

BRITISH AND AMERICAN ACTIVITIES AND INTERESTS
IN CALIFORNIA
1848-1850

By

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Bachelor of Arts

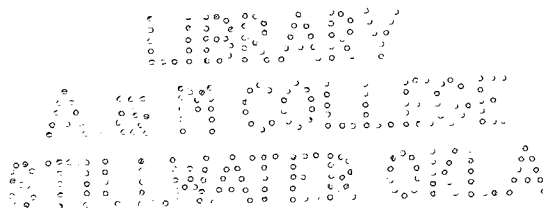
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INTRODUCTION

The background of California History of the period 1848-1850, during which time the United States spread her imperial wings over areas of importance to her, is one of exceptional interest. The expansion policy of the United States was causing Britain no little concern. The United States was eager to extend her "manifest destiny" policy to the Pacific, and for this reason she wished possession of the California region, then a part of and owned by Mexico. Britain, too, was looking with longing eyes at this same territory. She knew of the commercial advantages to be obtained in California and hoped for these at least, if not full possession.

There is much of evidence which affirms British imperialistic intentions in California, and no evidence to the effect that she had none. By the Treaty of 1824 between the United States and Russia, the northern limit of the claims of the United States was fixed at 54° 40' north latitude, it being agreed that the citizens of the United States should not thereafter form, under the authority of their government, any establishment north of that line, and Russian subjects should not form any south of it. Thus, Russia left it to the United States and Great Britain to contest the territory south of 54° 40'.¹

Oregon at this time was occupied jointly by Britain and the United States. There had been much debate concerning the boundary of Canada, and until this was definitely settled and Britain had been asked to leave, she intended to purchase California Territory and populate it with British subjects. As a result of this imperialistic idea, American troops

¹ John Bassett Moore, History and Digest of International Arbitration, Government Printing Office, Washington. 1906. I, p. 207.

marched into California in 1846, and gave notice to the British that not only was the idea of purchasing California preposterous, but also the joint occupation of Oregon was at an end.²

President Polk, whose hot-headed campaign gave the United States her first outlook on the Pacific,³ told Colonel Benton that he was strongly inclined to reaffirm the Monroe Doctrine against permitting foreign (English?) colonization; at least so far as this continent was concerned. He also said that Great Britain had her eye on California with the intention of possession. He said he and the people of United States would not be willing to permit that territory to pass into the possession of any new colony planted by Great Britain. Polk especially had the fine bay of San Francisco in view and would not think of permitting it to be settled by a foreign nation.⁴

Not only Polk, but the Congress of the United States, was awake to the situation in California. It was believed by all that Britain not only barred the way but sought the prize as well. There were several insurrectionary bodies in California during the period 1845-1846. British agents there were very interested in creating a British colony.⁵ British Admirals upon the Pacific Coast were to work toward this end. Pakenham, in Mexico, wrote to Palmerston, English Prime-Minister, and

² Guy H. Scholefield, The Pacific - Its Past and Future, London. 1919, p. 184.

³ Allen Nevins, Polk - The Diary of a President 1845-1849, Longmans Green and Co., New York, 1929, p. 19.

⁴ Ibid, p. 20.

⁵ Robert Boimoin Mowat, Diplomatic Relations of Great Britain and the United States, Edward Arnold and Co., London. 1925. p. 130.

said:

It is to be regretted that advantage should not be taken of the arrangement some time since concluded by the Mexican Government with their creditors in Europe, to establish an English population in the magnificent Territory of Upper California.⁶

These British agents in the Western Hemisphere had been urging their home country to occupy California and control Texas for some years. An English author named Forbes published a book setting forth the importance of that region and telling of the danger if the northern American tide of population would overwhelm California. He pointed out the opportunity that it afforded England for colonization, and suggested that its cession be brought about by exchanging the debt of fifty million dollars, due England, by Mexico, for a transfer of California to the creditors.

Various American newspapers sounded an alarm over these proposals. It was at this time that Richard Pakenham, the British minister at Washington, advised an increase of naval strength in the Pacific.⁷

The native Californians were far from content with the feeble yet despotic rule of the Mexicans. It was clearly dorseen that a change of flags was evident. British interference and interest made it easily appear to American officials as well as the native Californians, that England entertained serious intentions of securing possession of that territory and also served to stimulate American aggression to a greater degree. There were in California several hundred American immigrants ready to welcome and assist these aggressions on the part of the United States.⁸

⁶ Ephraim Douglas Adams, British Interests and Activities in Texas, 1838-1846, John Hopkins Press, Baltimore. 1910. p. 237.

⁷ Frederick Jackson Turner, The United States 1850-1850, Henry Holt and Co., New York, 1935. p. 508.

⁸ John Hopkins University Studies in Historical and Political Science, John Hopkins Press, Baltimore. 1895, XIII, pp. 10, 11.

The British foreign office sent instructions to their representative in California telling him that they realized conditions in California were critical. They also told the representative that they did not wish to encourage rebellion, but . . . "if California throws off the yoke of Mexico she should not assume any other yokes that would be antagonistic to British interests."⁹

Revolution was imminent in California. Mexico had no real power here. She could not control the strife within that territory. California was exposed to settlement or acquisition by any nation that might be interested. The United States was determined that she, herself, should be that nation. No country realized this better than Mexico, who asked England to prevent seizure of California by the United States.¹⁰

On December 31, 1844, Lord Aberdeen went so far as to direct his representative in Mexico to refrain from notifying the Mexican Government that revolution was imminent in California, and at the same time instructed one of the British consuls in Lower California to the effect that in the event that revolution actually got under way, the British agents must bend every effort to establish a protectorate over that region. This advice was unnecessary, however, because Mexico was awake to the situation but powerless to do anything about it. Lord Aberdeen had a plan of colonization in mind. The principle of colonization was, of course, the beginning of a policy of intervention leading to possession and annexation. Mexico owed England a large sum of money. In exchange for the debt, Aberdeen was willing that the Mexican government

⁹ Adams, op. cit., p. 248.

