts from letters, variously addressed, from every Governor of a State in the Republic of Mexico, now acting as such. It will be seen that every one approves Juarez's course.

LETTER FROM GENERAL DIAZ, GOVERNOR AND MILITARY COMMANDANT OF THE STATE OF OAXACA AND COMMANDER OF THE EASTERN DIVISION, TO THE MEXICAN MINISTER.

(*Extract.*)

TLALPA, *May 9, 1866.*

SEÑOR DON MATIAS ROMERO,

*Washington:*

\* \* \* I have caused the publication here of the late Decrees of the Government.

The first, with reference to the extension of the Constitutional period of the President, has been received with great satisfaction. It is unnecessary for me to speak of my own views, for they are always manifested in my conduct, which consists in entire obedience, or in entire withdrawal from official position, when my convictions do not permit my concurrence in the policy pursued.

In the present case the step taken by the President is, in my judgment, not only opportune, but the only course that is consistent with the salvation of our cause.

The decree which orders the submission to trial of General Ortega and other officers similarly liable, is, in my judgment, well founded in the ordinances and practice of war.

My opinion with reference to the strict maintenance of the ordinances, is well known; they should always be rigorously applied.

I believe, therefore, that the Government has only done what was its duty in this matter.

I remain your attentive friend and servant,

PORFIRIO DIAZ.

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LETTER FROM GENERAL GARCIA, GOVERNOR OF VERA CRUZ AND SECOND IN COMMAND OF THE EASTERN DIVISION, TO PRESIDENT JUAREZ.

TLACOTALPAM, *February 26, 1866.*

VERY DEAR SIR AND MUCH RESPECTED FRIEND: \* \* \*

I informed you, in my letter of the 14th instant, that on the 1st,

before I received your official decree, and other documents prolonging your term, I had sent out a circular to all the authorities within the lines, to ascertain the will of the people.

I have received assurances from every quarter acknowledging your right to continue in the Presidency of the republic, till another constitutional election can be held.

I am now receiving the manifestoes and am publishing them in the official bulletin, of which I send you copies. I also send some to Mr. Romero, for any good use he may make of them in the United States, and I will continue to do so by every opportunity. When complete, I will despatch them to the department of government, for due consideration.

I repeat to you what I said in my last, that is, though I cannot send you the acts now, you may rest assured that all the eastern line will vote in the same way.

Nothing new has occurred since my letter of the 14th.

I think General Díaz is in Tlajaco, though I am not sure of it, for, in spite of all my efforts, I have not been able to communicate with him.

In the hope that you will continue to favor me with your welcome letters, I remain your friend and servant,

ALEJANDRO GARCIA.

SEÑOR DON BENITO JUAREZ,

*President of the Mexican Republic.*

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The next letter is from the victor in the late encounter on the Rio Grande, in which a rich train, worth from one to two millions of dollars was captured.

LETTER FROM GENERAL ESCOBEDO, GOVERNOR OF THE STATE OF NEW LEON AND COMMANDER IN-CHIEF OF THE FORCES ON THE RIO GRANDE, TO THE MEXICAN MINISTER.

(*Extract.*)

RIO BLANCO, *April 26, 1866.*

SEÑOR DON MATIAS ROMERO, etc., etc.,

*Washington, D. C.:*

\* \* \* \* \* We are all here perfectly united and decided upon the Presidential question, and the recent decrees have been received without question whatever, all being disposed to

continue obeying and respecting the Government of President Juarez.

The same is the case in the interior, and the disposition is particularly manifested by all the liberal papers which, with so much valor and constancy have continued defending the national cause, even in many cases in places occupied by the forces of the so-called empire. All of our news from the interior is satisfactory. On all sides the public spirit is rising, and the adhesions to the farcical Empire changing to the reverse.

