
SLAVERY OR PEONAGE IN MEXICO.

M E S S A G E

FROM THE

PRESIDENT OF THE UNITED STATES,

IN ANSWER TO

A resolution of the House of 11th instant concerning the re-establishment of slavery or peonage in the republic of Mexico.

DECEMBER 20, 1865.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the House of Representatives :

In answer to the resolution of the House of Representatives of the 11th instant, requesting information relative to a so-called decree concerning the re-establishment of slavery or peonage in the republic of Mexico, I transmit a report from the Secretary of State, and the documents by which it was accompanied.

ANDREW JOHNSON

WASHINGTON, *December 14, 1865.*

DEPARTMENT OF STATE,
Washington, December 14, 1865.

The Secretary of State, to whom was referred the resolution of the House of Representatives of the 11th instant, requesting the President, "if not incompatible with the public service, to communicate to that House any information in possession of any of the executive departments of the government in reference to a so-called decree by Maximilian, the French agent in Mexico, under date of September 5, A. D. 1865, re-establishing slavery or peonage in that republic," and to inform that House "what action, if any, has been taken by the government of the United States in reference thereto," has the honor to lay be-

fore the President the correspondence supposed to be indicated in the said resolution, which correspondence presents all the information upon the subject in the possession of this department.

Respectfully submitted.

WILLIAM H. SEWARD.

The PRESIDENT.

List of accompanying papers.

Mr. Corwin to Mr. Seward, September 10, 1865.

Mr. Otterbourg to Mr. Seward, September 29, 1865, with three accompaniments, namely : decree on immigration of September 5, 1865 ; regulations for the same, of same date, and decree respecting rural estates in the district of Cordoba.

Mr. Seward to Mr. Speed, October 2, 1865, asking opinion on the above decrees.

Mr. Speed to Mr. Seward, October 21, 1865—opinion on decrees.

Mr. Romero to Mr. Seward, October 5, 1865, with three accompaniments, namely : decree of immigration of September 5, 1865, and regulations for the same ; also speech of the so-called Emperor of the 16th of August, 1865.

Mr. Seward to Mr. Bigelow, November 2, 1865.

Mr. Bigelow to Mr. Seward, November 24, 1865, with one accompaniment, namely : Mr. Bigelow to Mr. Drouyn de l'Huys, November 22, 1865.

Mr. Seward to Mr. Bigelow, December 14, 1865.

Mr. Seward to Mr. Romero, December 10, 1865.

Mr. Corwin to Mr. Seward.

[Extract.]

No. 13.]

LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, September 10, 1865.

* * * * *

The official paper published in this city, last evening, contained several important decrees issued by Maximilian on the fifth of the month, as it now appears. Among others is one with regard to colonization. As will be seen by a reference to the paper—a copy of which is sent enclosed herewith—this decree has been drawn up solely (though not ostensibly) with the view of inducing our southern planters to emigrate, with their slaves, to Mexico. Although the first article of the “reglamento” which accompanies the decree declares that “in conformity to the laws of the empire, all men of color are free by the simple fact of treading the Mexican soil,” yet the remaining articles show clearly that the blacks who may come here under the contracts mentioned in the “reglamento,” will be reduced to a state of peonage, which, in its practical workings, is but slavery disguised. The article third obliges the “patron” to maintain the children of his workmen. If the laborer dies the patron becomes the guardian of his children, who, until they attain their majority, are to remain in the service of the patron, under the same conditions as those agreed to by the father. In Mexico this majority is not reached until the man is twenty-five years old. If, in addition to this, it is considered how easy it is to bring the laborer into debt to the patron, and that, according to the system of peonage, the peon must remain with the master until he has paid the debt, and if it is considered also, that but very small wages will be paid—as the patron is obliged to agree in the original contract (which is to be for a term of not less than five nor more than ten

years) to feed, clothe, and lodge the workmen, and to provide for them in cases of sickness—it will be seen at once, that in many, if not the majority of cases, the contract will be in reality a contract for life.