¹⁰ Turner, op. cit., p. 534.

give England vast land concessions in California. Then England could colonize there. This was the British policy in the beginning, and always.¹¹

It was believed by a great number of people, that in case of intervention in California by the United States, both France and England would join against her, because neither of these powers cared to see the United States become strong.¹² *Foot note* This is reasonable thinking, but England failed to get French support.¹³

British agents had remained somewhat inactive for a year or so. Then, in 1846, an expedition of mounted United States soldiers were sent to California to take and hold military possession of it. These agents realized then that American intervention had begun.¹⁴ *Foot note*

Commodore Sloat had been ordered to take San Francisco at once if he should hear of any hostilities between Mexico and the United States. If he did not, he was to cruise along the coast of California to Oregon and "cheer our citizens by the presence of the American flag."¹⁵ *Foot note*

Events happened quickly and in large numbers. Seymour, British agent, directed Captain Blake to discourage the "citizens" of California from placing themselves under the exclusive control of any one nation. Seymour made a trip to Monterey with this in mind, only to find Sloat had taken possession (~~with apologies of course~~). Seymour then asked his home offices in England to send more ships to the Pacific Coast. This was not

¹¹ Samuel Flagg Bemis, The American Secretaries of State, Alfred A. Knopf, New York. 1928. p. 27.

¹² Nevins, op. cit., p. 91.

¹³ Bemis, op. cit., p. 271.

¹⁴ Nevins, op. cit., p. 106.

¹⁵ Jesse S. Reeves, Diplomacy Under Tyler and Polk, John Hopkins Press, Baltimore. 1907. p. 278.

done because if England divided her fleet, France would have had more power on the continent of Europe. Safety at home was more important than expansion abroad. ¹⁶ *no feet note*

The fact that Britain did not intervene in California at this time and "save" the inhabitants from imperialistic America, was not because she was not interested, or because she did not realize the strategic importance of the California Pacific Coast. She knew all this and it was exceedingly painful to her to witness the daughter accomplish that in which the mother had failed.

The End
The authority of Mexico ended on July 7, 1846.¹⁷ This does not mean that British authority or interests were ended. The following pages treat the decline of British activities and the causes of this decline.

¹⁶ Adams, op. cit., p. 259.

¹⁷ Moore, op. cit., p. 306.

CHAPTER I

THE PROBLEM OF CALIFORNIA

It was believed that whoever controlled the harbor of San Francisco and California, controlled the destiny of the Pacific.¹

The United States strongly believed this, and the activities of Commodore Sloat, Fremont, Larkin, Gillespie and others, who were government agents, together with the Treaty of Guadalupe Hidalgo, had placed the California regions in our hands. This was our sole purpose in sending Sloat to the Pacific Coast. We wanted California badly, and now that it did belong to us, we were anxious to keep it.²

California was a prize, and this fact was known early in the nineteenth century. Thomas Hart Benton had suggested that land be given away in this region to sturdy pioneers who could carry rifles, and who knew how to use them. His aim was to place nearly a half-million such people beyond the Rocky Mountains.³

Great Britain's interest in this matter was keen. She had numerous British subjects living in this region. International law recognizes that "title by occupation" is gained by the discovery, use and settlement of territory not occupied by a civilized power. Discovery gives only an inchoate title, which must be confirmed by use or settlement.⁴ A potatoe famine in Ireland furnished Britain with more material to further her interests here. She knew the Irish would be settlers, and she hoped by so populating California with

¹ Turner, op. cit., p. 509.

² Congressional Globe, 30th. Cong., 1st. Sess., XVIII.

³ Carl Russel Fish, American Diplomacy, p. 256.

⁴ Moore, op. cit., I, p. 258.

thousands of these immigrants, she could save her from the United States, because her interests were not ours and she was jealous of our manifest destiny in the Pacific.⁵

Britain's attitude had been somewhat like that of the dog in the manger. She wanted California for herself, but feared France or the United States would get it, so she had rather hoped that it would stay in possession of a very weak power such as Mexico.⁶

That we kept out of war with Britain during this period of 1840-1850 was indeed our good fortune.⁷ The British were very bitter toward the Americans and their attempts to take California. Travelers to the United States returned to Britain and published books concerning the people of the United States. These were in no sense complimentary. Great English newspapers and periodicals quoted passages from these books and attacked the American institutions and ideals maliciously.⁸

According to Lucas Alaman, the process of American expansion is one of unusualness. The Americans gain territory with little or no noise or pomp or conquest, but with such constancy and uniformity that they successfully acquire without awakening public attention. Alaman further states that the United States people first "introduce" themselves into the coveted territory upon a pretence of commercial negotiations, establish colonies which grow until theirs is the predominate party in population. "Then these colonies set up rights which it is impossible to sustain in

⁵ Josiah Royce, American Commonwealths--California, Houghton Mifflin and Co. Riverside Press, Cambridge. 1894. pp. 165-168.

⁶ Ibid, p. 256.

⁷ Ibid, p. 256.

⁸ John Halladay Latane, From Isolation to Leadership, Doubleday Page and Co., New York. 1918. p. 101.

a serious discussion, and to bring forward ridiculous pretensions founded upon historical facts which are admitted by nobody." Some time later the United States Government sees fit to protect its people in this territory, which leads to actual possession.⁹

Although many statesmen were worried lest California fall into the hand of Great Britain, they did not think that American settlement was or would be of great importance for a number of years. They were forced to change their minds, however, when in January 1848, gold was discovered in the Sacramento Valley. As the news of this discovery reached the east, thousands of people started west.¹⁰

Before the end of the second year, California had a population of 100,000, mostly men from all sections and all nations. This was the first time that the United States was faced with a community whose economic status was based on mining. Many new problems presented themselves, and need for some form of government was not only pressing, but imperative.¹¹

The Treaty of Guadalupe Hidalgo had not been signed on January 31, 1848, but the United States seemed to recognize California as belonging to it, and on the above date, Mr. Turner asked leave to introduce a joint resolution to annex both Upper and Lower regions of California.¹²

Another act of Congress which took place before California was legally ours by treaty, was the appointment of a committee by the Vice-President, to investigate the claims of certain individuals now in Washington, in regard to claims made by Californians who had helped Fremont

⁹ House Executive Documents, 25th. Cong., 1st. Sess., No. 351, pp. 312-322.

