CHAPTER XXXIV

THE OCCUPATION OF CALIFORNIA

LONG before the outbreak of actual hostilities President Polk had had an eager eye upon California. The seizure of that outlying portion of Mexican territory was so easy an operation for a naval power that it could never have been overlooked in any consideration of possible warfare, and it is therefore not at all surprising that as early as June, 1845, instructions were sent to the commodore commanding the Pacific squadron requiring him to act promptly if the emergency should arise.

The situation was regarded as critical. Mexico, early in March of that year, had broken off diplomatic negotiations with the United States, and had proclaimed her intention of maintaining and upholding her rights in Texas, of which, she asserted, she had been unjustly despoiled. From Parrott, the secret agent of the United States, came information that war seemed to be the desire of all parties, and that preparations for war were in progress,[1] while the Texan government at the same time expressed their fears of a new invasion.[2] Donelson, the American chargé d'affaires in Texas, was even more emphatic, reporting the presence of seven thousand Mexican troops on the Rio Grande, ready to advance the moment annexation was seen to be imminent, and expressing the opinion that war with Mexico was "inevitable."[3]

The receipt of this last news in Washington was at once followed by orders to General Taylor to be ready to march from Natchitoches, and by orders to Captain Stockton, the senior officer of the navy on the coast of Texas, to coöperate in moving the American troops.[1] To Commodore Conner, at Pensacola, orders were sent a few days later directing him to show his force—"perhaps the largest fleet that ever sailed under the American flag"—before the Mexican ports, and, in case Mexico should declare war, to dislodge her troops from any post she might have east of the mouth of the Rio Grande, to take possession of Tampico, and, if possible, to take the castle of San Juan de Ulúa.[2]

On the twenty-fourth of June, 1845, "secret and confidential" orders were also sent to Commodore John D. Sloat, commanding the United States naval forces in the Pacific, calling his attention to "the present aspect of the relations between this country and Mexico." It was the earnest desire of the President, he was told, to pursue the policy of peace, and Sloat was therefore directed to be "assiduously careful" to avoid anything that looked like aggression. If, however, the Mexican government should declare war, he was to act with vigor.

> "The Mexican ports on the Pacific," said the Secretary of the Navy, "are said to be open and defenceless. If you ascertain with certainty that Mexico has declared war against the United States, you will at once possess yourself of the port of San Francisco, and blockade or occupy such other ports as your force may permit.
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> "Yet, even if you should find yourself called upon by the certainty of an express declaration of war against the United States to occupy San Francisco and other Mexican ports, you will be careful to preserve, if possible, the most friendly relations with the inhabitants; and, where you can do so, you will encourage them to adopt a course of neutrality."[3]

Having thus provided for the seizure of California in the event of war, the Navy Department for the next four months did nothing further, beyond making arrangements for strengthening Sloat's squadron; but on the seventeenth

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[1] W. S. Parrott to Buchanan, April 26 and May 22, 1845; *State Dept. MSS.*
[2] Allen to Donelson, May 19, 1845; Sen. Doc. 1, 29 Cong., 1 sess., 61.
[3] Donelson to Buchanan, June 4, 1845; *ibid.*, 66.

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[1] Buchanan to Donelson, June 15, 1845; *ibid.*, 42.
[2] Bancroft to Conner, July 11, 1845; H. R. Doc. 60, 30 Cong., 1 sess., 232.
[3] Bancroft to Sloat, June 24, 1845; *ibid.*, 231.

of October, 1845, both the State and Navy Departments awoke to sudden activity in relation to California. There was nothing in the general aspect of public affairs to lead to any immediate action. Only the day before, the Secretary of War had written to General Taylor that "the information which we have here, renders it probable that no serious attempts will, at present, be made by Mexico to invade Texas."[1] The cabinet a month before had decided to ask, through the American consul in Mexico, whether an American diplomatic agent would be received, and they were hopefully awaiting a favorable answer. The sole reason for giving instructions concerning California just at this time, was because the United States frigate *Congress*, bound to the Pacific, was reported to be ready for sea at Norfolk.

