

CLARKE

CALIFORNIA
CLAIMS



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SPEECH
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OF

MR. CLARKE, OF RHODE ISLAND,

ON

THE CALIFORNIA CLAIMS.

DELIVERED IN THE SENATE OF THE UNITED STATES, APRIL 25, 1848.

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1850

THE BANK OF RHODE ISLAND

THE CALIFORNIA CLAIMS

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WASHINGTON
OFFICE OF THE COMMISSIONER
1850

SPEECH.

Mr. PRESIDENT: The course of the debate upon the California claims, has, for the two days past, been restricted by Senators to the constitutional power of Congress to appoint the commissioners to adjust them. In the whole of the discussion no doubt has been expressed, either as to their validity, or to the propriety of their just and speedy liquidation. In the opening of the debate the honorable Senator from Virginia, (Mr. MASON;) took a much wider range—and after a brief and lucid exposition of the events that transpired in California, he came to conclusions entirely different from those to which I have arrived from an examination of the same facts, and the whole evidence reported by the Committee on Military Affairs. In differing from the honorable Senator in his conclusion, so distinctly stated by himself—I shall do it with a deference becoming myself, and a courtesy not unacceptable to him. I will read from his reported speech the positions to which I refer—I presume the report is correct. The Senator after speaking of these claims as wholly unauthorized by law, says :

“They are expenditures for military operations, *which were conducted without the authority of the Government.* It becomes important then to the character of our country, that these claims, which we propose by this bill to recognize and pay, should be properly and distinctly understood, and their proper place assigned them in the legislative history of the country. If this be not done, future history may refer to them *also* in evidence of the general charge, *that the war originating in a spirit of rapine and conquest, an insurrection was covertly fomented, in the remote province of California, as part of the general scheme of extended dominion.*”

Sir, the foregoing shows forth one of the deductions of the honorable Senator, from the report upon these claims, from which I totally dissent.

Again, the Senator says :

“My object is to *disconnect the authorities at home from this outbreak in California,* and to prove by testimony, which cannot be controverted, *that the Government at home had no part in the insurrection; that the probability of such an occurrence was unknown to the Government, and; in truth, that it was no party to it, either directly or indirectly.*”

I have read, sir, with much attention the published evidence in relation to these claims, and I will endeavor to show not only that the insurrection in California was directed by the "Government at home," but that the events, which transpired there, even to its subjugation, originated with the Executive Department of the Government, and were consequent upon its orders conveyed to Col. Fremont, and also to the commanding officer of the naval forces upon that station.

Mr. President, after the eloquent and graphic description given by the distinguished Senator from Missouri, (Mr. BENTON,) of the explorations of Colonel Fremont, from the United States to the shores of the Pacific, in California, and his subsequent departure from that country into the territory of Oregon—of his return to the valley of the Sacramento, and the stirring events which followed that return, even unto the entire conquest and occupation of that whole province of Upper California, it is unnecessary for me to attempt to give a further delineation. I can add nothing to the narrative, and I would not mutilate its beauty. I will only briefly recite them, just so far as is necessary to elucidate the occurrences, and show the facts, from which my inferences and conclusions are drawn.

In the month of May, 1845, in pursuance of orders from this Government to him as an officer of the Corps of Topographical Engineers, Colonel Fremont (then a brevet captain) left the United States, with a small, but well appointed body of men, on his third scientific exploration of the West, aiming to seek the shortest and most practicable route from this country to the Pacific ocean. His course led him through a portion of Upper California, then a State of the Mexican republic, and with which the United States was at peace. He traversed the arid plains, and the lofty mountains of that region, hitherto untrodden by the foot of civilized man, and, after great toil and excessive privations, on the twenty-seventh of January, 1846, he reached the neighborhood of Monterey, a port on the Pacific, in the State of California. We get this from a letter from Thomas O. Larkin, consul of the United States at Monterey, to the Secretary of State, dated—

MONTEREY, *March 27, 1846.*

"SIR: Captain J. C. Fremont of the United States army, arrived at this United States consular house on the 27th day of January, 1846. * * * He remained but two days, in which time, with myself, he visited the commandant—Prefecto—Alcade, and Col. Alvarado, informing them that he was surveying the nearest route from the United States to the Pacific ocean. This information, and that his men were not United States soldiers, was also, by myself, OFFICIALLY, given to the Prefecto. Having obtained funds and supplies, he returned to his camp; it being well known in Monterey, that he was to return, when he collected his men.