¹⁰ Fish, op. cit., p. 320.

¹¹ Ibid, p. 321.

¹² Congressional Globe, 30th. Cong., 1st. Sess., XVIII, p. 268.

in the California Insurrection.¹³

On February 2, 1848, by the Treaty of Guadalupe Hidalgo, we agreed to assume the Mexican claims which were thought to be a little over three million dollars, and to pay Mexico an additional fifteen million in exchange roughly for Texas to the Rio Grande, New Mexico, Nevada, Utah, Arizona, California and a part of Colorado. Even the plunder of Cortez seemed small in comparison, and within a few months, California was to yield a store of gold the like of which Polk had never seen even in Aztec treasuries . . . Manifest Destiny had taken nearly a quarter of our continental area at one time. A few hundred thousand Indians were merely "pepper on meat."¹⁴

The following month imperialistic America furthered her interests by assuming the policy of non-colonization and non-interference by any European powers, with the independent states in this hemisphere.¹⁵ The Monroe Doctrine always played a significant part in any and all situations in which the interests of the United States were at stake.

In April, the California Claims were again brought before the Senate. The claims of these Californians were pressing, and the Senate debated long and loud the payment of them. Rush championed the cause of the Californians, who, he said, had acted properly and along with Fremont, had taken the proper position when they had raised the flag of the United States. Fremont had taken the proper position even though he had been asked to leave the country. This order had come in the form of a threat

¹³ Senate Journal, 30th. Cong., 1st. Sess., No. 502, p. 504.

¹⁴ Hunter Miller, Treaties and Other International Acts of the U.S.A., Department of State, Washington. 1939. V, pp. 207, 208, 209.

¹⁵ Congressional Globe, 30th. Cong., 1st. Sess., XVII, p. 559.

and therefore Fremont and his men had taken the proper course.¹⁶ After doing this, Fremont and some of his men went to Oregon, and when he later returned to California, it was by orders of the United States Government, under the auspices of Captain Gillespie, who said that something must be done to counteract the designs of British emissaries. After Fremont's return, a large number of American settlers called upon him for aid and protection. The families of these settlers, who had been living there, had been ordered, through the influence of British agents, operating upon the local authorities to leave the country. Britain had gone so far as to try to drive them out with troops. These people were exposed to the tomahawk and scalping knife of the merciless savage. Rush continued by saying that the Indians had been incited to commence the work of destruction by burning up the crops, and killing women and children. He also believed the British emissaries were behind it all, and finishing, added that "in any war in which we had been engaged with Great Britain, she had always incited the Indians against us."¹⁷

Fremont had said that he would pay the California Claims himself, if the United States Government failed to do so. Rush pled with the Senate to listen to reason, and asked the members if they would expect Fremont to pay the expenses "attending the gallant act" the more especially when the consequence of that act had been to prevent California from falling into the hands of the British Government.

Rush's speech before the Senate was lengthy. He said that Commodore Sloat had been sent to the Pacific Coast. He had written to Wash-

¹⁶ Congressional Globe, 30th. Cong., 1st. Sess., XVII, p. 629.

¹⁷ Ibid, p. 629.

ington saying that British vessels were on the coast, and he believed they had designs against the country. Sloat would not assume the responsibility for taking possession of Monterey, and California had declared herself independent. Shortly after this, Commodore Stockton arrived with orders from the United States Government to take possession.¹⁸

Sloat's orders were read in Congress on April 25, 1848. He had been ordered to take and hold possession of California. A form of civil government was to be established under the protection of Sloat.¹⁹ Only a few days after he had taken possession of Monterey, a British Admiral arrived there, went off as suddenly and mysteriously as he had come, "abandoning California to its new masters, and putting an end to all hope of British protection." A number of riflemen on horseback appeared at this time, and this was an impressive sight to both British and Americans. "California was saved, this assured us the conquest of all the rest of California." Britain understood that her cause was hopeless.²⁰

Polk's message to Congress on July 24, included an evaluation of this region. He believed that the commercial, navigation, manufacturing and agricultural advantages gained by the California cession, were very great. He also believed that great as were these factors, the United States sovereignty over the country was of more importance than all of the others.²¹ More of Polk's message in regard to mines of California was as follows:

¹⁸ Congressional Globe, 30th. Cong., 1st. Sess., XVII, p. 629.

¹⁹ Ibid, p. 629.

²⁰ Ibid, p. 678.

²¹ Ibid, p. 278.

That we may the more speedily and fully avail ourselves of the undeveloped wealth of these mines, it is deemed of vast importance that a branch of the United States mint be established at your present session in California . . . It will be important to extend our revenue laws over these territories, and especially over California, at an early period. There is already a considerable commerce with California, and until ports of entry shall be established and collectors appointed, no revenue can be received.²²

It was realized that there should be some means of governing the Territory of California. One very splendid idea, according to Benton, was to support a bill which proposed to build a railroad to the Pacific.²³

On August 14, 1848, by Act of Congress, the Postmaster-General was authorized to establish post offices and appoint deputy postmasters at San Diego, Monterey and San Francisco; also to such other places on the coast of the Pacific in California within the territory of the United States, a temporary means of transportation was to be provided. The price of transportation for letters from the Atlantic to the Pacific was to be forty cents each. From place to place on the Pacific a charge of twelve and one-half cents was to be made. The money received was to be used to pay the transportation to and from.²⁴ The same month a treaty was made with Great Britain. Both countries seemed desirous of promoting friendly relations by "placing the communications by Post, between the Territory of the United States and the territory of Her Britannic Majesty, upon a more liberal and advantageous footing."²⁵

²² Messages and Papers of the Presidents, IV, pp. 636-637.