The fact that any such instructions were sent was a carefully guarded secret. To Commodore Stockton, commanding the *Congress*, sealed orders were given, not to be opened till the ship should be "without the Capes of Virginia," under which he was directed to proceed to the Pacific, where his ship was ultimately to form part of Commodore Sloat's squadron. But he was, in the first place, to make the best of his way to the Sandwich Islands, where he was to land his passengers—the American commissioner and the consul to Hawaii, with their families.

> "When you have finished your duties at the Sandwich Islands," the sealed orders continued, "you will sail directly for Monterey, and in person, or by a perfectly trustworthy hand, deliver the enclosed letter to our Consul at that place. You will confer with the Consul, gain all the information you can on Mexican affairs, and do all in your power to conciliate the good feeling of the people of that place towards the United States. On leaving Monterey, you will join the squadron of Commodore Sloat."[2]

The letter to Larkin, the American consul at Monterey, which Stockton was charged to deliver with such unusual

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[1] Marcy to Taylor, Oct. 16, 1845; *ibid.*, 89.

[2] Bancroft to Stockton, Oct. 17, 1845; Richman, *California*, 528, 529.

precautions, was written by the Secretary of State and bore the same date as the orders to Stockton. After thanking the consul for the information he had furnished respecting California, and referring to the "anxious solicitude" of the government and people of the United States concerning the future destiny of that country, Buchanan proceeded to explain the policy of the United States in terms which future events by no means justified.

> "In the contest between Mexico and California," he said, "we can take no part, unless the former should commence hostilities against the United States; but should California assert and maintain her independence, we shall render her all the kind offices in our power, as a sister Republic. This Government has no ambitious aspirations to gratify and no desire to extend our federal system over more territory than we already possess, unless by the free and spontaneous wish of the independent people of adjoining territories. The exercise of compulsion or improper influence to accomplish such a result would be repugnant both to the policy and principles of this Government. But whilst these are the sentiments of the President, he could not view with indifference the transfer of California to Great Britain or any other European Power. . . .
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> "On all proper occasions you should not fail prudently to warn the Government and people of California of the danger of such an interference to their peace and prosperity; to inspire them with a jealousy of European dominion, and to arouse in their bosoms that love of liberty and independence so natural to the American Continent. Whilst I repeat that this government does not, under existing circumstances, intend to interfere between Mexico and California, it would vigorously interpose to prevent the latter from becoming a British or French Colony. In this they might surely expect the aid of the Californians themselves.
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> "Whilst the President will make no effort and use no influence to induce California to become one of the free and independent States of this Union, yet if the people should desire to unite their destiny with ours, they would be received as brethren, whenever this can be done without affording Mexico just cause of complaint. . . .
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> "In addition to your Consular functions, the President has thought proper to appoint you a confidential agent in California; and you may consider the present despatch as your authority for acting in this character. The confidence which he reposes in your patriotism and discretion is evinced by conferring upon you this delicate and important trust. You will take care not to awaken the jealousy of the French

and English agents there by assuming any other than your Consular character. Lieutenant Archibald H. Gillespie of the Marine Corps will immediately proceed to Monterey, and will probably reach you before this despatch. He is a gentleman in whom the President reposes entire confidence. He has seen these instructions and will co-operate as a confidential agent with you, in carrying them into execution."[1]

On the same seventeenth of October orders were sent to Commodore Sloat, which varied in one important particular from the orders of the previous June. Instead of telling him to seize the Californian ports if he ascertained "with certainty" that Mexico had declared war, he was told that "in the event of actual hostilities," he was to dispose of his whole force "so as to carry out most effectually the objects specified in the instructions forwarded to you from the Department in view of such a contingency."[2]

In preparing these instructions the cabinet at Washington was acting upon information which, as we now know, was in a measure erroneous. It was not true that California was trying to throw off her connection with Mexico, or that there was any "contest" going on between them, or that her people wanted anything more than a sort of home rule in purely local affairs. Nor was it true that either the British or the French government designed taking California. But the American authorities cannot be justly criticised for relying upon information which came to them from their consul in California, and which corresponded with so much else that reached them.

But whatever the real hopes and wishes of the administration in respect to the Californians may have been, the instructions to Larkin outlined a policy which was at least perfectly clear and consistent. The President and his advisers hoped that war would not come. They hoped to be able to buy California, which was the great object they were now aiming at; and they hoped to get it by the co-operation and with the good-will of the inhabitants. If the

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[1] Buchanan to Larkin, Oct. 17, 1845; Moore's *Buchanan*, VI, 275-277.