Thus Maximilian is proposing to inaugurate here a system which may, hereafter, give Mexico as much trouble as slavery has caused to the United States. Two considerations have led me to write on this subject. The first is, that only the best and most industrious negroes will come here with their old masters. The idle and the vicious will remain in our country. If I am correct in this supposition, the question is of some importance to our government. In the second place, I have thought you might deem it advisable to have the true nature of these contracts made clearly known to the black population of the south.

It is said that M. F. Maury, formerly in charge of the Washington Observatory, will be appointed imperial commissioner of immigration.

* * * * *

I am, sir, your obedient servant,

WM. H. CORWIN.

Hon. WILLIAM H. SEWARD,

Secretary of State of the United States.

Mr. Otterbourg to Mr. Seward.

No. 18]

UNITED STATES CONSULATE,
Mexico, September 29, 1865.

SIR: I have the honor to inform the department that, in conformity with instructions received from our chargé d'affaires residing here, this consulate has been directed to issue passports when required.

Enclosed I have the honor to transmit the translations (No. 1) to which I referred in despatch No. 17.

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

MARCUS OTTERBOURG,

United States Consul.

Hon. WILLIAM H. SEWARD,

Secretary of State of the United States of America, Washington.

—
DECREE.—No. 1.

We, Maximilian, Emperor of Mexico, in consideration of the sparseness of the population in the Mexican territory, in proportion to its extent; desiring to give to immigrants all possible security for property and liberty, in order that they may become good Mexicans, sincerely attached to their new country, and having heard the opinion of our board of colonization, do decree as follows:

ARTICLE 1. Mexico is open to immigration from all nations.

ART. 2. Immigration agents shall be appointed, who will be paid by the government, and whose duty it shall be to protect the arrival of immigrants, and instal them on the lands assigned them, and assist them in every possible manner in establishing themselves. These agents will receive the orders of an imperial commission of immigration, specially appointed by us, and to whom, through our minister of improvement, (Fomento,) all communications relating to immigration shall be addressed.

ART. 3. Each immigrant shall receive a duly executed title incommutable of landed estate, and a certificate that it is free of mortgages.

ART. 4. Such property shall be free from taxes for the first year, and also from duties on transfers of property, but only on the first sale.

ART. 5. The immigrants may be naturalized as soon as they shall have established themselves as settlers.

ART. 6. Immigrants who may desire to bring laborers with them, or induce them to come in considerable numbers, of any race whatever, are authorized to do so; but those laborers will be subject to special protective regulations.

ART. 7. The effects of immigrants, their working and brood animals, seeds, agricultural implements, machines, and working tools, will enter free of custom-house and transit duties.

ART. 8. Immigrants are exempted from military service for five years, but they will form a stationary militia, for the purpose of protecting their property and neighborhoods.

ART. 9. Liberty in the exercise of their respective forms of religious worship is secured to immigrants by the organic law of the empire.

ART. 10. Each of our ministers is charged with carrying out such parts of this decree as relates to his department.

Given at Chapultepec on the 5th day of September, 1865.

MAXIMILIAN.

By the Emperor :

The Minister of Improvement, FOMENTO.

MANUEL OROZCO Y BERRA.

Sub-Secretary, in the absence of the Minister of Improvement.

REGULATIONS.

Under article 6th of the foregoing decree we ordain as follows :

1. Under the laws of the empire all persons of color are free by the mere act of their touching Mexican territory.

2. They shall make contracts with the employer who has engaged or may engage them, by which such employer shall bind himself to feed, clothe, and lodge them, and give them medical attendance; and also pay them a sum of money according to whatever agreements they may enter into with them. Moreover, he shall deposit in the savings bank herein mentioned, for the benefit of the laborer, a sum equivalent to one-fourth of his wages. The laborer shall, on his part, obligate himself to his employer to perform the labor for which he is employed for a term of not less than five nor more than ten years.

3. The employer shall bind himself to support the children of his laborers. In the event of the father's death, the employer will be regarded as the guardian of the children, and they will remain in his service until they become of age, on the same terms as those agreed on by their father.

4. Each laborer shall receive a book certified by the local authority, in which book his description, the statement of his place of labor, and a certificate of his life and habits will be entered. In case of a change of employer, the consent of the former employer shall be entered in this book.