What we require is arms, and particularly sabres for our cavalry. It is impossible that our soldiers, armed only with an old musket, or a rifle, can compete with the French cavalry, or the Austrian, or even the traitors, who are all well mounted, armed and equipped. Nevertheless, we do not avoid the combat, and many times have measured arms with them with good success.

I am your attentive and obedient servant,

MARIANO ESCOBEDO.

FROM THE GOVERNOR AND MILITARY COMMANDANT OF THE STATE OF  
COAHUILA.

OFFICE OF THE GOVERNOR AND MILITARY COMMANDANT OF  
THE STATE OF COAHUILA DE ZARAGOZA.

As this government and command has received the supreme decree of the 8th of November last, prolonging the functions of the citizen President of the republic for the specified time, during the present state of the war, and those of the powers of the person who may be president of the court of justice, for the time necessary to the object of its prolongation, and sees that it is in conformity with the spirit of the constitution, and to the interests of the republic, agreeable to the national will, and particularly to this State, it therefore decrees that it be fulfilled, and for that purpose has published it this day to the authorities and forces under its command, and will endeavor to give it the greatest publicity in the State.

I have the honor to communicate this to you, for your information and that of the chief magistrate of the nation.

Independence and liberty! Rosas, December 8, 1865.

A. S. VIESCA.

EDUARDO MUZQUIZ, *Acting Secretary.*

The Citizen MINISTER of *Relations and Government, Chihuahua.*

FROM THE GOVERNOR AND MILITARY COMMANDER OF THE STATE OF  
SINALOA.

GOVERNMENT AND MILITARY DEPARTMENT OF THE  
STATE OF SINALOA.

I have the honor to acknowledge the receipt from your Department of the circulars of the 28th of October and 8th of November, and of the two decrees issued on that last date.

These supreme resolutions shall be rigidly enforced by this State under my command, since in it is involved nothing less than the firm establishment of the supreme authority of the nation; and likewise, as is well understood, the responsibility incurred by those soldiers of the Republic who have abandoned the cause in its hour of need, and gone abroad to foreign lands.

Orders have been issued to circulate these welcome resolutions through all the Districts, and to have them promulgated in general orders to the United Brigades of Sinaloa and Jalisco. I communicate these measures to you, in order that through your means they may come to the knowledge of the Supreme Magistrate of the Nation.

Independence and Liberty! Concordia, December 24, 1866.

DOMINGO RUBI.

F. SEPULVEDA, *Secretary.*

To the MINISTER of *Foreign Affairs, Chihuahua.*

FROM THE GOVERNOR AND MILITARY COMMANDER OF THE STATE OF  
SONORA.

I have received with positive satisfaction, the two decrees issued by the President under date of the 8th of November last, and the circular from your Department with which you were pleased to accompany them, the first of them relative to the prolongation of the term of the Supreme Magistrate of the Nation, as long as the condition of the foreign war in which we are involved, does not permit a new constitutional election to be had, and the second relative to the prolongation of the term of the Supreme Magistrate of the Nation, and the mode of supplying his place, if in the meantime he should happen to fail.

The anomalous circumstances in which the Republic unfortunately finds itself, the deficiency or silence of the general Constitution, on a point of such vital interest to the nation, the spirit of Articles 78, 79 80 and 82 of the same fundamental Code, and finally, the collection



of powers bestowed on the Executive by the Legislative Body of the Mexican Union, under date of the 11th of December, 1861, afford superabundant ground and justification for the first of the above mentioned supreme resolutions, in which the enemies of our country can never see anything else than the unflinching zeal of the President for the maintenance of legitimate authority, the most mature examination in his measures, and above all, his singular abnegation in facing a situation so stormy as the present one, without any other recompense than the satisfaction always caused by the fulfilment of duty, however onerous it may be.

Independence and Liberty! Camp in La Noria, Feb. 1, 1866.

