

Hostilities were not confined to Southern California. While General Kearny was marching on Los Angeles, one Don Francisco Sanchez, at the head of a hundred men, held sway for a time in the country about San Francisco and Monterey. Besides other Americans whom he held prisoners, he captured Lieut. Bartlett, of the Navy, acting alcalde of San Francisco. Then Captain Marston, Marine corps, was sent against him from San Francisco, with one hundred marines and volunteers, and a piece of artillery. January 2d, he met him on the plains of Santa Clara; after an action of an hour, with small loss on either side, Sanchez retreated and the same evening sent by a flag, a request for an armistice and conference. Next day Marston was joined by a company of mounted volunteers, under Lieut. Maddox, Marine corps, from Monterey.

January 8th, the Californians gave up Lieutenant Bartlett and other prisoners, surrendered a field-piece and other arms, and disbanded.

Col. F.'s conduct at this time by a general court martial, resulted in his conviction of mutiny and disobedience of orders, and sentence of dismissal from the army.

Commodore Stockton escaped a trial.

DANGEROUS CONSEQUENCES OF THE MUTINY. AN INTERREGNUM.

THE narrative of the march of the infantry battalion under Lieutenant-colonel Cooke, was closed at its arrival at the Mission of San Diego, January 29th, 1847, and his report in person to General Kearny the same evening at San Diego.

General Kearny could in no way authorize recognition of the usurpation then existing; he instructed Lieut.-colonel Cooke to march to the mission of San Luis Rey, fifty-three miles from San Diego, on the road to Los Angeles, and there to quarter his battalion; to await events and further orders, but to exercise such authority and power as might become necessary in his judgment, under unforeseen circumstances of national interests and defence.

Most fortunately, Commodore Shubrick was then expected at Monterey, as commander of the Pacific squadron. The opportunity of a vessel of war sailing the next day for Monterey, offering itself, General Kearny embarked, January 30th, for that port.

Lieut.-colonel Cooke was thus left in the com-

mand of the only troops in California that had been mustered into the service of the United States; a few dragoons, and a battalion of volunteers, which up to that time had never had opportunity to receive regular instruction in arms.

Lieutenant-colonel Fremont,—eighty-eight miles north of San Luis Rey,—was in command of a “battalion,” only provisionally in the service; of men more ignorant of military law and discipline than their commander, (who had never served but as a detached topographical engineer,) but they were personally dependent on him and devoted to his fortunes; and Fremont claimed absolute authority, civil and military, in the Territory.

But to complete the situation. A few days before a body of enemies superior in number to both battalions,—half savage and raised to arms,—quite accustomed to seditions and revolutions, had disbanded under a capitulation made under the depression of their defeat, but without much loss, by large forces which then, near by, held their capital. That force had now been reduced to the small undisciplined battalion of Fremont. These insurgents knew well the dissensions and divided authority

among their enemies; they had retained their arms, and were now, professedly, only waiting expected reinforcements from Mexico to renew the war.

The battalion accordingly marched to San Luis Rey, and took quarters in the Mission buildings, in the first days of February. The mission is beautifully situated, overlooking fertile and well watered lands; even the high hills showing, by their smoothness, the former cultivation, in wheat. It is only two or three miles distant, but does not command a view of the ocean. This immense mission structure, with an imposing church in an angle, built about sixty years previously, was found in good condition; buildings, and corral and garden wall-tops as well, protected by roofs of red tiles. In the centre of the main court was an orange tree with ripening fruit; pomegranate trees were in their beautiful blossom. There were other courts,—one for cattle. The battalion found ample quarters. There was a large garden and vineyard, enclosed by handsome walls.

The absence of forest trees is a very characteristic feature of California; grey squirrels, which seemed identical with the tree species, were here found, but necessarily burrowing in the earth.

Lieut.-colonel Cooke immediately commenced a thorough practical instruction of the battalion in tactics; the absence of books made it a difficult and laborious task,—teaching and drilling officers half the day, and superintending, in the other half, their efforts to impart what they had just imperfectly learned. But all were in earnest, and in a very few weeks the complete battalion exercises were mastered.

The "Secretary of State" stopped at the mission the evening of February 21st; sent, he said from the capital to represent the government at a ball to be given February 22d, by Commodore Stockton at San Diego. He stated that two companies of Californians had been raised for service; that any attack to displace the present government would be resisted by force, that a thousand natives would rise to support Colonel Fremont. But his opinions and assertions were equally unreliable. But about that time there was good evidence that many inhabitants pretty openly asserted that they would rise again, if any assistance came from Sonoma.

Major Swords, Quarter-master, who was sent to

the Sandwich Islands for provisions and specie, arrived at San Diego February 19th with flour, sugar, etc.