5. In case of the death of the employer, his heirs, or whoever may acquire his estate, shall be bound to the laborer in the same manner in which such employer was, and the laborer on his part shall be bound towards such new proprietor on the same terms as in his former contract.

6. In case of desertion, the laborer, when arrested, shall be placed without pay on public works, until his employer presents himself to claim him.

7. In case of any injustice of the employer towards the laborers, he shall be brought before a magistrate.

8. Special police commissioners will watch over the execution of these regulations, and officially prosecute all violators thereof.

9. A savings bank will be established by the government for the following objects:

10. The employers shall deposit in said bank every month, for the benefit of the laborers, a sum equivalent to one-fourth of the wages which each is entitled to under his contract of employment.

11. The laborers can deposit in addition, in the savings bank, in money, such sums as they may desire.

12. These deposits shall bear interest at the rate of five per cent. per annum.

13. At the end of his engagement, and on presentation of his book, the laborer shall receive the entire amount of his savings.

14. If at the end of his engagement the laborer wishes to leave his money in the savings bank, he can then receive the interest accrued; or if he wishes to leave this also, it will be added to his capital, and also draw interest.

15. In case a laborer should die intestate, or without heirs, his property shall pass to the treasury of the government.

Given at Chapultepec on the 5th day of September, 1865.

MAXIMILIAN.

By the Emperor:

The Minister of Improvement, FOMENTO.

MANUEL OROZCO Y BERRA,

Sub-Secretary in the absence of the Minister of Improvement.

MAXIMILIAN, EMPEROR OF MEXICO.

Considering that there exist in the district of Cordoba, department of Vera Cruz, various rural estates, which, in consequence of insolvency proceedings and other legal questions raised about the ownership of them, have been neglected in their principal parts, thereby depriving agriculture and the population of the fruits which they ought to produce;

Considering that said estates secure large sums of money by mortgage in favor of the clergy, which now belong to the public treasury by virtue of the laws of "desamortization;" and that, in consequence of the abandonment in which these estates have been left, their actual value does not, in any manner, suffice to cover these claims;

Considering that, notwithstanding the number of years that the said questions have been at issue, it has not been possible to terminate them, because the interest of the debtors is opposed to the clearing of the rights of their creditors, thereby doing much injury to the public treasury;

We decree:

ARTICLE 1. The rural estates designated as follows, and which are situated in the district of Cordoba, shall be taken possession of on the ground of public utility: Haciendas del Rosario, de San Antonio, de Ojo de Agua Grande, de Ojo de Agua Chico, de Santa Ana, de la Concepcion Palmillas, de San Francisco, de Toluquilla, rancho del Buen Retiro, hacienda de Guadalupe a la Punta, de Cacahuatal, and de San José del Corral and Venta Pasada.

ART. 2. Our minister of improvements (Fomento) will order these estates to be appraised, in order that the interested parties shall receive the indemnity to which they may be entitled by the laws, as soon as it will be made clear, by legal process, what is due the public treasury upon the said estates for the mortgages of the clergy, and who are the legitimate proprietors of them.

ART. 3. The same minister will appropriate the said estates to colonization, dividing them into small lots, and taking care to secure their value, in order to pay it over, as part of the indemnity due for them, to those who may be enti-

tled to it, when the investigations mentioned in the preceding article will have been made.

Given at Chapultepec on the 5th September, 1865.

MAXIMILIAN.

By the Emperor :

The Minister of Improvements : In his absence the sub-secretary.

MANUEL OROZCO Y BERRA.

Mr. Seward to Mr. Speed.

DEPARTMENT OF STATE,

Washington, October 2, 1865.

SIR : I have the honor to enclose herewith an extract from despatch No. 13, of September 10, 1865, received from William H. Corwin, esq., the chargé d'affaires of the United States in Mexico, and also translations of the decrees recently issued by the party exercising authority in the city of Mexico in relation to the immigration and colonization in that country, referred to in that despatch.

I submit these papers with the view of ascertaining whether, under said decrees, peonage or any other form of slavery can be instituted in Mexico.

I will thank you for an opinion at your earliest convenience.

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

WILLIAM H. SEWARD.

Hon. JAMES SPEED,

Attorney General of the United States.

Mr. Speed to Mr. Seward.