J. GARCIA MORALES.

D. ELIAS, *Acting Secretary.*

To the MINISTER of *Foreign Relations and Government, Pasa del Norte.*

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LETTER FROM MAJOR-GENERAL J. M. J. CARVAJAL, GOVERNOR OF THE  
STATE OF TAMAULIPAS.

SANTA ROSALIA, *June 15, 1866.*

SEÑOR DON MATIAS ROMERO,

*Washington:*

MY DEAR SIR: I have now reached the territory of Tamaulipas, and find the people here full of good feeling and resolved not only to continue their sacrifices in defence of the national cause, but convinced of the necessity of an absolute obedience to the legitimate authorities and determined to frown down all such ambitious plans as those of Ortega which only serve to divide us and to aid the partisans of the intervention.

I therefore find that all are willing to obey me as Governor and Military Commandant of this State by virtue of the appointment of President Juarez, who is recognized as the lawful and legitimate President of the Republic without there being in all the State of Tamaulipas—as there scarcely is in all the Republic—a single person who does not approve the decree extending the term of office of the President until a new election can take place.

\* \* \* \* \*

I am very truly your friend and servant,

JOSE M. J. CARVAJAL.

LETTER FROM MAJ. GEN. NICOLAS DE REGULES, GOVERNOR OF THE  
STATE OF MICHOACAN AND COMMANDER-IN-CHIEF OF THE CENTRAL  
ARMY.

URUAPAN, *May 7, 1866.*

TO PRESIDENT DON BENITO JUAREZ,

DEAR SIR: I have received the two Decrees issued by the Department of Foreign Relations and of Government on the 8th of December of last year, the one extending the term of the Presidency of the Republic, which you so worthily occupy, until the circumstances of the country shall permit a new appeal to the popular suffrage; and the other declaring the responsibility which has been incurred by General Ortega, in residing for many months in a foreign country without the authorization for that purpose of the Department of War. Both Decrees have been well received by the forces under my command, and according to the news I am daily receiving, by all the inhabitants of Michoacan who take part in the defence of our country.

All comprehend, what is really the truth, that is to say, that you are the one who for a thousand reasons should continue at the head of the nation during this terrible crisis, during which what is most necessary is, that he who occupies the high position in which you are placed should be able to count, as you can count, upon the entire confidence of the people, and which confidence it is felt cannot be so fully reposed in any other person.

On the other hand it cannot be doubted that the powers are ample under which you have taken these steps, and that they are in no manner opposed to the fundamental law, for the Constitution has no provision for the case when it should be entirely impossible for an election to be held, as now by reason of the foreign invasion.

With reference to General Ortega the declaration as to his responsibility is only too well deserved in having abandoned as he has, in a manner so contrary to his antecedents, the defence of his country at a time when it most required the services of all good patriots and especially of all having any experience in the career of arms.

\* \* \* \* \*

I am your obedient servant,

NICOLAS DE REGULES.

FROM COLONEL DON GREGORIA MENDEZ, GOVERNOR AND MILITARY  
COMMANDER OF THE STATE OF TABASCO, TO PRESIDENT JUAREZ.

SAN JUAN BAUTISTA, *February 2, 1866.*

MOST DISTINGUISHED AND RESPECTED SIR : I have before me your  
two very acceptable favors of the 27th of October and 9th of Nov-  
ember last. \* \* \* \* \*

\* \* \* \* \*

Your determination in regard to General Diaz, who is now fighting  
in Oaxaca, shall be duly respected by me and my subalterns. That  
general is truly worthy of his former position by his effective-  
ness, his valor, his honesty, and his energy, particularly as his disap-  
pearance depended upon causes over which he had no control.

I shall take great pleasure in having the decrees sent me by Mr.  
Romero published to-morrow; they have my entire approval and  
that of the State. No person more worthy, or with greater hopes  
of the nation, could have been trusted with the supreme command,  
than yourself, and at a time when a change might have caused a want  
of confidence, to say the least. The trial of Mr. Ortega is an act that  
gives power to the government from its principle of morality, as it im-  
presses upon our society and its great men the necessity of attending  
to their duties, and teaches them the great impropriety of derelictions  
which they often commit, thinking to be shielded by the elevation of  
their positions.