²³ Congressional Globe, 30th. Cong., 1st. Sess., XVII, pp. 10-11.

²⁴ U. S. Statutes at Large, IX, p. 320.

²⁵ Miller, op. cit., 1934, V, pp. 207, 208, 209.

CHAPTER II

SETTLEMENT OF CALIFORNIA

The discovery of gold in California and the date of the discovery, settled the destiny of California.¹

After the United States Government sent troops to California and took actual possession of it, a temporary government was established by the officers of the combined army and navy in command. Since that date, however, a treaty had been made with Mexico and the acquisition of California was complete. At this point in events, the temporary government there should have no longer existed. A new one should have taken its place, which would care for the wills and wishes of a new group of United States citizens.²

On January 9, 1849, it was again suggested that California be admitted as a state. This had been suggested previously, but little action had been taken. Until the Congress of the United States should make some sort of arrangements for a territorial government, the weak government then existing was all that could protect California from anarchy. A bill was presented which had as its aims the provision of territorial governments for both California and New Mexico. Then the two would be united and a state government formed for them.³

Many people of all descriptions were going to California to hunt for gold. Life and property were of little value. People who were uncouth, rough and dangerous lived in this region where life was at a premium. Great Britain was patrolling the waters around Panama with

¹ H. Morse Stephens and Herbert E. Bolton, The Pacific Ocean in History, Macmillan Co., New York. 1917. p. 98.

² House Executive Documents, 30th. Cong., 1st. Sess., VIII, p. 5.

³ Senate Reports, 30th. Cong., 2nd. Sess., No. 256, pp. 4,5,6.

her large battle ships, the "Men of War". Trusty marines, from these ships, deserted and rushed to California to hunt gold. It became necessary for the United States to send more troops to California to protect the newly acquired territory. Members of this new army that were sent to California, deserted their post to take a pick and shovel and climb the mountains in search of the yellow dust.⁴

At this period in California history, many foreigners were in California. Many of these would get all they could and then return to their native countries. Since this land had now become a public domain, the United States Government decided to no longer permit foreigners this privilege. They were dangerous and must be removed. Already, bands of ruthless plunderers had organized and taken possession of the mines.⁵

Because of these conditions, it was necessary for Congress to make appropriations to maintain troops in California, in order that the inhabitants might be protected against all "attacks from a civilized or savage foe."⁶ Just who the "civilized" foe might be, is a matter of opinion. The various Indian tribes were causing a great deal of trouble. They had boundary claims, which they were unwilling to give up to the rush of oncoming settlers. The United States had planned to deposit these tribes in a mountainous region which was not desirable for the settlement of white people. It was believed that the Indians could comfortably adjust themselves here and be well within government reach, yet beyond the reach of the millions of Anglo-Saxons, who were "pressing

⁴ House Executive Documents, 31st. Cong., 1st. Sess., V, Doc. 17, p. 708.

⁵ Ibid, p. 709.

⁶ Senate Documents, 31st. Cong., 1st. Sess., IX, Doc. 18, p. 9.

toward the setting sun with almost race horse speed", and who were soon to cover every reasonably inhabitable spot within the extended boundaries of the United States.⁷ Indian treaties were made in large number with the western tribes, who were placed under the jurisdiction of the United States. Perpetual peace was to exist; free passage through their territory was another phase of treaty; military posts and agencies were to be established; the United States was to adjust territorial boundaries and provide laws for each territory.⁸

As a result of the Treaty with Mexico in 1848, the United States Government was eager to know just what land belonged to the United States. That there were land titles in existence was known. It was believed that someone should be sent to California to obtain information through a study of California archives then in existence. This agent was to find out just what islands in the bays or harbors or anywhere on the coast the United States might now own or hope to own, so that fortifications could be erected in defense of the Pacific Coast.⁹

President Polk had previously stated in regard to the value of the public lands:

The value of the public lands embraced within the limits of the ceded territory, great as the value may be, is far less important to the people of the United States than the sovereignty over the country . . . Although none of the future cities on our coast of California may ever rival the city of New York in wealth, population and business, yet, that important cities will grow up on the magnificent harbors of that coast, with a rapidly increasing commerce and population and yielding a large revenue, would seem to be certain. By the possession of the safe and capacious harbors on

⁷ Senate Documents, 30th. Cong., 2d. Sess., p. 107.

⁸ Senate Reports, 30th. Cong., 2d. Sess., p. 91.

⁹ Senate Documents, 30th. Cong., 2d. Sess., p. 115.

the California Coast, we shall have great advantages in securing the rich commerce of the east and shall thus obtain for our products new and increased markets and greatly enlarge our coasting and foreign trade, as well as augment our tonnage and revenue.¹⁰

On January 31, 1849, it was suggested that a road be built across the United States to California. The purpose was to make better communication with that territory. Before that road could be built however, it would be necessary to send a group to explore this region and see where the road might best be built. Posts and agencies were to be established on this road and thus more friendly relations with the Indians would result. The amount of money needed for the survey alone was \$10,000.¹¹

Colonel Mason, who had been governor of California in 1848, was succeeded by Brigadier General Bennet Riley, who wrote a letter to Washington telling the Government there that legislative assemblies were being organized in California. One of these was the Sonoma Assembly which soon dissolved. Difficulties arising under the temporary government there, could be straightened out, Riley believed. Taxes were being made and filed. Laws were made.¹² The President believed that the general laws of war applied to the situation because, since the surrender, the inhabitants passed under allegiance to the conqueror and were bound by such laws as the conqueror chose to recognize and impose. These were well established principles of the laws of war as recognized and practiced by civilized nations.¹³

Now the Californians were tired of temporary government. They

¹⁰ House Executive Documents, 30th. Cong., 2nd. Sess., VIII, pp. 6,7.

¹¹ Senate Reports, 30th. Cong., 2nd. Sess., p. 92.

