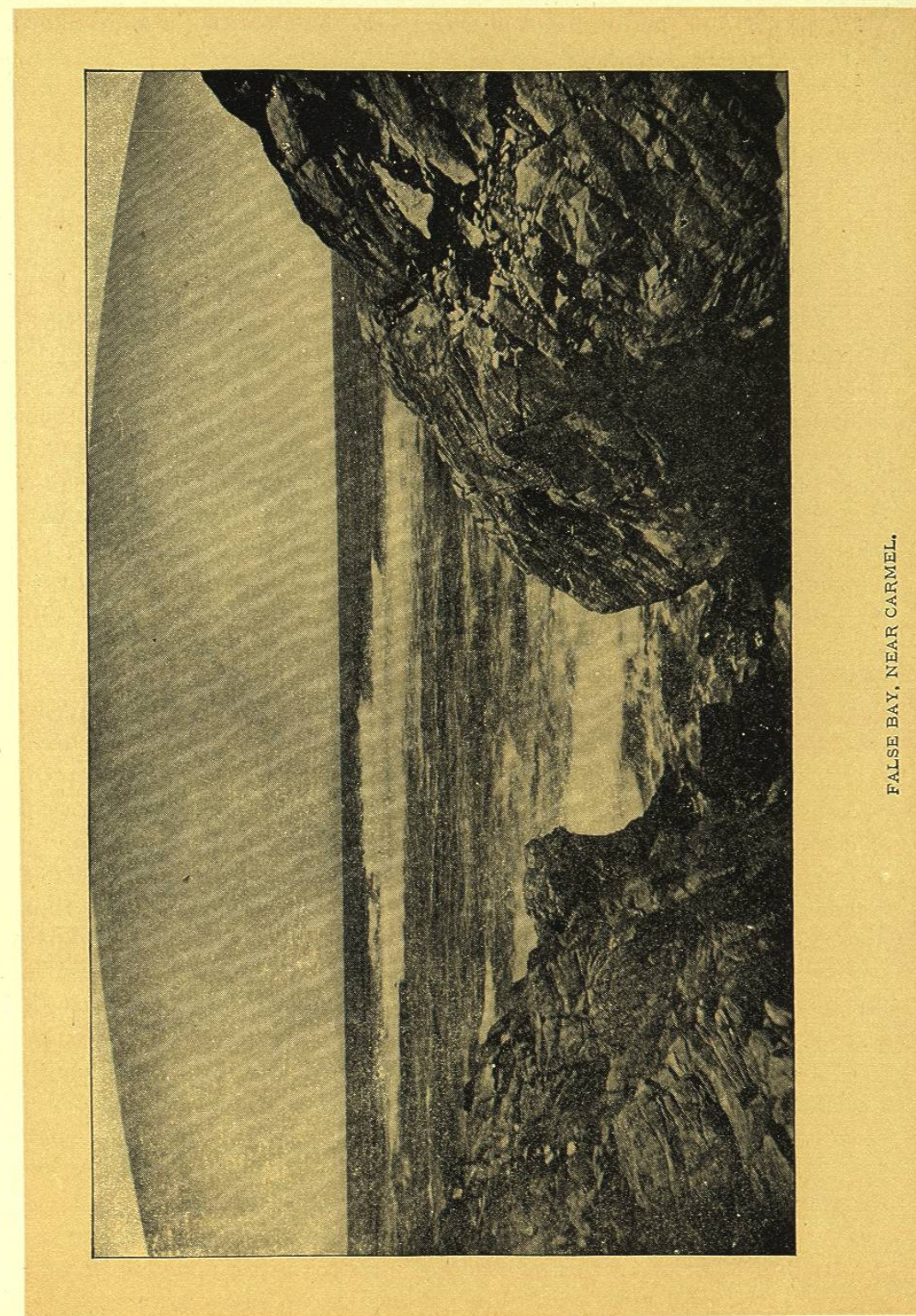


service and high social position gave him habits of restraint and respect for the courtesies of his position; and he would not have made these assertions in the presence of the English Minister unless facts and the occasion called for and justified them.