In my diary I find for March 1st: "Last night two more families, passing, applied for the use of quarters, and several officers gave up to them their rooms. They have spent here much of the day. They travel in carts drawn by oxen; the 'mode' too at Constantinople and in New Mexico. But these carts are superior to the New Mexican's, and contain mattresses,—which with blanket awnings, must make them rather comfortable. The travelers were of the best class, and the ladies were handsome.

This contrast of ox carts to male locomotion here, is extreme. On our march I was startled by a party of men riding at full gallop to meet us, and driving twenty or thirty horses; it was one or two proprietors traveling, with their servants; then I saw two of the men dash into the drove, swinging their lazos, with which they caught two loose horses; very quickly they transferred the equipments of those they had ridden,—which were then turned loose to rest themselves—at the gallop!"

Next day, Señor Bandini, of San Diego, called;

—a member of the “legislative council;” it appeared from his statements that the Frigate *Congress* was about to sail; that there was a small troop of native volunteers at the place, whose commander had written by him—to Colonel Fremont—that they must speedily disperse, from want of provisions.

An officer and thirty-two men were sent from San Luis Rey, the following morning, March 3d, to take post there, for protection of the town and of a provision depot.

There were reports then, from two sources, of the approach of a force from Sonora.

The killing of a beef presented a characteristic trait of Californians; the vaquero pursuing the herd at full speed with lazo flying, catches one by a fore leg, and throws it with a tremendous shock: he then cuts its throat. The lazo is also used for the rare occasion of catching and milking a cow, which has to be tightly bound after being caught.

March 9th.—“A frost last night; many of the men, volunteers and dragoons, have long been barefooted! they march on guard barefooted; none have overcoats; the volunteers never had them; those of

the dragoons were burnt. There is no public money, for pay, or for purchase of provisions. I feed four hundred men at a cost to government of four and a half cents a day each; this being the value of four pounds of beef. The Californians pay their Indian servants with aguadiente; a sort of fiery whiskey which they distil.

March 12th.—“For forty days I have commanded the legal forces in California,—the war still existing; and not pretending to the highest authority of any sort, have had no communication with any higher, or any other, military, naval, or civil. . . . I have put a garrison in San Diego; the civil officers, appointed by a naval officer, otherwise refusing to serve; while a naval officer ashore, is styled by some, “Governor of San Diego.”

General Kearny is supreme—somewhere up the coast; Colonel Fremont supreme at Pueblo de los Angeles; Commodore Stockton is “Commander in-chief” at San Diego;—Commodore Shubrick, the same at Monterey, and I, at San Luis Rey;—and we are all supremely poor; the government having no money and no credit; and we hold the Territory because Mexico is poorest of all.

I rode to the seashore this afternoon, and saw the spouting of whales."

March 14th.—Major H. S. Turner, as Adjutant General, arrived at San Luis Rey, the bearer of news and an important document: the announcement, in both languages, of the assumption of government, and all legal authority, naval and military, by Commodore Shubrick and General Kearny, at Monterey, now the capital.

Commodore Shubrick arrived there January 23d, and February 1st, issued a general order, as Commander-in-chief; it announced the arrival of Captain Tompkins' company of United States Artillery, and discharged, with commendation and thanks, Maddox's volunteers.

This was some weeks before General Kearny's arrival at Monterey.

But now a "circular" was published, dated March 1st, signed by Commodore Shubrick, "Commander-in-chief of the Naval Forces," and General Kearny, "Brigadier-general and Governor of California." It announced that, "to the Commander-in-chief of the Naval Forces the President has assigned the regulation of the import trade, the conditions

on which vessels of all nations, our own as well as foreign, may be admitted into the ports of the territory, and the establishment of all port regulations.

"To the commanding military officer the president has assigned the direction of the operations on land, and has invested him with administrative functions of government over the people and territory occupied by the forces of the United States."

This a recital of facts well known from the first.

There was further, the proclamation of General Kearny as Governor.

It was long; it "absolved all the inhabitants of California from any further allegiance to the Republic of Mexico, and will consider them as citizens of the United States." . . . "The Americans and Californians are now but one people; let us cherish one wish, one hope, and let that be for the peace and quiet of our country. Let us, as a band of brothers, unite and emulate each other in our exertions to benefit and improve this our beautiful, and which soon must be, our happy and prosperous home."

It contained scarcely any allusion to existing dissensions, and this probably was the reason that it did

not end them; those most unselfishly devoted to the safety of public interests, felt the imperative policy of concealing them; they observed their effect as temptations to complications involving bloodshed, and a thorough alienation of a simple minded population, and possibly the advantage of the *uti possidetis* at the treaty of peace, the period of which was beyond any conjecture in California. The reader must have observed the almost permanent severance of communication with the eastern side of the continent; let him consider that Commodore Stockton seems to have been six or eight weeks officially ignorant of Commodore Shubrick's presence very far short of the other extremity of the territory itself.