[2] Bancroft to Sloat, Oct. 17, 1845; Frémont's *Memoirs*, I, 537.

Californians could be induced to declare themselves independent of Mexico while negotiations (which might be long protracted) were going on, so much the better. But, on the other hand, war might occur, and in that case the ports were to be instantly seized, while the good-will and friendship of the inhabitants were still to be sedulously cultivated. The Americans, in the event of war, were to come as liberators, as defenders against Mexican oppression, and in no event as conquerors. And all this was to be conducted with such secrecy as to give no excuse to European nations to intervene.

It was evident, of course, that these important instructions to Larkin at Monterey and to Sloat at Mazatlan could not reach them by way of Cape Horn and the Sandwich Islands for many months to come, and for this reason Lieutenant Archibald H. Gillespie, of the United States marine corps, was sent to California by way of Mexico, carrying duplicates of the despatches, and charged also, as he subsequently gave it to be understood, with important verbal communications. The orders to Sloat he delivered; but the instructions to Larkin he committed to memory on the voyage to Vera Cruz, and then destroyed the paper. His memory proved to be exact, for when his version of the instructions was written out in Monterey it differed only in unimportant details from the original, which was later delivered by Stockton.[1]

Gillespie, it seems, in addition to carrying instructions to Larkin and co-operating with him in the development of the President's peaceable policy in California, was also to carry a message to a much more picturesque agent of the United States—Captain John Charles Frémont, of the corps of topographical engineers, who was supposed, when Gillespie left Washington, to be somewhere on the Pacific coast.

The son of a Frenchman from Lyons, who had married a lady of good family in Virginia, Captain Frémont was born in Savannah, Georgia, January 21, 1813. Through the influence of Poinsett, young Frémont was appointed teacher of mathematics on the sloop-of-war *Natchez* about 1836. He subsequently became a railroad surveyor, in which capacity he surveyed a good deal of wild country. In Van Buren's administration Frémont, again under Poinsett's influence, was appointed a second lieutenant in the corps of topographical engineers and was sent to make explorations in the region between the upper Missouri River and the Canadian frontier. From these expeditions he returned to Washington, where he was employed in preparing the reports of these explorations; and while there, he met and married one of the daughters of Senator Benton, of Missouri.

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[1] Probably the reason why the despatch to Sloat was preserved by Gillespie and carried through Mexico, while the despatch to Larkin was committed to memory and destroyed, was because Sloat had a cipher code, while Larkin (like most consuls) had none.

Not long after this lucky marriage President Tyler's administration determined to send out an expedition to explore the Rocky Mountains, with a view to improving the means of communication with Oregon, a subject that was attracting much attention, and Frémont was appointed to command it.[1] He set out from St. Louis early in June, returning on October 17, 1842. His route was that which had been followed for years by the Oregon trappers and emigrants up the north branch of the Platte River, past Fort Laramie to the South Pass, and then on by the western slopes of the Wind River Mountains. The value of the expedition consisted not in the discovery of a new country, but in the accurate surveys which Frémont made of regions never before correctly mapped, and in the lively and interesting account which he gave of the scenes through which he passed.

Having completed his report, Frémont in the summer of 1843 was again on the march for the West. Keeping to the southward of his former route, he explored the country

now served by the Union Pacific Railway as far west as Fort Steele, from which point he turned north and struck and followed the well-known Oregon trail, diverging to visit the Great Salt Lake. He came back from the lake to the Snake River, and, reaching Oregon in the autumn, went as far down the Columbia as Fort Vancouver, where he connected his surveys with those of Captain Wilkes's naval exploring expedition.

Leaving the Oregon settlements late in November, 1843, he went in a southeasterly direction and followed the easterly base of the Sierra Nevada. He was there between an almost waterless desert and an inhospitable range of mountains; and after suffering severe hardships, he determined to turn west to California, hoping to find the River Buenaventura, which was laid down on the maps of that period as flowing westerly into San Francisco Bay. Of course no such river existed, but Frémont finally succeeded in the astonishing feat of leading his party across the Sierra Nevada in the very dead of winter, reaching Sutter's Fort early in March, 1844. After resting nearly three weeks at New Helvetia and obtaining much-needed supplies, Frémont and his band set out for the south. Travelling up the San Joaquin valley, they crossed the mountains in April, struck and followed the well-known Spanish trail from Los Angeles, reached Utah Lake at the end of May and Bent's Fort, on the Arkansas River, on the first of July, and were back in St. Louis on August 6, 1844.