"The objects accomplished by Colonel Frémont, as subsequent events have shown, were far more important than those I have referred to. There is no doubt that his rapid and decisive movements kept California out of the hands of British subjects and perhaps out of the hands of the British Government; and it is in this point of view that I desire to present the subject to the Senate." . . . "The grant to MacNamara is so connected with the movements of the public vessels and public agents of Great Britain as to raise a strong presumption that he was secretly countenanced by the British Government." . . . "I have referred to the connection of MacNamara's movements with the public vessels of Great Britain as presumptive evidence of the connection of the British Government with them. I do not inquire whether Admiral Seymour had special instructions or not. From the declaration of Admiral Purvis, in the intervention of La Plata, it is highly probable that British naval officers cruising in distant seas have general instructions *to protect British interests at all hazards.*" . . . "From all the circumstances connected with the transactions in California, we are constrained to believe that the British naval commander was fully apprised of MacNamara's objects, as well as the design to place that country under the protection of Great Britain, and that he was there co-operating in the one, and ready to co-operate in the other." . . . "It is impossible that the success of these movements should not have brought us into direct collision with Great Britain. We could not have failed to regard them, considered in connection with her proceedings in Oregon, and more recently in Central America, as part of a deliberate design to environ us with her colonies, and especially to shut us out from the Pacific and its extending commerce. From all the facts, we can hardly doubt either that she would have taken possession of the country in her own name, or, what is perhaps more probable, that she would in the first instance have taken it under her protection." . . . "It is in this point of view that these transactions possess the greatest interest and importance, and that the sagacity, promptitude, and decision of our youthful commander in California, at the time the disturbance broke out, have given him the strongest claims on his countrymen. Any faltering on his part—any hesitancy in acting promptly—might have lost us millions of dollars and thousands of lives; and it might also have cost us a contest of which the end is not readily foreseen."

Senator Atchison, of Missouri, from the different stand-point of specially Western interests, said "that he felt it his duty to say something on this



FALSE BAY, NEAR CARMEL.



Bill ('California Claims') because some of the claimants were citizens of Missouri, and personal friends with whom he had been long acquainted. He gave it as his opinion not only that the conquest of California was effected by Colonel Frémont, but that the United States had derived the advantage of this conquest at comparatively little cost. He justified Colonel Frémont in all that he had done." He made some references to the course which Colonel Frémont pursued—"a course in some instances rendered indispensable for his own preservation, and always characterized by skill and promptitude. War had existed before Colonel Frémont struck a blow; so that the United States Government is properly liable for the claims which are provided for by this Bill. The emigrants left their families in the mountains and joined the battalion for the defence of Colonel Frémont and had received not a cent of pay during nine months in which they served."

Senator Cass, of Michigan:

"One point, however, has been touched upon which I think it would be proper to mention. These operations took place at a great distance off, and under peculiar circumstances. A great responsibility devolved upon the officer at the head of the expedition; and I think he is entitled to great credit for the course which he pursued in getting possession of the country."

Senator Clarke, of Rhode Island, said "that Colonel Frémont in turning back from his scientific investigations to mingle in the revolutionary scenes in California was influenced by the letter of the President of the United States, and the letter of Mr. Buchanan, conveyed to Colonel Frémont by Lieutenant Gillespie, and therefore that the claims are entitled to recognition, because they arose out of instructions sent out by Government. All services which Colonel Frémont performed after the receipt of these letters were strictly legal, and authorized by the Executive; and the Government was as much bound to pay for them as for any other services."

Senator Crittenden, of Kentucky, said:

"There is but one other question, and upon that I need say nothing—it is, whether Congress is disposed to pay these claims or not. I think we are bound to pay them. They have originated in a manner that is not regular, I admit. They have grown up under peculiar circumstances. These services have been valuable to the country. They are such as we would have directed if we had been acquainted with the circumstances, and it is but just and proper that we should legalize them. Upon every principle of equity we are bound to pay the claims. The parties claiming compensation are entitled, upon every consideration, patriotism, hardihood,



courage, and the sacrifices incurred in rendering these services, and by every other consideration that can entitle men to remuneration. The courage and conduct of Colonel Frémont have signalized his name. His services were peculiar, attended with great responsibility to himself—characterized by great firmness and humanity, as well as devotion to his country."