\* \* \* \* \*

I conclude with an affectionate greeting, wishing you peace and  
prosperity, and subscribing myself your obedient servant, &c., &c.

G. MENDEZ.

The President of the Republic.

DON BENITO JUAREZ, *Chihuahua.*

EXTRACT OF LETTER FROM THE GOVERNOR OF CHIAPAS TO THE MEXI-  
CAN CONSUL IN SAN FRANCISCO.

CONSULATE OF MEXICO,

*San Francisco, April 13, 1866.*

Under date of the 15th of February last, the Governor of the  
State of Chiapas, Don J. Pantaleon Dominguez, writes to me as fol-  
lows :

"Informed of the contents of your favor of the 15th December last, and of the decrees issued by the Supreme Government of the Republic relative to the prorogation of the functions of the President of the Republic, and to the responsibility incurred by the citizen General Jesus G. Ortega. I have to-day ordered the publication and circulation of the said Decrees in the State under my command, and that they shall be brought to the knowledge of the Governors of the States of Tobasco and Vera Cruz, to whom also I have transcribed your said letter and sent a copy of the letter that you addressed to the first magistrate of the nation."

I have the honor to transcribe the same to you, that you may be pleased to bring the same to the knowledge of the Chief Magistrate of the Republic.

I renew to you the assurances of my esteem and consideration.

JOSE A. GODOY.

To the Citizen SEBASTIAN LERDO DE TEJADA,  
*Minister of Foreign Relations and of Government,*  
*Paso del Norte.*

LETTER FROM GENERAL DIEGO ALVAREZ, GOVERNOR OF THE STATE  
 OF GUERRERO.

LA PROVIDENCIA, *January 21, 1866.*

To President Don BENITO JUAREZ :

\* \* \* \* I have been well pleased to see the two decrees issued by the Department of Foreign Relations and of Government on the 8th of November last, the one extending the term of the Presidency which you worthily occupy until it shall be possible to again consult the national will by means of an election, and the other determining that General Gonzalez Ortega shall be submitted to trial.

Both measures are well justified by the reasons upon which they are based and which are fully explained in the circular of Mr. Lerdo which accompanies them. So far I do not believe there has been a single good Mexican in this State who has expressed any other opinion than in favor of these decrees, which the critical circumstances of the Republic have imperiously required.

\* \* \* \*

DIEGO ALVAREZ.

LETTER FROM THE POLITICAL CHIEF OF THE TERRITORY OF LOWER CALIFORNIA TO THE MEXICAN CONSUL IN SAN FRANCISCO.

MEXICAN CONSULATE, SAN FRANCISCO,  
SAN FRANCISCO, *January 24, 1866.*

Citizen Antonio Pedrin, political chief of the Territory of Lower California, writes to me from San Jose, under date of the 16th of the present month, as follows :

“With your acceptable communication dated the 27th of September last, I have received the copies of the official journal which you had the goodness to enclose to me, and in which were published the decrees issued by the President of the Republic through the medium of the Department of Foreign Affairs and Government, the one relative to the prolongation of the term of the President, and the other to the responsibilities of General Jesus G. Ortega.

“In acknowledging this communication, I confess with pleasure that in my opinion the President could not have adopted any measure more acceptable, because though it may affect certain partialities interested in a change of administration, yet there is nothing more certain, than that no one of our public men could fill the immense void that would be left by the absence from power of the father of the Mexican Republic. In him we know that we ever find united, faith, integrity, and constancy, fully supported by the national sentiment; without him, God alone knows what would become of Mexico under present circumstances.”

And I have the honor to transmit this to you, in order that you may be pleased to communicate it to the President for his information.

I renew to you the assurance of my distinguished consideration and esteem.