In the summer of 1845 Frémont started upon his third and final government expedition, with a larger party than ever before. He left the borders of civilization in May or June, went up the Arkansas River to its source, somewhere about the modern Leadville, and then struck across to Utah Lake and the Great Salt Lake. By the end of October his party had travelled through a considerable part of what is now Nevada, and was encamped in Mexican territory, at Walker Lake, in the western part of that state. There they divided, and by different routes proceeded across the Sierra Nevada.

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[1] See his report in Sen. Doc. 174, 28 Cong., 2 sess., 9–79. Frémont's training and experience, of course, made him a perfectly suitable person for appointment to the command of this expedition, but there is some evidence that political considerations and a desire to get Benton's support in the Senate had a good deal to do with his selection.—(Tyler's *Letters and Times of the Tylers*, II, 292.) Tyler, however, never succeeded in winning Benton's support.

About the middle of January, 1846, Frémont, with a few of his men (the whereabouts of the rest being still unknown to him), went to Sutter's Fort, and from there he went by water to San Francisco Bay and to Monterey. From San Francisco he wrote to his wife, giving an account of his journey from the Great Salt Lake. "I am now going," he wrote, "on business to see some gentlemen on the coast, and will then join my people, and complete our survey in this part of the world as rapidly as possible. . . . So soon as the proper season comes, and my animals are rested, we turn our faces homeward, and be sure that grass will not grow under our feet."[1]

Of his visit to Monterey he writes:

> "I had come to Monterey with the object of obtaining leave to bring my party into the settlements in order to refit and obtain the supplies that had now become necessary. All the camp equipment, the clothes of the men and their saddles and horse gear, were either used up or badly in want of repair. The next morning I made my official visits. I found the Governor, Don Pio Pico, absent at Los Angeles. With Mr. Larkin I called upon the commanding general Don José Castro, the prefect, alcalde, and ex-Governor Alvarado. I informed the general and the other officers that I was engaged in surveying the nearest route from the United States to the Pacific Ocean. I informed them farther that the object of the survey was geographical, being under the direction of the Bureau of Topographical Engineers to which corps I belonged; and that it was made in the interest of science and of commerce, and that the men composing the party were citizens and not soldiers. The permission asked for was readily granted, and during the two days I stayed I was treated with every courtesy by the general and other officers."[2]

The records confirm Frémont's recollection as to his visits and explanations, but it is not true that permission was granted to bring his party into the settlements. On the contrary, after Frémont had verbally explained his situation the prefect, Manuel Castro, addressed a formal letter to the American consul to inquire the purpose for which American troops had entered the department and their leader had come to Monterey. Larkin replied in

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[1] Frémont's *Memoirs*, I, 452.

[2] *Ibid.*, 454.

writing, by Frémont's authority, that the latter had come under the orders of his government to survey a practicable route to the Pacific; that he had left his company of fifty hired men, not soldiers, on the frontier of the department to rest themselves and their animals; that he had come to Monterey to obtain clothing and money; and that when his men were rested he intended to continue his journey to Oregon. The Mexican authorities made no objection at the time, but reported to the central government.[1]

Somewhere about the twentieth of February Frémont, having collected all his men at a vacant ranch not far from what is now the site of Lick Observatory, in Santa Clara County, started upon his march; but instead of going toward Oregon, as he had told the consul he would do, he marched across country and came down to the shores of the Pacific near Santa Cruz, the northerly point of the Bay of Monterey. From there he continued southerly along the shore, and then up the valley of the Salinas, not far from Monterey. His reason for this eccentric movement, as he later explained, was because he wanted to find a seaside home for his mother.[2]