ATTORNEY GENERAL'S OFFICE,

October 21, 1865.

SIR : I have the honor to acknowledge the receipt of your letter of the 2d day of October, together with an extract from despatch No. 13, of William H. Corwin, chargé d'affaires of the United States in the city of Mexico, and also translations of decrees recently issued by Maximilian, now exercising the authority of an Emperor in Mexico, in relation to immigration into and colonization in that country.

You ask me whether, under these decrees, peonage or any other form of slavery can be instituted in Mexico.

The decrees, of which you have sent to me copies, are, in substance, as follows :

It is recited that, considering the scant population of Mexican territory, it is desirable to give the fullest guarantees of property and liberty to immigrants ; it is then decreed—

1. That Mexico shall be open to emigration from all nations.
2. Agents of emigration are to be appointed, and their power and duties prescribed.

The 3d, 4th, 5th, 7th, 8th, and 9th articles set out and declare what shall be the rights and privileges of emigrants.

The 6th article reads thus : "Immigrants who wish to bring, or cause to come, working-men, in considerable number, of whatever race they may be, are authorized to do so ; but these working-men will be the object of special protective regulation."

The second decree is supplementary, and in it are the special protective regulations for working-men referred to in the 6th article. These regulations read as follows :

1. In conformity with the laws of the empire, all men of *color* are free by the fact, alone, of having trod on Mexican territory.

2. They *shall* make with the patron who shall have engaged them a contract by which he shall bind himself to feed, clothe, lodge, and take care of them in their sickness, as well as to pay them a salary, the amount of which shall be settled between them. The patron shall bind himself beside to deposit to the credit of the working-man a sum equivalent to one-quarter of his salary in the savings bank, which will be further mentioned below. The working-man shall, at the same time, bind himself to his patron to execute the work to which he shall be set during the term of five years at least, and ten years at most.

3. The patron shall bind himself to provide subsistence for the children of his working-men ; in case of the death of the father, the patron shall have the guardianship of the children, and they shall remain in his service until the age of majority, on the same condition that the father was.

4. Every working-man shall have a book, inspected by the local authority, on which shall be given his description, the indication of the place where he works, and a certificate of good life and conduct. In case of change of patron, the consent of the first patron shall be inscribed on the book.

5. In case of the death of the patron, his heirs, or the individuals who have acquired his property, are bound toward their working-men on the same terms the patron was ; and the working-man, on his part, is bound in respect to the new proprietor in the terms of his first contract.

6. In case of desertion, the working-man apprehended shall be employed without any pay, on the public works, until he shall be reclaimed by his patron.

7. Every unjust act of the patron towards his working-man shall be turned over to the courts.

8. Special commissioners of the police shall watch over the execution of the present regulation, and shall, by virtue of their office, prosecute those contravening the same.

9. The government will establish a savings bank for the ends hereinafter mentioned.

10. The patron shall deposit in the bank every month, to the credit of the working-men, a sum equal to one quarter of the salary to which they are entitled by reason of their contract.

11. The working-men may, besides, deposit in the savings bank the sum of which they shall have full credit.

12. The deposits shall have the advantage of five per cent. annual interest.

13. At the close of their engagement, the working-men, on the presentation of their book, shall receive their peculium integrally.

14. If, on the expiring of the contract, the working-men be disposed to leave their money in the savings bank, they can withdraw the interest due, or leave it on deposit ; and in the latter case it shall be capitalized with the primitive capital, and shall also bear interest.

15. In case of death, intestate, or without heirs, the peculium of the working-men shall pass into the possession of the public treasury.

The sixth article of the decree and regulations is inconsistent and contradictory. Whilst the sixth article of the decree speaks of working-men of every race, the regulations under it seem to embrace men of color only.

Notwithstanding the broad declaration in the first regulation, that all men of color are free by the fact alone of having trod on Mexican territory, it is manifest that in the subsequent regulations a grinding and odious form of slavery is sought to be established.

Slavery is a law by which one man asserts dominion over the conduct of another, either for a specified time, or for life.

The law of slavery makes the man a mere machine, controlled and governed by another. The slave has but little occasion to exercise and use the noble faculties of his mind. The physical man is alone of value to the master or patron, and he, of course, looks only to the physical wants of the slave.