¹² House Executive Documents, 31st. Cong., 1st. Sess., III, p. 162.

¹³ House Executive Documents, 30th. Cong., 1st. Sess., VIII, p. 2.

wished to be admitted to the Union of the United States of America. President Polk was heartily in favor of admission, because he believed that if the country were not admitted our chances of losing it were great. President-elect Zachery Taylor told Polk that he was certain that California was too far away to become a part of the Union. The United States Government would never be in a favorable position to protect it, because of the great distance from the Washington Government and the Pacific Coast. Mr. Taylor believed that California should have an independent government.¹⁴ This was a somewhat unusual position for the President-elect to take and the imperialistic Polk thought it very strange indeed.

Slavery and states rights were becoming quite an issue. The Northern and Southern States were maintaining quite a balance in the United States Congress. With the admission of California in the immediate foreground, both sides were wondering whether she would be admitted as a slave or free state. Polk believed that slavery could never exist in the California region. He believed conditions were generally unfavorable for slave labor.¹⁵ Unlike Taylor, however, he believed that California should be admitted into the Union as a state and he also thought that this was the only practical way of settling the slave question. He believed the country would be quieted and the Union preserved.¹⁶ On February 27, 1849, the House passed a territorial bill excluding slavery from the new territories, which included the territory of California.¹⁷

¹⁴ Allen Nevins, Diary of a President, Longmans Green and Co., New York. 1929. p. 389.

¹⁵ Ibid, p. 193.

¹⁶ Ibid, pp. 366, 367.

¹⁷ John Hopkins University Studies in Historical & Political Science, p. 23.

It has been previously stated that the revenue laws of the United States had been extended over the California region. The collection of this revenue was quite another thing. The new residents of that country did not recognize that United States Government any more than the British or Spanish. There were followers of all of these with a sprinkling of French. There was grave danger of a separate state being established here that might fall prey to any country that would be interested in taking possession of it. British ships were patrolling the waters of the Pacific Coast, with intentions of "doing their bit" toward furthering British interests in any way possible. Thomas Butler King was appointed by the President to convey certain instructions to our naval and military commanders in California. Although we have no definite available evidence as to what these "certain" instructions were, we do know that a government set up by any but United States authorities was to be stopped. The army and navy, then in that vicinity, was to aid Butler in accomplishing his mission.¹⁸

Butler believed that California should be admitted to the Union at once, and he made that statement before Congress. He believed that if she were not admitted immediately she would be lost to some other nation and all of the inexhaustible mines of gold, the fine territory, as well as other wealth would become the possession of another nation.¹⁹

California could not be admitted to the Union as a state until it had a constitution based on a republican form of government, in accordance with the constitution of the United States. The making of such a constitution would take a couple of years and then the California re-

¹⁸ Senate Documents, 31st. Cong., 1st. Sess., IX, Doc. 18, pp. 10, 11.

¹⁹ Congressional Globe, 30th. Cong., 2nd. Sess., p. 194.

gion could apply for admission. Senator Douglas, in a speech before the House, admitted that the government of California was not a desirable one, but -- for that reason it should have a better. Its government should be legal. He believed that in the course of two years the people there would come together and form a satisfactory government, which would admit them to the Union, and Colt's pistols would no longer be the law of the land.²⁰

United States citizens in California were clamoring for statehood. They were not content with promises, many of which were forthcoming. James Buchanan, in a speech before the Department of State said:

The people of California may feel the firmest conviction that the government and people of the United States will never abandon them or prove unmindful of their prosperity. Their fate and their fortunes are now indissolubly united with that of their brethren on this side of the Rocky Mountains. How propitious this event both for them and for us.

The President deeply regrets that Congress did not, at its late session, establish a territorial government for California. It would now be vain to enter into the reasons for this omission. Whatever these may have been, he is firmly convinced that Congress feels a deep interest in the welfare of California and its people, and will, at an early period of the next session, provide for them a territorial government for their wants.

The President urgently advises the people of California to live peaceably and quietly under the existing government. He believes this will promote their lasting and best interests. They can console themselves with the thought that it will endure only a few months.²¹

The question of California became a large one. When problems were discussed in Congress, invariably the California question came to the front. Just what to do with this new territory extending from the

²⁰ Congressional Globe, 50th. Cong., 2nd. Sess., p. 194.

²¹ Senate Documents, 51st. Cong., 1st. Sess., IX, Doc. 18, pp. 5, 6, 7.

thirty-second to the forty-second degree of north latitude; bounded on the north by the Oregon Territory; on the South by Lower California; on the East by the Rocky Mountains and on the West by the Pacific Ocean, was a big problem. It was estimated that this region contained 325,529 square miles and about 208,332,800 acres.²²

By August 1, 1849, San Francisco had five churches. It is not known just how many liquor or gambling saloons there was. Expenses were extremely high.²³

In October, 1849, the Treaty of San Francisco was made between the Sandwich Islands and the United States of America. It was a treaty of amity, commerce and navigation, between these two parties. The Americans wanted the right to have property in these islands and the United States was to be considered the favored nation. Charles Eames, United States representative in the matter, stated that with conditions in California as they were, the treaty was very important.²⁴ This, of course, was purely a defense measure because the Government in Washington was realizing more and more the strategic importance of the Pacific Coast and the defense of it.

In October, 1849, a constitutional convention met to draw up a constitution for California. This document endured for thirty years as the fundamental law of the Empire State of the Pacific.²⁵

Since California aspired to become a part of the Union, and since she was a part of United States Territory, it was deemed right and fair

²² House Executive Documents, 30th. Cong., 1st. Sess., III, Doc. 70, pp. 8,9.

²³ Octavius Thorndike Howe, Argonauts of 49, Harvard University Press, Cambridge. 1923. p. 118.

²⁴ Hunter Miller, op. cit., V, p. 613.