He had, of course, no sort of authority for moving his men into the settled part of the country, and his action was entirely contrary to his representations made to the Mexican authorities. The latter had tacitly agreed to permit Frémont and his men to remain in the uninhabited parts of California on the San Joaquin River, under the belief that they would soon go from there to Oregon. Even this was a considerable stretch of the very definite laws of Mexico, which prohibited foreigners from coming into the country or travelling about in it without passports; for it was the extraordinary fact that Frémont had come without passports, and without notification to the Mexican government. That diplomatic relations had been suspended no doubt explains the omission. However, the law had in effect been waived at the request of the American consul, but only to a limited extent. José Castro, the *comandante general*, was therefore entirely within his rights in sending, as he did, a message to Frémont, on March 5, 1846, in which he stated that he had just been informed that the party had entered the settlements of the department, and "this being prohibited by our laws, I find myself obliged to notify you that on the receipt of this you must immediately retire beyond the limits of the Department, such being the orders of the Supreme Government." Frémont sent back a verbal refusal to obey and moved his camp to the summit of the Gavilan Peak, where he began to build a log fort and hoisted the flag of the United States almost within sight of Monterey.

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[1] Bancroft, *California*, V, 2–6.

[2] Frémont's *Memoirs*, I, 457. He may have had other motives, such as to go to Santa Barbara for supplies he expected there, or to survey a line for a railroad.—(R. W. Kelsey, "The U. S. Consulate in California," *Pub. of the Academy of Pac. Coast History*, vol. I, No. 5, 96–97, where this whole subject is discussed with some fulness and copious references.)

To Larkin, the American consul, Frémont's movements were altogether incomprehensible. He wrote to Frémont on March 8, enclosing correspondence with the local authorities.

> "It is not for me," he said, "to point out to you your line of conduct; you have your instructions from the government; my knowledge of your character obliges me to believe you will follow them; you are of course taking every care and safeguard to protect your men, but not knowing your actual situation and the people who surround you, your care may prove insufficient. . . . Your encamping so near the town has caused much excitement. The natives are firm in the belief that they will break you up and that you can be entirely destroyed by their power. In all probability they will attack you; the result either way may cause trouble hereafter to resident Americans."[1]

On the next day Larkin wrote letters to John Parrott, the American consul at Mazatlan, and to the naval officer in command, explaining the critical state of affairs, and requesting that a man-of-war be sent to California with the least possible delay; and another to the Secretary of State

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[1] Larkin to Frémont, March 8, 1846; Bancroft, *California*, V, 12. Orders from Mexico seem to have been received in Monterey censuring the local authorities for allowing Frémont to winter in California, and directing them to expel him—by force, if necessary.

advising him of what had been done.[1] Frémont blustered a good deal about dying under the flag and trusting to his country to avenge his death, but he lost little time in retreating to the eastward, and by the twenty-first of March he was again at Sutter's Fort.

The Californian authorities were of course jubilant when Castro issued a proclamation declaring that Frémont, "at the sight of two hundred patriots, abandoned the camp which he occupied, leaving in it some clothing and other war material," and intimating that this was due to the cowardice of Frémont and his men—an assertion which was not calculated to improve the relations between the two parties.

Writing to his wife about the affair on the first of April, Frémont stated he then expected to start for home the middle of May.

> "The Spaniards," he said, "were somewhat rude and inhospitable below and ordered us out of the country after having given me permission to winter there. My sense of duty did not permit me to fight them, but we retired slowly and growlingly before a force of three or four hundred men and three pieces of artillery. Without a shadow of a cause, the Governor suddenly raised the whole country against us, issuing a false and scandalous proclamation. Of course I did not dare to compromise the United States, against which appearances would have been strong; but though it was in my power to increase my party by many Americans, I refrained from committing a solitary act of hostility or impropriety. For my own part I have become disgusted with everything belonging to the Mexicans."[2]

Moving slowly north from Sutter's Fort, Frémont and his party were encamped on the eighth of May on the western shore of Klamath Lake, in Oregon, when they were joined by two Americans from Sutter's Fort, who rode into camp with the news that a United States officer was two days behind with despatches, protected by a small escort, and probably in great danger from the Indians. On the next morning Frémont took nine of his men, and with the

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[1] See copies in Frémont's *Memoirs*, I, 462–469.

[2] Frémont to Mrs. Frémont, April 1, 1846; Bancroft, *California*, V, 21.