JOSE A. GODOY.

TO SEBASTIAN LERDO DE TEJADA, *Minister of Foreign Affairs and Government, Paso del Norte.*

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The following are from distinguished military officers. General Corona was victor in a late battle fought near Mazatlan.

LETTER FROM MAJOR GENERAL RAMON CORONA, COMMANDING IN SINALOA AND JALISCA.

HEADQUARTERS OF THE REPUBLICAN ARMY,  
UNITED BRIGADES OF SINALOA AND JALISCO.

The circulars and supreme decrees issued from your Département on

on the 28th of October and the 8th of November, have been received by me.

The common sense of the nation will see in these resolutions the confirmation of the supreme authority of the nation, and the assurance that the faithful defenders of the national independence are not confounded with those who, though bearing the name of the soldiers of the republic, abandon its banner in the hour of trial, and go abroad into foreign lands.

These supreme resolutions will be made known in general orders to the regiments composing the United Brigades of Sinaloa and Jalisco.

I communicate this information to you, in order that by your means it may be brought to the knowledge of the supreme magistrate of the nation.

Independence and liberty! Concordia, December 24, 1865.

RAMÓN CORONA.

To the MINISTER of *Foreign Affairs and Government, Chihuahua.*

LETTER FROM MAJ. GEN. JUAN ALVAREZ, COMMANDER-IN-CHIEF OF  
THE SOUTHERN MILITARY DIVISION.

LA PROVIDENCIA, *January 20, 1866.*

TO PRESIDENT DON BENITO JUAREZ.

DEAR SIR AND FRIEND: \* \* \* \*

The two decrees issued by you on the 8th of November last, appear to me to be both just and necessary. The extension of your presidential term until the circumstances of the country, now invaded by a foreign enemy, shall permit a new election, is the only solution of the difficulties that are presented, and it is a measure which is, without doubt, within the ample faculties which have been given to you by the national representatives, nor can it be said that it is opposed to the Constitution, which contemplates at least the possibility of an election.

On the other hand if you had delivered the place to the Vice President, the latter without any legal instalment, so long as an election cannot take place, as it cannot for a long time, would have to continue indefinitely occupying the Presidency, when the spirit of the Constitution is that he shall only take charge of that office temporarily and in a provisional manner. These reasons, which are well explained in the Circular of Mr. Lerdo, and the well merited confidence which you enjoy have caused this decree, which I have myself long desired to see issued, to be very well received in this State.

With reference to the responsibility incurred by Senor Gonzalez Ortega, I have nothing to add to the reasons set forth by the Government in declaring the same. In my judgment they are conclusive, and however much I may lament the errors of a Mexican who has heretofore done good service for his country, the decree appears to me to be just.

\* \* \* \* \*

JUAN ALVAREZ.

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Many letters, from General Ortega's former friends, were addressed to him condemning his course and vindicating that of President Juarez. Of course General Ortega suppressed them. We select two as specimens, both from members of the last Mexican Congress. Senor Zarco was also, in 1861, Mexican Minister of Foreign Affairs.

FROM SENOR ZARCO TO SENOR ORTEGA.

(*Extracts.*)

NEW YORK, FEBRUARY 24, 1866.

TO SENOR D. JESUS GONZALEZ ORTEGA :

MY VERY ESTEEMED FRIEND: I have received to-day a communication from you, dated at San Antonio, Texas, the 3d of the present month, in which you ask me what course I have adopted in reference to the destruction of the legal order of things, and what I have done to manifest my approval or disapprobation, as the case may be, of the decrees of the 8th of November last, in which Senor Juarez declared that he would continue in the office of President of the Mexican Republic. You base your interrogatory on the right which the nation has at all times to know what the course is of its public men, and on the obligation which you think you have to collect the proper information.