Senator Allen, of Ohio, said :

"This is all that I intended to say on the subject ; but if I were to indulge myself in commenting on the events out of which this claim grew, I should be inclined to occupy some of the time of the Senate in giving my opinion in regard to the conduct of Lieutenant-Colonel Frémont, and the gallant men under his command." . . . "Nor is this my opinion of him just now or recently formed ; for at the opening of the war with Mexico, I took occasion to suggest his name in connection with a command in the war which would have enabled him to exert that military genius and energy which I knew him to possess, and by which he would have conferred yet greater services on his country."

Senator Badger, of North Carolina, said :

. . . "We next find him in Oregon, where he is overtaken by a messenger, an officer of the Government, who bore to him a letter, and—there is no use in concealing it, sir—although it purported to be a mere letter of introduction, it was, in reality, an official document, accrediting the bearer of it to Colonel Frémont, with a view to the union of the two, in devising some means to counteract the designs of the British emissaries. Captain Gillespie, the officer to whom I allude, in his evidence before the Committee on Military Affairs, states, that he was directed to convey the order of the Government to Colonel Frémont, to watch the interests of the United States in California. This, sir, was the purport of Captain Gillespie's mission ; and so soon as the communication was made to him, Colonel Frémont returned to California, under the order of his Government, and by its express authority." . . .

The Very Rev. Father MacNamara was an apostolic missionary who had projected a far-reaching plan to colonize California with emigrants from Ireland. Evidently, in the exercise of his special functions, he had selected California as the field for his labors. Looking back to the work of the early missionaries, it was surely a great field, and a noble ambition to revive on a higher plane the power of the Church as it had existed in the old missions. In this he was strongly supported by the Archbishop of Mexico who earnestly recommended his plan to the authorities. During

his stay in the city of Mexico, he lived either in the family of the English consul or the *Chargé d'Affaires*. Early in January he laid before the President of Mexico his plan "to colonize California with Irish Catholics." In his application to the President he says that no people of the old continent are better fitted for colonization and better adapted to the religion, character, and temperament of the inhabitants of Mexico ; " that the Irish people are devout Catholics, moral, industrious, sober, and brave. He says, that in making this proposition he has in view three objects : first to advance the cause of Catholicism ; secondly, to contribute to the happiness of his countrymen ; and in the third place, he wishes to place an impediment to further usurpations on the part of an irreligious and anti-Catholic nation. And for these objects he proposes that an extensive territory upon the sea-coast of Upper California be granted to him. The first colonists were to be established on the Bay of San Francisco ; to begin, one thousand families would be brought, and afterward a second colony to be established about Monterey, and a third about Santa Barbara. In this way the whole coast, at least that part of it where there was danger to be apprehended, would remain completely assured against the invasions and robberies of foreigners. One square league was to be given to each family, free of all cost ; and to those children of the colonists who should marry, half a league each, as a gift of the nation. An exemption from all taxation was to be granted for a certain number of years ; and the colonists were to be considered under the protection of the Government and in the enjoyment of all their rights, upon taking possession of their lands.

In a reply under date of the 19th of January from the Minister of Foreign Relations, Father MacNamara is informed that the project of colonization in California which he had presented to the supreme Government had been considered by the Cabinet, which had decided that, in view of the necessity of adopting some vigorous measures upon that subject and other concessions which were properly functions of Congress, an account of the whole matter would be referred to that body, and that this would be done at a fitting time.

It appears that there was some hesitation on the part of the Government ; but the principal and only objection to taking immediate steps for founding the colony was the difficulty of obtaining the necessary means for transporting the colonists to their destination. To this objection Father MacNamara replies in another communication to the President. In this he sets out the means by which he proposes to obtain the necessary funds ; one, by the sale of the small properties of the colonists, another, by hypothecation of a grant of lands which could be given him ; and finally, the use of the import duties at the port of San Francisco, which he asks from the Government. And he urges upon the Mexican President the expediency of



losing no time in this important affair, "if success is to be looked for." "Your Excellency," he says, "knows too well that we are surrounded by a vile and skilful enemy who loses no means, however low they may be, to possess himself of the best lands of that country, and who hates to the death your race and your religion." "If," he continues, "the means I propose to you are not promptly adopted, your Excellency may rest assured that before a year the Californias will form part of the American Union." . . . "I have no personal interest in this affair, save the progress of the Holy Religion of God, and the happiness of my countrymen; as for the loyalty and fidelity of these to the Mexican Government, I answer with my life. And as there can be brought a sufficient number of colonists, at least ten thousand, I am of opinion and can affirm with certainty that this number would be sufficient to repel both the secret intrigues and the open attacks of the American usurpers."