²⁵ Senate Documents, 31st. Cong., 1st. Sess., IX, Doc. 18, p. 821.

that she should pay revenue duties to the United States Government. This idea was uppermost in the minds of congressmen and senators of the eastern seaboard states but it was difficult to compel the people of this region to pay anything which they did not wish to pay. In November, 1849, J. Collier was appointed by the United States Government as collector of internal revenue in California. He arrived there on November 13 of the year. Collier was now in a position to advise his superiors in Washington concerning the state of affairs in California, which he said was startling. He said these people in the territory had not only adopted a constitution of state government, but they had elected a governor and other state officials. T. Butler King, who had been appointed by the president to carry dispatches to California was a candidate for the United States Senate. Not only government in California was in a boom stage, but prices too were startlingly high. Flour was selling for forty dollars per barrel. Pork was sixty dollars per barrel. A small room rented for one hundred and fifty dollars a month. Collier tried to rent an office, but could find only a little four room house for twenty-four hundred dollars a month. He suggested that a customs-house be contracted for by the Washington Government; "one of cast iron would be best if it could be built." He urged immediate action, because the business would justify the cost of Building.²⁶

The coasting trade along the Pacific Coast had been open to all nations and it was quite a profitable business. Any vessel desiring to engage in this trade was granted a license. In November, 1849, Collier made it known that he had revoked all of the licenses granted to foreign vessels and no more licenses were to be issued except to American

²⁶ Senate Documents, 31st. Cong., 1st. Sess., IX, Doc. 18, p. 25.

ships.²⁷ This would bring more money into the California treasury.

In December, 1849, President Z. Taylor told Congress:

No civil government having been provided by Congress for California, the people of that territory, impelled by the necessities of their political conditions, recently met in convention for the purpose of forming a constitution and state government, which the latest advices give me reason to suppose has been accomplished; and it is believed that they will shortly apply for the admission of California into the Union as a sovereign state. Should such be the case, and should their constitution be conformable to the requisitions of the Constitution of the United States, I recommend their application to the favorable consideration of Congress.²⁸

President Taylor also said that light-houses should be erected on the California coast, because due to rapidly increasing commerce on the coast, they were in need of them.²⁹ His attitude had changed a great deal since he had talked to Ex-President Polk in 1848.

On December 20, 1849, State Government was established. Peter H. Burnett was inaugurated as the first governor of the State of California and soon thereafter William M. Gwin and John C. Fremont were elected the first United States senators from the State of California. It is customary and somewhat imperative that a state must first have territorial government before it can be admitted to the Union as such. California broke all precedents by declaring itself a state -- and a free state at that. She sent her representatives to Washington to hurry up the passage of the bill which should admit her to the Union. She had never been given territorial government.³⁰

²⁷ Senate Documents, 31st. Cong., 1st. Sess., IX, Doc. 18, p. 25.

²⁸ Executive Documents, 31st. Cong., 1st. Sess., III, p. 11.

²⁹ Ibid, p. 12.

³⁰ The Pacific Ocean in History. Panama Pacific Historical Congress, San Francisco. 1915. Taken from a speech by John F. Davis, President of the Order of Native Sons of the Golden West, p. 107.

CHAPTER III

ANNEXATION OF CALIFORNIA

Zachary Taylor had succeeded James K. Polk as President of the United States and announced to his people that, "We are at peace with all the nations of the world and seek to maintain our cherished relations of amity with them. Our relations with Great Britain are of the most friendly character."¹ President Taylor was never too suspicious of England. However, it is evident that these "cherished" relations were not a matter of record. George W. Crawford, Secretary of War, sent definite instructions to the commander of the Pacific squadron in California warning him of the importance of protection against foreign invasion. The country most likely to invade was none other than Great Britain, because she alone was in position to do so.²

At the beginning of the following year, 1850, there were approximately one hundred thousand people living in California. Large numbers of those living on the coast were engaged in the smuggling business. Goods that were smuggled into the country were sold at enormous prices. Collier suggested that an extra ship be added to guard the coast line. The Washington government was interested in doing this, because no revenue is collected from smuggled goods.³

An interesting turn in events was taking place by 1850. Although the gold was steadily pouring out of the country, many of the settlers who had

¹ House Executive Documents, 31st. Cong., 1st. Sess., III, Doc. 5, p. 3.

² Ibid, p. 156.

³ Senate Documents, 31st. Cong., 1st. Sess., IX, Doc. 18, p. 27.

come to California, the land of golden opportunity, were now turning their ambitions toward cultivating the fertile soil and the building of homes. There was still some doubt as to whether or not the land titles were valid. Land constituting the public domain was not actually known, and this proved to be a serious check in the agricultural set-up.⁴ Certain United States senators were afraid that the public domain in California was to be held by that State instead of the United States. This was an error, and Douglas very ably proved it to be such.

The California region was applying to the Washington government for admission to the Union, and Douglas told the House that he would support a bill for admission. Other senators did not agree. Congress was now divided over the question of slavery. The admission of California as a free state would put the slave states in minority. Douglas believed that the crime California had committed was to exclude the institution of slavery from her borders.⁵ The question of admission was debated pro and con for many days. These were dangerous days. While the debate was going on, the Californians were daily becoming more eager for statehood. They were in an unsettled stage and could have been easily persuaded to make a change. This was a remote region looking out upon the Pacific at a distance of thousands of miles from Washington. Mr. W. T. Hamilton of Maryland made the following speech in the Senate June 8, 1850:

The application of California for admission, presents an interesting juncture of affairs. Its admission places the legislative department of the Government in the possession of the non-slaveholding states. The power of the South is being transferred.

⁴ House Executive Documents, 31st. Cong., 1st. Sess., III, Doc. 17, p. 787.

⁵ Congressional Globe, 31st. Cong., 1st. Sess., XXII, p. 890.

to others. Its sceptre of legislative power is about departing never more to return. Men having power, and for a long time enjoying it, dislike to give up any, particularly protective power especially when their interests near and dear to them are supposed to be identified with it.