“ On the 3d of March he encamped on the rancho of W. E. P. Hartwell, where he received letters from the General and Prefecto, ordering him out of the country, &c. This not corresponding with assurances received at Monterey, he gave orders to hoist the United States flag the next morning, as the only protection his men was to look to.”

“ The General informed the Alcade, on the night of the 10th, that Captain Fremont had left his encampment,” &c.

In offering the foregoing, and other letters, from Mr. Larkin to the committee, Col. Fremont says :

“ Showing the great care which he took to avoid giving offence to the said authorities, when he entered California in the winter of 1845 and 1846, and the necessity of the defensive measures which he then took, and his departure from the country to avoid compromising either his Government, or the American settlers.”

Thus, sir, it seems that in pursuance of his researches in science and topography, and with no motives of hostility, open or concealed, he entered California in January, 1846, and in obedience to the comity due to the civil and military authorities, reported himself to them, and asked their permission to remain to recruit his men and animals, to fit them for the further progress of his journey of peace and exploration. The Mexican authorities, jealous of these incursions, and incited by the increasing difficulties between them and the United States, in March, 1846, in consequence of directions from the General Government in Mexico, ordered Captain Fremont from the country, which they had an undoubted right, if not justifiable cause, for doing. The order was sudden and unexpected. He obeyed it, but not in fear—for he wrapped himself in the folds of the flag of his country, and cautiously, prudently, and judiciously, took his own good time for his departure from the country, whose hospitality had been withdrawn. He left the country of California, by slow, but cautious marches, avoiding all collision with its authorities, and after a tedious and hazardous journey, amidst hostile and excited savages, we find him early in the succeeding month of May, encamped in Oregon, on the border of the Tlamath lake. His position there is so beautifully described by the Senator from Missouri. (Mr. BENTON,) that he will excuse me for reading and adopting it. He says :

“ It was in the midst of such dangers as these, that science was pursued by Mr. Fremont, that the telescope was carried to read the heaven—the barometer to measure the elevations of the earth—the thermometer to measure the temperature of the air—the pencil to sketch the grandeur of mountains, and to pencil the beauty of flowers—the pen to write down whatever was new or strange, or useful in the works of nature. It was in the midst of such dangers as these, and in the wildest regions of the farthest West, that Mr. Fremont was pursuing science, and shunning war, when the arrival of Lieut. Gillespie turned him back into California, and en-

gaged him in the operations which gave rise to the bill which now claims the attention of the Senate."

Thus, sir, we see this gallant and accomplished young officer, with a discretion far beyond his years, and a prudence which has never left him—uninformed of the stirring events, which day by day were transpiring between his country and Mexico—calmly, but without fear, yielding up the hospitality that had been accorded to him in California—avoiding every collision with her authorities—"shunning war," seeking the undisputed territory of Oregon, and resting himself and his men, amidst its wild and almost unexplored regions.

What, sir, turned Col. Fremont back from his peaceful track, into the country he had so recently left, to lend himself to purposes so different from those he had steadily entertained? What turned him from pursuing science to seeking war? It was the meeting on the 9th of May, with Lieut. Gillespie, who came charged to him with despatches and instructions from the Executive of the United States, which turned him back into California, and induced the insurrection and revolution in that country, which ended in its subjugation.