Major Turner, who came by way of Los Angeles, was bearer of a general order, placing Lieut.-colonel Cooke in command of the southern half of California; and he informed him that he had brought orders to Lieut.-colonel Fremont to disband his battalion, but that those men desiring it, should be mustered into public service. If he failed to obey, Captain Turner was instructed to notify General Kearny at Monterey, by express.

Lieutenant-colonel Cooke immediately sent a courier to Colonel Fremont, to ascertain what number of the men had been mustered into service. The answer was by a "governor," through his "secretary of state," that none had consented to enter the public service; but as rumors of insurrection were rife, it was not deemed safe to disband them. He asked for no assistance, under the dangerous circumstances; but on the contrary, added that the "battalion would be amply sufficient for the safety of the artillery and ordnance stores."

Meantime Captain Turner had returned to Los Angeles, and there being convinced that Lieutenant-colonel Fremont did not intend to obey the orders, set out himself, express, for Monterey; this being made known from the many horses driven according to the custom, Lieutenant-colonel Fremont set out, half a day later, and rode to Monterey in four days; but on arriving there he found that Captain Turner had also arrived, several hours before him. Nevertheless, it appeared that Lieutenant-colonel Fremont satisfied General Kearny that he would obey orders, and was suffered to return.

But Lieutenant-colonel Cooke had decided to

march to Los Angeles, and he reached there the 23d of March ; he was politely met, at the edge of town, by Captain Gillespie, who informed him that Lieutenant-colonel Fremont had left for Monterey the day before. The battalion was formed in line in the main street ; then the dragoons were quartered in a government building, and the battalion went into camp in the edge of the town.

The same day the alcalde waited on Lieutenant-colonel Cooke and informed him of frequent depredations by Indians, and that by last accounts, they were in possession of his rancho, about thirty-five miles distant. Next morning, a Lieutenant and thirty dragoons, mounted, were sent to investigate the matter,—and to act according to circumstances.

The following is extracted from Lieutenant-colonel Cooke's diary, March 24th :—

“After breakfast I rode out to the San Gabriel mission ; it is a beautiful plain, somewhat undulating, eight miles to that point ; it is part of the great “Mesa,” but there is a low ridge of green hills ; the pin grass I found most luxuriant. As I approached the base of the mountain, I came in view of the woods of the San Gabriel River and its pretty valley,

or meadow-land. Some two miles this side, stands the old mission, to which water is brought by a canal. There were the usual appearances of old fields and plantations,—and olive trees, dates, cactus hedges, etc. ; a good large church, with pilasters ; the buildings looked dingy and dilapidated, and above all, very dirty ; the heads and offal of slaughtered beeves were lying in disagreeable vicinity.

“I fell in, on the road, with a gentlemen who said he was the adjutant, and seemed very ignorant of the true state of affairs, and asked what was the difficulty between General Kearny and Commodore Stockton. He had not seen, he said, either the circular of the Governor and Commodore Shubrick, or Tenth Military Department Order No. Two, relative to the mustering the battalion into service, etc. I showed them to him. All the volunteers I saw, seemed very polite, and even friendly. I went in to see Captain Owens, in command of the battalion. Lieutenant Davidson and Assistant-surgeon Sanderson were with me the whole time ; Captain Owens expressed the same ignorance of the circular and the order ; I showed them to him ; the order he looked at a long time, but I am very much mistaken if he

turned the leaf (it was on two sides of a leaf). I mentioned that they were not really in the United States service, unless for the purpose of being marched to a point to be discharged; I said I had an idea of putting some of my battalion out there; he said there was no room for them, that there was not room enough for all the battalion (the adjutant had told me that the battalion was now two hundred and six in number). I asked the captain, who seemed very shy, to show me the buildings, etc. He conducted me through his room into the court, where I saw the artillery and examined it; I remarked to him that there were the two howitzers belonging to the dragoons, and asked Mr. Davidson if one of them was not so much out of order that it could not be taken to town? and then said to Captain Owens that I had directed that some mules should be brought out to take those two pieces in, to-day. He observed that he had received special orders from Colonel Fremont not to turn over *any* of the artillery to any one, and that he could not let it go. I told him that the government authorities, the general of the army and governor, had committed the command here to *me*, and asked him if