As you directed your interrogatory to me, in the belief that I was a Deputy to the General Congress, I might limit my answer to informing you that I hold no such position, nor in fact any other public position whatever, since the term expired in 1864, for which I was elected representative by the districts of various States. I am, therefore no more than a Mexican who, having held the position with which the people honored me, has preferred to emigrate to a foreign country rather than to submit to the French intervention; which resolution I took when my public character ceased, and after persuading myself that I had no opportunity to serve the national cause in any manner

But in courtesy to you, in consideration of our old relations of friendship, and because I never made any mystery of my opinions, I believe it to be my duty to express my ideas more at length in this letter, which is no more than that of a simple citizen.

Even though I had a public character and I were performing its functions in our country, I could not recognize in you or in any man, no matter how high might be his authority, the right to make me the interrogatory which you have addressed to me; because if public men should give an account to the nation of their actions, there is a legal method established for the purpose from which no one should depart.

\* \* \* \* \*

As to approving or disapproving here of the acts of the government of Mexico, the representative of our nationality, I should deem myself to be wanting in my duty if I raised controversies that only served to give strength to the foreign usurpers. My only desire is the independence of our country; and in presence of this sacred object, all else appears to me pitiful and contemptible. Here I should only be employed in crying out, as long as ever I could, that the intervention and monarchy are the most atrocious injustice, and the most scandalous iniquity; and that the people of Mexico, oppressed, conquered, unfortunate, never recognises a foreign yoke, but struggles to break it and restore its republican institutions. Such I believe to be the duty of Mexicans externally without thinking of domestic dissensions.

The decree by which Senor Juarez prolongs his presidential term, appears to me to be in conformity with the faculties conferred upon him by the Congress in order to meet the circumstances of the occasion, since the issuing of such a decree is not enumerated in the restrictions imposed upon him. He can do everything, except what these restrictions prohibit; so I understand the spirit which actuated the Congress, and with this understanding at least, I proceeded to draw up the resolutions which have become law and to support them in debate, as a member of the committee on relations.

As a simple citizen, therefore, I recognize Senor Juarez, as the legitimate President of the Mexican Republic, and I desire the greatest possible prestige and support for his government, whose existence, in the opinions of the world, is identified with our nationality.

\* \* \* \* \*

I contemplate the affairs of our country with serenity, without despairing of its future. I have no other aspiration than to see Mexico free and independent. My opinion is the more impartial, as having nothing either to fear or hope from yourself or from Senor Juarez. I



entertain the conviction that, as soon as our independence is once established, we who have been public men should yield our places to newer and more vigorous men, inasmuch as civil strifes rapidly waste and superannuate those who take part in them.

I am, as ever, your affectionate friend and servant,

FRANCISCO ZARCO.

FROM SENOR ROBERT TO SENOR GOZALEZ ORTEGA.

TO SENOR D. JESUS GONZALEZ ORTEGA, PRESENT.

NEW YORK, *February 27, 1866.*

DEAR SIR: With the documents accompanying it, I have received a circular from you dated at San Antonio de Bejar, Texas, the 3d of the present month, in which you ask me what course I have pursued as a deputy in reference to the decree of the 8th of November last, issued at El Paso by the constitutional government, prolonging the presidential term of Senor Juarez, until the circumstances of the war permit a suitable election to be held. Believing that the constitutional government has acted within the scope of the powers which conformably to the constitution the last Congress conferred upon it, and to which Congress I had the honor to belong, it does not seem to me therefore that the aforesaid action should be called in question, which, under present circumstances, as you yourself have indicated in your manifesto, would be unpatriotic.

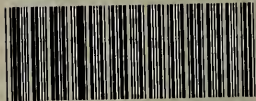
I have made the foregoing declaration to you, not because I thought you had any right to inquire as to my conduct, but because my opinions, which are founded on the law, are public, and my consideration for yourself induces me to comply with your request.

I remain, &c., &c.

CIPRIANO ROBERT.

Similar documents might be multiplied indefinitely; but no addition is needed to what is already superabundant proof.

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