In Lieut. Gillespie's deposition, reported by the committee, at page 30, he says :

"In reply to the inquiry of the honorable committee, whether I was charged with any message or mission from the Government to Captain Fremont, when I joined him on the Tlamath lake, in May, 1846, I beg leave to state, that early in November, 1845, I received orders from the President and Secretary of the Navy, Mr. Bancroft, to proceed to California, by way of Vera Cruz, and the shortest route through Mexico to Mazatlan, &c. I was the bearer of a duplicate of the despatch to the United States consul at Monterey, as also a packet for *J. C. Fremont, Esq.*, and a letter of introduction to the latter gentleman, from the Hon. James Buchanan. The former, (viz: the letter to Larkin,) I destroyed before entering the port of Vera Cruz, having committed it to memory. The packet and letter of introduction I delivered to Capt. Fremont, on the 9th of May, in the mountains of Oregon."

Mr. President, the letter from the Secretary of State, a duplicate of which, from memory, was given to Captain Fremont, is hidden from our and the public view. A copy was called for by the Senate, and was received and marked "confidential," and reposes as quietly in your Executive archives, as it would have done, if it had remained uncalled for, in the archives of the Department of State. I can only speak of it as it comes to us in this report, and to infer its character and import from the fact that it was deemed unsafe to take it into Mexico, and hazard its discovery by the authorities of that country, and that Lieut. Gillespie, after committing it to memory, tore it up and buried it in the deep waters of the Gulf. Its substance was made

known to Capt. Fremont, and it bore date in October, 1845. Again, sir, he had a package for Mr. Fremont, from Senator Benton and his family. What were the contents of this package it is not our business to inquire. But, sir, I will venture the assertion, that the wisdom and prudence of the father never urged the son from the pursuit of science to scenes of insurrection and revolution; nor did the fond affection of the wife turn the husband of her love from the path of peace, into hazard and dangers, of bloodshed and strife. There was also a letter from Mr. Buchanan, which, as a new and singular specimen of diplomacy, I beg leave to read. It is as follows:

WASHINGTON, November 3, 1845.

MY DEAR SIR: The bearer hereof, Mr. Archibald H. Gillespie, is about to visit the northwest coast of America on business, and has requested me to give him a letter of introduction to you. This I do with pleasure, because he is a gentleman of worth and respectability, and is worthy of your regard. I do not deem it probable that he will fall in with you; but if he should, allow me to bespeak for him your friendly attention. He will be able to communicate to you information of the health of Mrs. Fremont, and of Col. Benton and his family.

From your friend, very respectfully,

JAMES BUCHANAN.

J. C. FREMONT, Esq., Oregon.

What means this cautious and guarded letter from the Secretary of State? It was forwarded by Mr. Gillespie, who passed through Mexico in the guise of a merchant, and accredited him for all official purposes. It says: "I do not deem it probable that he will fall in with you." Was it so? Was he not sent with a direct purpose of finding Capt. Fremont; and was he not accredited to him by this letter, no matter how equivocal, as an authorized agent of the Government, and was not the letter to Larkin an exposition of the wishes, if not the command of the Government? Sir, the wishes of the President are commands to the military officers of the Government, and these wishes, so conveyed, authorized all the acts which were performed by Col. Fremont and his men, prior to the knowledge that war existed between this country and Mexico. To be sure General Taylor had then passed to the Rio Grande, with orders to maintain himself there, as being the western boundary of Texas; but the events in California took date from November, 1845, and all subsequent occurrences were unknown to Col. Fremont, and he was governed alone by the communications of Gillespie. How, then, can it be said that he acted upon his own responsibility in aiding the revolution in California, and that no portion of the responsibility rests upon the "Government at home," when his return for the very purposes subsequently developed was by the expressed orders or wishes of that

Government, and the whole has been sanctioned and approved. Gillespie's mission produced it—and in all the successive acts he was aiding and assisting Col. Fremont.

From such evidence, shadowed forth in these pages, I deny that Col. Fremont acted without orders; and I deny that these claims, antecedent to the knowledge of a war, are in any manner different from those which succeeded that event.

Mr. President, in confirmation of a predetermined intention to take possession of California, I refer the Senate to the letter of instruction from the Secretary of the Navy, dated June 23, 1845, to Com. Sloat, conveying to him the same directions which were given to Col. Fremont through Lieut. Gillespie, at a subsequent date, and all before the existence, or a reasonable expectation of the existence, of a war with Mexico. We find in the report of the committee, a letter of apology from Com. Sloat, dated the 6th of June, 1846, to the Secretary of the Navy, in which he says:

“I have, upon more mature reflection, come to the conclusion that your instructions of the 24th of June last, and every subsequent order, will not justify my taking possession of any part of California, or any hostile measures against Mexico, as neither party have declared war.”