That the regulations make slaves of working-men and their families is evident.

1st. They are required to sell themselves for not less than five, nor more than ten years.

2d. They are required by law, no matter how circumstances may change, or things may occur that were not reasonably within the contemplation of the parties, to specifically fulfil the engagement.

3d. They must execute every work to which they shall be set by their patron during that time.

4th. They cannot feed, clothe, lodge, or take care of themselves, either in health or in sickness.

5th. They cannot provide for the subsistence of their children, nor educate them, unless by permission of the patron; and in case of death, their children become the slaves of the patron until their majority.

6th. The patron or master can sell or dispose of them to whom he pleases.

7th. They may complain to the police of the harsh treatment of their master, but have no right to petition for or seek a change of any law which may be regarded as oppressive or unjust to them or to their class or country.

8th. If the police refuse to hear their complaints, or, hearing, deny interference, they are without redress.

9th. These regulations contemplate that the working-men require physical comforts only; their minds must remain uncultivated, their morals neglected, and their religious training not cared for.

10th. There is no provision by which the working-man can purchase himself or his time, or release and improve the condition of his children.

11th. What is to become of the working-man and his children after he shall have faithfully served his term is not provided. Is he to be a free citizen, or is he still to be regarded as a working-man, and again compelled to sell himself and his family?

I have no hesitation in saying, that these regulations constitute a law which deprives working-men of rights which we in this country regard, and which in every well-organized community should be regarded, as estimable, inalienable, and indestructible, and certainly makes them slaves. The history of this country, and particularly the history of the troubles from which we are just emerging, shows that no society can be organized permanently and remain at peace within its own borders, and with the outside world, where these great and important rights are denied to any considerable class of men.

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

JAMES SPEED,

Attorney General.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Translation.]

Mr. Romero to Mr. Seward.

MEXICAN LEGATION TO THE UNITED STATES OF AMERICA,
Washington, October 5, 1865.

MR. SECRETARY: I have the honor to remit to you, for the information of the government of the United States, a copy, in English, of the so-called law which

on the 5th of September last was issued at Chapultepec by the ex-archduke of Austria, Fernando Maximilian, so-called Emperor of Mexico, in which, under pretext, apparently, of inviting foreign emigration to Mexico, he has adopted a plan which has for its purpose to call to that republic the disaffected citizens of the United States who are not disposed to acknowledge the authority of this government, nor to accept the consequences of the war, by admitting them, with their prejudices and their peculiar system of labor already well tried in the southern part of the United States.

According to the information I have received, founded on facts, and which I have communicated to your department, the Emperor of the French, and his agent in Mexico, considering that, in the country there were not elements sufficient to sustain them, have taken means to call to it all persons they supposed animated by any hostility against the United States.

The arrangements made with ex-Senator Gwin, of California, had that object, but as that individual was recognized as a declared enemy of the United States on the close of the civil war here, it was thought not advisable to irritate this country by carrying out the plans which had been agreed upon with him.

In place of them, there has been another combination, which, under a different form, it is hoped, may produce the like results. For this new plan they have gone to the extreme of practically re-establishing, in fact, in Mexico, the odious institution of slavery. The so-called law of the ex-archduke of Austria goes accompanied by a regulation signed by the same Maximilian, of which I also enclose a copy in English, whose first article, to cover appearances, declares that, "according to the laws of the empire, all men of color are free from the mere fact of stepping on Mexican territory;" but those following establish a slavery so much the more odious, because it is not restricted to color or determination of caste.

The working-men—name they give to the slaves—will make, according to such regulations, a contract with his master, called *patron*, by which he will bind himself to feed, clothe, and lodge them, and support them in sickness, and pay them a sum of money in conformity with the conditions agreed upon between them. The fourth part of the sum will be lost to the working man almost, because he cannot dispose of it nor of the interest while his contract lasts, according to terms of articles 13 and 14. "The working-man will engage at the same time with his patron to do the work to which he may be assigned for the term of five years at least, and ten years at most." "The patron will engage to maintain the children of his working-men." This slavery is hereditary, because, according to article three of the regulation, "in case of the death of the father, (working-man,) the patron shall consider himself tutor of the children, and they shall continue in his service until majority on the same conditions as was the father." The heirs of the patron will hold, in their turn, these working-men in conformity with article 5. To complete the odious practices of the holders of slaves, the regulation referred to contains (article 6) an article against fugitive slaves, by which, "in case of desertion, the workman, when caught, shall be assigned, without wages at all, to the public works until his patron comes to reclaim him." To consummate this work of iniquity, article 15 provides that in case of death "ab intestate," or without heirs, the peculium of the working-man shall pass into the control of the public treasury.