California in her application is met with a decisive opposition and objections to its admission have been submitted to us. One of these objections though rather incidental and intimated rather than direct and asserted, is that its admission will destroy the equipoise now esteemed so necessary to be maintained between the slave and non-slaveholding states.⁶

One of the chief arguments, presented by Southern orators, was that California had written and accepted a constitutional government without the permission of Congress. This, the South believed was wrong. There is evidence that other states had done the same thing and were admitted to the Union. However, at the time of admission there was little danger of a Civil War ensuing because of an overbalance of power enjoyed by one section of the country.⁷ Wilnot said that the only offense committed by California was that she had prohibited slavery within her borders and this was not serious enough to prevent annexation.⁸

On June 24, Soule made the following speech in Congress:

I rise, Mr. President, to state the reasons that will compel me to resist and which in my judgment ought to induce the Senate to delay the admission of California into the Union until she has executed a full and solemn relinquishment of all rights and pretensions to public domain within her limits and until she has restricted the area of her jurisdiction to suitable bounds and dimensions. When that is done, she may come at once and claim her rank among the sovereigns of this great confederacy. But while I am throwing open to her, every avenue through which she may surely and promptly reach us, I cannot consent to let her ride over the rights of the South and the best interests of the Republic. We have been delinquent in her case. Had California been provided as she ought to have been with a government that would have enabled her to prescribe rules for the

⁶ Congressional Globe, 31st. Cong., 1st. Sess., XXII, p. 890.

⁷ Ibid, p. 893.

⁸ Ibid, p. 940.

guidance of her citizens to extend security to their lives -- to insure protection to their property, we would not now be engaged in this disturbing discussions. Yet, sir, it should not be forgotten that when the attempt was made in the two last congresses to organize a government for the newly acquired territories, it was resisted by those who are now the most anxious for the immediate and unconditional admission of California. These people had voted against the treaty of annexing her. Why was the annexation bill voted on? Because it was decided that it was better to leave the Territories exposed to all the inconveniences and dangers of anarchy than to suffer the South to have the least chance of sharing in the profits of a conquest for which she had poured out so lavishly her treasure and her blood.⁹

It was further argued by Southern senators that the organization of state government in California was premature, because there was an insufficient population when delegates were elected to the constitutional convention. The population was a floating one. Few of the people were permanent residents and largely made up of convicts and riff-raff.¹⁰

The United States was rapidly becoming sectionalized. It was realized that the East and West must be drawn closer together even though the North and South were drifting farther apart. A canal through Central America seemed imperative. Britain had been watching the coast line, had treated with the Mosquito Indians and garrisoned that part of Central America.¹¹ She realized that whoever was successful in constructing a canal would dominate both coasts of the western hemisphere. She knew, that although the United States was lacking in capital and could not construct a canal, she would probably not permit a foreign country to do so. The Clayton-Bulwer Treaty was signed April 19, 1850 and ratified on July 5, of that year. This was a joint treaty between the United States and

⁹ Congressional Globe, 51st. Cong., 1st. Sess., XXII, p. 961.

¹⁰ Ibid, p. 1159.

¹¹ William R. Manning, Diplomatic Correspondence of the United States, Central America, 1859-1850, Carnegie Endowment for International Peace, Washington. 1933. III, Doc. 850, p. 257.

Great Britain agreeing to join in promoting the construction of a ship canal across the isthmus by the Nicaragua route. They promised that neither would obtain nor maintain for itself, exclusive control over the canal, or assume or exercise any dominion over any part of Central America. They were not to fortify, occupy, colonize, assume or exercise any dominion over any part of Nicaragua, Costa Rica, the Mosquito Coast or Central America.¹²

Britain's activities were forced to decline in California. About the only thing left for her to do was watch and wait for an opportunity which never came. This paradise for wild men began to be tamed. After a period of gold-digging, a government was established, lands were cultivated and eventually cities were built. Men began to see change. The moral ideal was not notion-making. It was money-making. The meanest of occupations though, was saturated with thought. This was an epoch of expansion following a long period of concentration of ideas. Men without a country, men who never had a country, lived here. They had come for gold. Their thoughts were gold; golden their hopes, fears, loves and hates. Now they were uniting for statehood.¹³

Thomas Corwin, Secretary of the Treasury in 1850, told Congress that revenues were coming in from California, which had been collected from customs. So great were these that he advised the construction of a new custom house at San Francisco. Corwin recommended that a branch mint be

¹² Miller, op. cit., V, pp. 671, 672, 673.

¹³ Hubert Howe Bancroft, California Inter Pecula, The History Co. 1888. pp. 253, 256, 257.

established in the same city and the treasurer thereof be constituted an assistant.¹⁴

In reply to this statement, Gilbert Rodman, special agent of the Treasury Department, said that all of the things Corwin had mentioned were needed. California was of great importance. She had advantages of position, resources, and the progress she had made was evidence that she was destined to become, at no distant day, the center of a widespread and profitable commerce, yielding a very large revenue to the public treasury.¹⁵

A number of western citizens met and drew up a document to be presented to the Senate and House of Representatives of the United States. Their purpose was to inform Congress of their importance to the rest of the Union. They informed Congress that nothing had been done for their improvement. Improvements were made only in the east. Promises had been made but delays inevitably occurred. One of the important things which the western sea coast wished was armories for protection.¹⁶

F. P. Stanton from the committee on naval affairs, confirmed these opinions by saying that a railroad to unite Atlantic and Pacific Coasts of the United States was necessary to make the states united. This railroad should extend from the banks of the Mississippi River to the shores of California and be a great national road. The road should be constructed upon the grounds of National Defense, Stanton believed. The naval convention advocated construction of the railroad by the governments of the states through which the road would pass. This road was needed and

¹⁴ House Executive Documents, 31st. Cong., 1st. Sess., Doc. 82, p. 5.

¹⁵ Ibid., p. 8.

¹⁶ House Miscellaneous Documents, 31st. Cong., 2nd. Sess., pp. 1-12.

necessary for the protection, security and well-being of American citizens inhabiting the Pacific slope. It is a matter of record that provisions must be made for the common defense and protection of the regions flying the Stars and Stripes.