This was the construction put upon those orders by the too cautious commander of the U. S. naval forces in the Pacific; and for this caution he was subsequently reprov'd and dismissed from the command, and charged by the Department with unwarrantable inactivity.

I beg leave to submit a letter from the Secretary of the Navy to Com. Sloat, dated the 13th of August, 1846, which fully explains the views of the Government, and severely reproves the Commodore for his cautious delay:

“U. S. NAVY DEPARTMENT,
Washington, August 13, 1846.

“COMMODORE: The Department has received your letter, No. 51, of June 6, from which it appears that, while you were aware of the existence of “*actual war*” between the United States and Mexico, you remained in a state of *inactivity*, and did not carry out the instructions of June 24, 1845, framed to be executed even in the event of the mere declaration of war, much more in the event of actual hostilities. Those instructions you were ordered to carry out “*at once*.”

“In my letter of August 5, 1845, the receipt of which you acknowledged on the 28th January, 1846, referring to them, I said: “*In the event of war* you will obey the instructions recently addressed to you via Panama.” In my letter of October 17, 1845, of which you acknowledge the receipt on the 17th of March, 1846, referring to these instructions once more, I said further: “In the event of actual hostilities between the Mexican Government and our own, you will so dispose of your whole force, as to carry out most effectually, the objects specified in the instructions forwarded to you from the Department, in view of such a contingency.” And surely there is no ambiguity in this language.

"And in my letter of the 23d of February last, sent through Mexico, I remarked: "This letter is sent to you overland, enclosed, as you suggest, to Messrs. Mott, Talbot, & Co. Mazatlan, and you will readily understand the reserve with which it is written."

"The Department, on August 5, 1845, had also told you that "your force should not be weakened, while hostilities are threatened in Mexico." Your course was particularly approved in detaining the frigate Constitution.

"The Department will hope that a more urgent necessity than as yet appears, existed for the otherwise premature return of that vessel.

"The Department willingly believes in the purity of your intentions. *But your anxiety not to do wrong has led you into a most unfortunate and unwarrantable inactivity.*

Very respectfully, yours,

GEORGE BANCROFT."

Commodore JOHN D. SLOAT,

Commanding U. S. Naval Forces in the Pacific Ocean.

A most striking coincidence also demands attention. This letter of *censure and recall* to Commodore Sloat bears date on the same day that Commodore Stockton and Colonel Fremont had completed the conquest of Upper California at Ciudad de los Angeles. In this connection there is another singular coincidence, showing how the wishes of the Government had been fulfilled by its active and efficient officers in service in California, even before direct and open orders were given for the conquest of that country. On the 11th July, 1846, the flag of the United States was hoisted by Col. Fremont at Sonoma, (it having been hoisted on the 7th of the same month at Monterey by Com. Sloat,) both anticipating the order from the Navy Department, dated on the 12th of July, one day after more than one-half of Upper California had been subjected by Col. Fremont and the battalion under his command, to his undisputed military occupation. In proof of this, I read the instructions given by the Navy Department to Com. Sloat, on the 12th of July, 1846 :

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"The object of the United States is, under its rights as a belligerent nation, to possess itself entirely of Upper California.

"The object of the United States has reference to ultimate peace with Mexico; and if, at that peace, the basis of the *uti possidetis* shall be established, the Government expects, through your forces, to be found in actual possession of Upper California.

"This will bring with it the necessity of a civil administration. Such a Government should be established under your protection; and in selecting persons to hold office, due respect should be had to the wishes of the people of California, as well as to the actual possessors of authority in that province. It may be proper to require an *oath of allegiance* to the United States from those who are intrusted with authority. You will also assure the people of California of the protection of the United States.