It is really an extraordinary thing, and almost incomprehensible, that when slavery has received a death-blow in the only country that could revive it, and when it has been shown by facts that its existence is an evil, social, moral and political, there can be in the world a usurper who, without having established his authority in the country he tries to dominate over, should attempt to re-establish that odious system for the purpose of strengthening himself, and merely changing the name for the purpose of deluding the world.

As this system of labor might be taken for what in Mexico is called peonage, and as that may be considered here as an institution equivalent to slavery, I

think it expedient to show to you, that on some estates in the *tierras calientes*, to the south of Mexico, there has in fact been, through the abuses of the proprietors and the influence they enjoyed, something that might be compared in its practical effects with what the ex-archduke of Austria has now established in his aforesaid decree, but such abuses, besides being restricted to a very narrow district, were never sanctioned by the Mexican laws, and the national government of that republic has taken especial care to correct them and root them out. It was reserved for the ex-archduke of Austria to sanction such an abusive practice by a law which, if it goes into force, will be executed throughout the whole extent of the Mexican territory.

Before concluding this note, I think it proper to remit to you copy of the speech which was delivered in Mexico on the said 16th September by the said archduke of Austria, Fernando Maximilian, in which he expresses what he calls his irrevocable determination not to leave Mexico upon any consideration, whatever may be the circumstances. This is one proof more that the Emperor of the French is very far from desisting from his outrageous attempt to deceive the people of Mexico into acceptance of the yoke of a European monarchy.

It is satisfactory to me to avail of this opportunity to renew to you, Mr. Secretary, the assurances of my most distinguished consideration.

M. ROMERO.

Hon. WM. H. SEWARD, &c., &c., &c.

MAXIMILIAN, EMPEROR OF MEXICO.

Considering the want of population of the Mexican territory relatively with its extent, desiring to give the fullest guarantees of property and liberty to emigrants, in order that they may be good Mexicans, sincerely attached to their new country—the reports of our junta of colonization being considered—we decree:

ARTICLE I. Mexico is open to immigration from all nations.

ARTICLE II. Agents of immigration shall be appointed, who shall be paid by the state, and whose mission shall be to favor the coming of immigrants to locate them on the lands which shall be assigned to them, and to facilitate their settlement by all means possible.

These agents shall receive orders from our imperial commissioner of immigration, specially appointed by us, and to whom shall be addressed, through our minister of the interior, (*Fomento*,) all communications relating to immigration.

ARTICLE III. There shall be delivered to every immigrant an authentic and indefeasible deed of ownership, as well as a certificate setting forth that his property is free from hypothecation.

ARTICLE IV. This property shall be free of imposts the first year, as well as from payment of the duty on exchange, but only on the first transfer.

ARTICLE V. Immigrants may obtain letters of naturalization on settling in the country as husbandmen.

ARTICLE VI. Immigrants who wish to bring, or cause to come, working-men, in a considerable number, of whatever race they may be, are authorized to do so, but these working-men will be the object of special protective regulation.

ARTICLE VII. The effects of immigrants, their cattle for husbandry and stock-raising, seeds, instruments of husbandry, machinery and manufacturing apparatus, shall be free from custom-house and transfer duties.

ARTICLE VIII. Immigrants shall be exempt from military service for five years; nevertheless they shall constitute a sedentary militia for the defence of their states and the neighboring country.

ARTICLE IX. Freedom of worship is secured to immigrants in conformity with the organic law of the empire.

ARTICLE X. Each of our ministers is charged in what pertains to him with the execution of this decree.

Given at Chapultepec the 5th September, 1865.

MAXIMILIAN.