It is in evidence that his project secured the approbation of the Mexican Government; and that he went to California to perfect his plans under the auspices of the English Government. On the 20th of June he arrived at Santa Barbara, California, in the frigate *Juno* which had brought him up from Mazatlan.

It appears that, immediately upon his arrival, MacNamara submitted his plans to the Governor Don Pio Pico, who urged them favorably upon the Departmental Assembly in his official note of the 24th June. On the 1st of July he addressed to the Governor a petition, in the usual form, setting out the fact that he had arrived in California with the object of establishing a colony of his countrymen; that he had received the benign co-operation of the venerable and illustrious Archbishop of Mexico and the cordial recognition of the supreme Government, which had recommended him to come in person to the department to select the land adapted to his purpose; to set out to the governor his project of colonization; and to go through the customary formalities.

He offers to contract with the Government to introduce into the department, in the shortest possible time, two thousand families of Irish people, and he solicits the governor to cause to be adjudicated to him in ownership the lands situated between the river San Joaquin, from its source to its mouth, and the Sierra Nevada; the northern boundary to be the Consumné River, and the southern the extremity of the Tuláres in the vicinity of San Gabriel. This application was dated Santa Barbara, July 1st. Before the arrival of Commodore Sloat, tidings of the battles of the Rio Grande had already reached California through New Mexico and Arizona overland; and the authorities, who were all favorably disposed to the MacNamara project, hurried forward the issue of this and a number of other land grants. The governor immediately referred the application of Father MacNamara

to the Departmental Assembly, with a request that it should give its opinion upon the subject and return it to him for final action.

On the 4th of July the governor issued a grant conformably to the application, reciting that the Departmental Assembly had agreed to grant, for colonization by Irish families, the lands solicited by the Father Eugenio MacNamara, subject to the approval of the Supreme National Government and under the usual conditions which accompanied grants of land in California. The boundaries were the same as I have already stated, and the number of families to constitute the colony was fixed at three thousand, to each of whom a square league of land was to be assigned, making in all thirteen and a half millions of acres.

Upon the 7th of July at Los Angeles the Departmental Assembly transmitted to the governor the report of a special committee, approved by the Assembly in extra session of that date, upon the colonization project which he had "referred to them with the expression of his great desire that it be given immediate effect."

But it was too late. On the morning of the day that the Departmental Assembly communicated to the governor their formal approval of the MacNamara grant the flag of the United States was hoisted at Monterey, and the Mexican authority ended in California.

The Mexican archives comprehending the titles to land in California were taken possession of by me, and among them the grant to MacNamara. This, with the documents relating to it, I delivered to the Government in Washington. All other titles to land I delivered afterward to General Kearny.

We cannot fail to sympathize with the grief of a mind which had conceived a project so far-reaching and which had experienced the shock of overthrow in the moment of its complete success. The time, the thought, the labor of solicitation, the patient endurance with slower or inferior minds—all, had resulted in the blank of absolute failure.

In the interest of his Church it was a nobly conceived plan; one among the great ideas which affect nations. Doubtless, in looking abroad for a field of missionary labor, he had chosen this, as out of all others that one which combined singular advantages and promised the most glorious results for the Church of which he was a devoted servant; laboring with no selfish aim other than the satisfaction which he promised himself in the advancement of his religion and the happiness of his countrymen. Under his direction the three thousand families would have spread over the whole beautiful valley of the San Joaquin. Farms would have occupied the river lands, and the plains between would have served as cattle ranges in that climate of wonderful animal growth; and among the innumerable springs and streams of the foot-hills, and up to the snow of the Sierra would have been happy