"After you shall have secured Upper California, if your force is sufficient, you will take possession, and keep the harbors on the Gulf of California, as far down, at least, as Guaymas. But this is not to interfere with the *permanent* occupation of Upper California."—*Doc. H. R. 19—2d sess. 29th Congress—pp. 81-2.*

If he who does his master's bidding is entitled to commendation, how much more is he entitled to it who anticipates that will, and precedes its open expression by a full and perfect performance? This pre-existing determination for the military occupation of California may also be seen from a letter of instruction from the Secretary of War to Gen. Kearney, dated the 3d of June, 1846—just twenty-one days after the war with Mexico existed:

"Should you conquer and take possession of New Mexico and Upper California, or considerable places in either, you will establish *temporary civil governments therein*, abolishing all arbitrary restrictions that may exist, so far as it may be done with safety. In performing this duty, it would be wise and prudent, to continue in their employment, all such of the existing officers as are known to be friendly to the United States, and will take the *oath of allegiance to them*. The duties of the custom houses ought, at once, to be reduced to such a rate as may be barely sufficient to maintain the necessary officers without yielding any revenue to the Government. You may assure the people of those provinces that it is the wish and design of the United States to *provide for them a free government*, with the least possible delay, similar to that which exists in our territories. They will then be called on to exercise the rights of freeman in *electing* their own representatives to the *territorial legislature*. It is foreseen that what relates to the civil government will be a difficult and unpleasant part of your duty, and much must necessarily be left to your own discretion."—*Doc. H. R. 19—2d sess. 29th Congress,—p. 5.*

One more evidence, if more is needed, to show the positive determination of the Government to possess and hold California, is found in the order from the Navy Department to Commodore Stockton, dated the 13th of August, 1846, or to the commanding officer in the Pacific:

"You will take *immediate possession* of Upper California, especially of the three ports of San Francisco, Monterey, and San Diego, so that if the treaty of peace should be made on the basis of the *uti possidetis*, it may LEAVE CALIFORNIA TO THE UNITED STATES."

With this accumulated evidence of the views and intentions of the Executive Government, can the Senator say that "*these operations were conducted without the authority of the Government.*" I agree with him "that it becomes important to the character of our country that these claims, which we propose by this bill to recognize and pay, should be properly and distinctly understood." And, I think, they present "*a part of the general scheme of extended dominion.*"

Sir, let us return to Col. Fremont. Immediately after his interview with Lieut. Gillespie, on the borders of the Tlamath lake, in

May, 1846, he turned his course into California, and on the 24th of that month reached the settlements in the valley of the Sacramento. These settlers were, I suppose, expatriated citizens of the United States, and how far international comity allows their protection, after the act of expatriation, is a question of much importance. Under some circumstances, it would be a question of vital importance. These settlements and the settlers, Col. Fremont protected. Under his countenance resistance was made against the Mexican authorities. The plans for throwing off the Mexican authority were laid, and the revolution was encouraged, which separated California forever from the Mexican power. Colonel Fremont says in his deposition :

“The letter from the Secretary of State accredited the bearer to me, and indicated a purpose in sending it, which was intelligibly explained, &c. This officer, (Lieut. Gillespie,) informed me that he had been directed by the Secretary of State to find me, and to acquaint me with his instructions, which had for their principal objects to ascertain the disposition of the California people, to conciliate their feelings in favor of the United States,” &c.

And this in a country with which we were at peace, and against the Government of which every invective has been cast, and every species of injustice, treachery, and bad faith has been charged.

Upon his arrival on the Sacramento, the settlers, as they are called, desired protection—a courier was sent to him from Sonoma asking decisive action. On the 25th of June, he decided to march against the forces of Mexico, under de la Torre. He set Gen. Castro at defiance, and quietly, under his protection, the flag of Californian independence was raised at Sonoma, on the 5th day of July. Immediately Col. Fremont organised his battalion, to follow Castro to the south. On the 7th, Com. Sloat raised the United States flag at Monterey. News of the existence of war reached Sonoma on the 10th of July. On the 11th, the flag of independence was hauled down, (having had a brief existence of six days,) and the flag of the United States was run up. Thus ended the insurrection and revolution, and all subsequent acts were executed under the known existence of war. At once Col. Fremont started for Monterey, to co-operate with the naval forces there ; and the Mexican General, Castro, retreated before him, leaving the country an unresisting acquisition. Sir, he came, he saw, he conquered. He drove before him the Mexican power in California, and made a conquest of the country, and all, they say, without authority or sanction of his Government. This is disproved by the evidence.