A true copy.—Washington, October 5, 1865.

F. D. MACIN.

In conformity with article 6 of this decree we order :

1. In conformity with the laws of the empire, all men of color are free by the fact alone of having trodden on the Mexican territory.

2. They shall make with the patron who shall have engaged them a contract by which he shall bind himself to feed, clothe, lodge, and take care of them in their sickness, as well as to pay them a salary, the amount of which shall be settled between them. The patron shall bind himself, beside, to deposit to the credit of the working-man a sum equivalent to one-quarter of his salary, in the savings bank, which will be further mentioned below. The working-man shall, at the same time, bind himself to his patron to execute the work to which he shall be set during a term of five years at least and ten years at most.

3. The patron shall bind himself to provide subsistence for the children of his working-men; in case of the death of the father, the patron shall have the guardianship of the children, and they shall remain in his service until the age of majority on the same conditions that the father was.

4. Every working-man shall have a book inspected by the local authority, on which shall be given his description, the indication of the place where he works, and a certificate of good life and conduct. In case of change of patron, the consent of the first patron shall be inscribed on the book.

5. In case of the death of the patron, his heirs, or the individuals who shall have acquired his property, is bound towards the working-men on the same terms as the patron was, and the working-man on his part is bound in respect of the new proprietor in the terms of his first contract.

6. In case of desertion, the working-man apprehended shall be employed, without any pay, on the public works until he shall be reclaimed by his patron.

7. Every unjust act of the patron towards his working-men shall be turned over to the courts.

8. Special commissaries of police shall watch over the execution of the present regulation, and shall, by virtue of their office, prosecute those contravening the same.

9. The government will establish a savings bank for the ends hereinafter mentioned.

10. The patron shall deposit in the bank, every month, to the credit of the working-man, a sum equivalent to one-quarter of the salary to which they are entitled in virtue of this contract.

11. The working-man may, besides, deposit in the savings bank the sum of which they have full control.

12. These deposits shall have the advantage of five per cent. annual interest.

13. At the close of their arrangements, the working-men, in the presentation of their book, shall

14. If, on the expiry of the contract, the working-man be disposed to leave his money in the savings bank, he can withdraw the interest due, or leave it in deposit; and, in the latter case, it shall be capitalized with the primitive capital, and shall also bear interest.

15. In case of death intestate, or without heirs, the peculium of the working-man shall pass into the possession of the public treasury.

MAXIMILIAN.

Given at Chapultepec, 5th September, 1865, by the Emperor.

The Minister of the Interior : In his absence the assistant secretary,
MANUEL OROZCO Y BERRA.

A true copy.—Washington, October 5, 1865.

F. D. MACIN

On the anniversary of the independence of Mexico, the 16th of September, the so-called Emperor, Maximilian, delivered the following speech :

GENTLEMEN : This is a family festival, a festival of brothers, which unites every one of us this day under the folds of our glorious banner. The day upon which our immortal Hidalgo, elevating with unprecedented valor his patriotic voice, united the heroes of a new Mexican era, will be forever, to the sons of our country, a day of rejoicing, because we then celebrate the inauguration of our nationality, because every good Mexican must renew by an oath the promise to live for the greatness, the independence, and the integrity of his country, and show himself always ready to defend it with all his heart and soul. The words of that oath are the first uttered by a good Mexican. I solemnly repeat them now. My heart, my soul, my labor, and my lawful efforts belong to you and to our beloved country. No influence in this world can make me waver in my duty ; every drop of my blood is Mexican now, and if God sends fresh dangers to threaten our country, you will see me fight in your ranks for its independence and integrity. I am willing to die at the foot of our glorious banner, because no human power can wrest from me the trust with which you have endowed me. What I say must be said by every good Mexican ; it must efface past rancors ; it must bury party hatred. Every one must live for the good of our beloved country. Thus united, and following the path of duty, we will be strong, and the principles which form the basis of our task will infallibly triumph.

Mr. Seward to Mr. Bigelow.

No. 296.]

DEPARTMENT OF STATE,

Washington, November 2, 1865.