California is a region that the entire world covets and that power "upon whose flag the sun never sets" is watching California with a jealous eye. With ill-concealed anger she saw that jewel fall into the possession of the United States, and in the event of war, her first object will be to seize and hold California if she can.

With other possessions of Great Britain which are close to California, and with her military posts and naval stations, England was then much nearer to California than the Federal Government. In case of war, she could assemble fleets, land troops and operate these for at least six months before a single ship or a United States soldier could arrive. In this length of time, she could erect fortifications at the entrance of the harbors, plant guns in the mountain passes which would effectually exclude all the help from that direction, either by land or by sea. The difficulties of dislodgement would be great. A cross country railroad would make the defense of the coast easy. This railroad could connect with the numerous networks of railroads running north, south and east of the Mississippi River. The road would by necessity be constructed to the same or common gauge, with engines sufficient to transport an army of one hundred thousand men, immediately, in case of an emergency, to the Pacific Coast within one week.¹⁷

This was one of the most important issues of the time. This was a means of bringing the two sections of the country together. On December

¹⁷ Reports of Committees, 31st. Cong., 1st. Sess., III, Report No. 439, pp. 1-9.

17, 1850, California was admitted to the Union of the United States of America. The institution of slavery was banned from her borders. Her southern boundary was fixed at 36° 30' north latitude.

Britain has always been interested in colonization on this and the South American continent. She has always been eager to keep the United States classed as a second rate nation. Her fleet has patrolled the waters of the California Pacific Coast with eyes on the valuable territory to be acquired. She has encouraged colonization by British subjects and has even incited the Indians to attack American settlers, and then exterminate the last remnants of American colonization in the California region. Had not President Polk, who prayed for peace but prepared for war, been capable of handling conditions which arose in California as a result of British agents, and had not the gold rush brought in such a large number of gold seekers who stayed and settled, the history of the great Southwest might have been much different. We might find ourselves serving under the British flag instead of the Stars and Stripes. So important was the decline of British activities, as a result of annexation in 1850, that we may almost say it ranks in importance, with the American Revolution or the Civil War.

Britain had tried and failed. The United States of America was taking its place among the nations of the world. Manifest Destiny, brainchild of a nation with great ideas and the forethought to develop the hopes and ideals of its people, was responsible for the acquisition of California, the Empire State of the Pacific.

18 American Historical Annual Report, Washington. 1913. II, p. 203.

BIBLIOGRAPHY

PRIMARY SOURCES

DOCUMENTS:

Congressional Globe, 30th. Cong., 1st. Sess., Blair & Rives, Washington, (1848), XVI; 30th. Cong., 2nd. Sess., (1849), XVIII; 31st. Cong. 1st. Sess., (1850), XXII.

House Executive Documents, 25th. Cong., 2nd. Sess., Gov't. Printing Office, Washington, No. 351; 30th. Cong., 1st. Sess., VIII; 31st. Cong., 2nd. Sess., V; 31st. Cong., 1st. Sess., III.

Reports of Committees, 31st. Cong., 1st. Sess., Gov't Printing Office, Washington, Report No. 439, III.

Senate Documents, 31st. Cong., 1st. Sess., Gov't. Printing Office, Washington, IX.

Senate Journal, 30th. Cong., 1st. Sess., Gov't. Printing Office, Washington, No. 502.

Senate Reports, 30th. Cong., 2nd. Sess., Gov't. Printing Office, Washington.

U. S. Statutes at Large, (1850), IX.

BOOKS:

Manning, William R. Diplomatic Correspondence of the United States; Intra - American Affairs 1831-1860. Washington. 1933.

Miller, Hunter, Treaties and Other International Acts of the United States of America. Department of State, Washington. 1934.

Moore, John Bassett. History and Digest of International Arbitration, Washington Government Printing Office. 1906.

Mowat, Robert Boimoin. Diplomatic Relations of Great Britain and the United States. Edward Arnold and Company. 1925.

Nevins, Allen. Polk - The Diary of a President 1845-1849. Longmans Green and Company, New York. 1929.

Richardson, James David. Messages and Papers of the Presidents 1789-1902. Bureau of National Literature and Art, New York. 1903.

SECONDARY SOURCESBOOKS:

Adams, Ephriam Douglas. British Interests and Activities in Texas, 1838 - 1846. John Hopkins Press, New York. 1910.

Bancroft, Hubert Howe. History of California. History Company. San Francisco. 1886.

- PRESIDENTIAL LIBRARY
 L. I. H. R.
 OCT 6 1941
- Bemis, Samuel Flagg. American Secretaries of State. Alfred Knopf, New York. 1928.
- Fish, Carl Russel. Development of American Nationality. American Book Company, New York. 1924.
- Homan, Binger. The Louisiana Purchase and Our Title West of the Rocky Mountains. Government Printing Office, Washington. 1900.
- Howe, Octavious Thorndike. Argonauts of 49; History and Adventures of the Emigrant Companies from Massachusetts, 1849-1850. Harvard University Press, Cambridge. 1923.
- Latane, John Halliday. From Isolation to Leadership. Doubleday and Page Company, New York. 1918.
- Reeves, Jesse S. American Diplomacy Under Tyler and Polk. The John Hopkins Press, Baltimore. 1907.
- Royce, Josiah. American Commonwealths - California. Houghton Mifflin and Company, San Francisco. 1894.
- Scholefield, Gay H. The Pacific - Its Past and Future. John Murray Albermarle St., London. 1919.
- Stephens, H. Morse and Bolton, Herbert E. The Pacific Ocean in History. Macmillan Company, New York. 1917.
- Turner, Frederick Jackson. The United States 1830-1850. Henry Holt Company, New York. 1935.

REPORTS:

- American Historical Annual Report, 1911, II, Washington, 1913.
- John Hopkins University Studies in Historical and Political Science, XIII, John Hopkins Press, Baltimore. 1895.

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