he did not acknowledge the authority of the United States Government? He said it was hard to know what was the legal authority,—he knew none but Colonel Fremont; he regarded him as the chief military authority in this country. I asked him what could convince him? what evidence he wanted? I took out and read to him the printed circular and the Department Order; told him that these were the highest authorities by land and sea; told him that Colonel Mason had lately come out express with the fresh orders of the government; that Fremont himself had so far obeyed as to drop his title of governor, and had gone to Monterey to report himself. He said he did not know what Colonel Fremont had gone for; that he would soon return,—that he ranked me, and he did not know but what Colonel Fremont had received other orders since the date of order No. Two, etc., etc. I very coolly and in perfect temper, exhausted every information, every argument, every appeal to his patriotism,—every motive in this distant land, for obedience and union amidst enemies; pointed out the disastrous consequences likely to ensue to public interests and to persons, by this treasonable course. In vain; he had

received Fremont's orders to obey none other, and nothing more would he do. He had offered to show me the orders, and I finally told him I would look at them. . . . It was a letter of instructions to Captain Owens; after stating he was about to make a tour to the northern district, on matters connected with his military duties, it proceeded to five or six paragraphs of special orders; one was to the effect that he was to obey the orders of no officers, not coming expressly from him; another that he was to retain charge of all the ordnance, and to deliver it to no corps without express orders from him.

The President of the United States, in person, would fail to get the artillery, or be obeyed by Captain Owens with his battalion, until Lieutenant-colonel Fremont gave the permission! I asked for pen and ink to take a copy of the orders; he declined. I told Captain Owens that it was an illegal order; that we all bound ourselves to obey the legal orders of our superiors; and that Colonel Fremont could not defeat, or release the obligation. I told him I had no personal motives; that I only looked upon him as an American, whom I met as a

friend far from home, and advised him, by my experience of twenty years' service, to think better of it. All was vain; these people, very many of them good well-meaning citizens have, it would seem, been cruelly and studiously deceived. . . . I took my leave."*

The "Secretary of State" disappeared at the approach of the battalion, leaving a report that he had left for the United States; a number of horses also had been taken from the mission; but there was evidence of his still being somewhere about Los Angeles.

March 25th.—The severe frosts of the early part

* The late Hon. T. H. Benton, as advocate, and as Senator, in his many speeches against General Kearny, made the point that the author had in some way, been instructed by him to "crush" Lieutenant-colonel Fremont; the failure only arising from the author's imputed want of force of character. But as Colonel Fremont had disappeared at his approach—had gone to report to his legal commander—allusion must have been made to the author's brooking the mutinous conduct of the ignorant Owens.

Could insanity have gone farther than that a half of the diminutive forces holding the doubtful conquest of so distant a province, should resort to force of arms (evidently unnecessary, as the event, easily foreseen, proved) against the other half, and in the presence of armed and eager enemies!

The "conveniently missing" diary was also remarked upon. It had been sunk in crossing a river, near Sutter's Fort; but having been searched for, and found by Sutter's Indians, had not then been received or heard from.

of this month were unexampled, for any season of the year; it appeared that the young orange trees were much injured; and citrons, bearing at once flowers and fruit, were to be seen frost-bitten to near the root. But the orange groves of the vicinity were unharmed.

“Our little rivers, the San Fernando and the San Gabriel, approaching in broad sweep, unite six miles below, and are lost in the earth before reaching the ocean; it is probable that the beautiful plain, nearly circular and eight miles across, can be irrigated; then, flourishing like a garden, and overlooked by the snowy mountain, it might rival in beauty, as it must resemble, that of Grenada. It is a happiness to breathe the air, which gently stirs the vineyards and orange groves.”

An express was sent to Monterey with a report of the attitude of the immigrant “battalion.”

March 27th, the troops were moved to a carefully selected spot commanding the town.

“This place, whether the ‘Paris of California’ or not, is a hot bed of sedition, and originates all the rebellions or revolutions; and women, they say, play an influential part. It has come to my knowledge

that the common talk is of the affair of the refused cannon; and that there soon will be more ‘fun’; but they add that the Californians will join the men at San Miguel. That *sounds* badly.”

Captain Smith returned the 28th; he had gone above sixty miles; he only discovered four Indians, who had murdered one, and wounded another man, and had stolen their animals; they were afoot, and ran to the near hills; the dragoons pursued and surrounded them, dismounted. The Indians, lying on their backs, defended themselves with arrows, which they shot with wonderful rapidity, wounding two of the men and several horses; they would not surrender and were all killed; they were naked, or had rabbit skins slung at their backs, as their sole covering. Some twenty horses were recovered.

“The dragoon horses came back with feet so worn as to make the most of them lame and useless. I shall to-morrow commence the introduction of horse-shoes in California, at least in this southern part. It would not suit the views of the Treasury Department to furnish two or three horses per man, California fashion; and it might not be of military