SIR : The condition of the emancipated slaves or freedmen within the United States is at this moment very properly a subject of deep interest. The establishment of the perfect equality of men of the African race with men of other races throughout the whole continent, is a policy which the United States may hereafter be expected to cultivate with constancy and assiduity. Certain decrees, bearing on the subject of immigration, which are understood to have been promulgated by authorities acting in Mexico, in opposition to that republic, have arrested the attention of this government. The law officer of the government has submitted to this department an opinion, that if those decrees were carried into execution, they would inevitably operate to reduce into a condition of peon slavery working-men of the African race, and, of course, such of the freedmen before mentioned as, with or without their intelligent consent, might be brought within the jurisdiction of Mexico.

If European opinion can be regarded as established in reference to any one political question, it is settled that African slavery in any form ought henceforth to cease throughout the world. We do not doubt that the Emperor of France cordially and fully concurs, as we do, in this humane sentiment. I have, therefore, to request you to place a copy of the opinion of the Attorney General, herewith enclosed,* in the hands of Mr. Drouyn de l'Huys, and ask that the

*The opinion of the Attorney General referred to herein is that previously inserted under date of October 21, 1865.

attention of the French government may be directed to the question which the Attorney General has discussed with ability, and with an anxious desire to arrive at just conclusions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c.

Mr. Bigelow to Mr. Seward.

No. 202.]

LEGATION OF THE UNITED STATES,
Paris, November 24, 1865.

SIR: I have the honor to acknowledge the receipt of your instruction No. 296, covering the opinion of Mr. Attorney General Speed in reference to certain decrees relating to emigration which have recently been promulgated from the city of Mexico, and to enclose a copy of a communication addressed by me, in compliance therewith, to his excellency the minister of foreign affairs on the 22d instant.

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

JOHN BIGELOW.

HON. WILLIAM H. SEWARD,

Secretary of State, Washington, D. C.

Mr. Bigelow to Monsieur Drouyn de l'Huys.

[Enclosure.]

LEGATION OF THE UNITED STATES,
Paris, November 22, 1865.

SIR: Recalling the conversation which I had the honor to hold with your excellency on the 17th ultimo, in relation to the alleged levy of Egyptian troops for involuntary service in Mexico, and the representations I then made in regard to the natural unwillingness of my government and country people to see slavery in any form replanted either within our territory or on our borders, I beg to invite your excellency's attention to certain recent decrees bearing upon the subject of emigration to Mexico, purporting to emanate from authorities acting in opposition to that republic. In the opinion of the law officer of my government, these decrees, if enforced, would inevitably reduce to the condition of peon slavery working-men of the African race, and of course such of the freedmen of the United States as may have already been, or hereafter may be, seduced to go there, without a full and intelligent comprehension of their liabilities. That your excellency may understand the grounds for this conclusion, I am instructed to transmit to your excellency a copy of the Attorney General's opinion, which will be found enclosed, and to invite the attention of the imperial government to the questions there discussed. In complying with these instructions of my government, I avail myself of the language of the despatch containing them to say that, "If European opinion can be regarded as established in reference to any one political question, it is settled that African slavery, in any form, ought henceforth to cease throughout the world." We do not doubt that the Emperor of France cordially and fully concurs, as we do, in this humane sentiment.

I pray your excellency to accept assurances of the distinguished consideration with which I have the honor to be, your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Excellency M. DROUYN DE L'HUYS,
Minister of Foreign Affairs.

Mr. Seward to Mr. Bigelow.

No. 329.]

DEPARTMENT OF STATE,
Washington, December 14, 1865.

SIR: Your despatch of the 24th of November, No. 202, with its accompaniment, has been received. The note which you addressed to M. Drouyn de l'Huys on the subject of peon slavery in Mexico is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Romero.

DEPARTMENT OF STATE,
Washington, December 10, 1865.

SIR: I have the honor to acknowledge the receipt of your communications of the 5th October and 20th November last, with their several important accompaniments, which you were pleased to communicate for the information of the government of the United States. In reply, I have the honor to inform you that they have already received the consideration of this department, and that measures have been adopted which are deemed proper to meet the exigencies which they present.

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

WILLIAM H. SEWARD.

Señor MATIAS ROMERO, &c., &c., &c., *Washington, D. C.*