Suppose no war had taken place with Mexico—suppose the mission of Mr. Slidell to the Republic had been successful, I ask what would

have been the condition of Col. Fremont? In November, 1845, Mr. Slidell left this country for Mexico, on a mission of peace, with the olive branch in his hand, and the assurance of friendship upon his lips. He went to settle the boundary between Texas and Mexico, which we claimed to be the Rio Grande; and also to provide for the payment of certain indemnities due to our citizens from that country. That mission was unsuccessful, rather from its unfortunate inception, and the instability of the Mexican Government, than from its true aim and end. War ensued, and all preceding acts became merged in that absorbing event. But suppose the demands of this Government had been acquiesced in by the Mexican Republic, upon what could Col. Fremont have relied for a justification of his acts of revolution and conquest in California? He had this anomalous and equivocal letter from Mr. Buchanan, and the living memory of Lieut. Gillespie, alone to sustain and justify him for these high handed operations in California. Suppose Mr. Gillespie had died in the course of events in that country, the letter alone of Mr. Buchanan would have constituted the whole justification of this accomplished and gallant officer, who perilled life and reputation upon a tenure so frail. Is his authority denied? When has the Government ever disavowed any act performed by Col. Fremont, when has he been charged with fomenting insurrection and revolution; and when has his resistance to the Mexican authority, ending as it did in the subjugation of the country, been reprovod or condemned? Never, sir. All the acts of Col. Fremont, and their consequences, have passed into the acquisition of the country, and he is not reprovod; but we are told his acts were without authority.

Mr. President, the former explorations of Col. Fremont through the wilderness of the extreme West have given him an enviable reputation in the world of science. His maturity of thought, and polished and cultivated intellect, united to a firm resolution, and a courage that never quailed—all eminently fitted him for the mission he so well and so readily undertook and performed. His energy of character qualified him for the position in which his Government had placed him.

If we condemn this invasion of the territory of a friendly power, I would not be understood as reflecting upon the man, who in obedience to the *wishes* of his Government, conducted that invasion, and carried out those wishes to the entire subjugation of the country. I would not, sir, take a feather from his plume, nor a sprig from the garland that encircles his brow. Whatever may be the rigid rules of war, or the technicalities of the service, under which this officer has suffered, his honor is untarnished. His high reputation as a soldier is un-

spotted. The crowning act of his eventful life is fresh in our recollection. When the commission which he bore, and which he would have yielded up only with his life, became tainted with censure, firmly he tendered it back to the Executive whom he had obeyed, and to the country which he had served so faithfully. He is now a citizen amongst us, and deserves all our confidence. He is identified with the events in California, and who so fitting as him to bring these claims to a just and proper conclusion.

The honorable Senator from Virginia, (Mr. MASON,) says "future history may refer to these events, if not contradicted, as evidence of the general charge that the war, originating in a spirit of rapine and conquest, was part of the general scheme of extended dominion." And is it not so?

When the historian shall take his pen to write down for posterity the origin and the causes of this war, he will say that in the year 1845, the State of Texas, once a State of the Mexican Republic, was forever severed from her by annexation to the United States. That the western boundary of the State had been the Nueces, but that Texas had by some act asserted a claim to the Rio Grande. That in the month of November, 1845, in pursuance of the purposes of peace, which the United States proposed we sent a special mission to Mexico to adjust all differences between us—professing for Mexico to the utmost friendship, and proffering to her a cordial feeling of amity. The historian will seek your archives, and he will see the President's message of December, 1845, full of the spirit of peace and deprecating war. That nothing is desired from Mexico but a fair adjustment of our boundary, and a suitable provision for the claims of our citizens. He will see in your archives the act that "*war existed by the act of Mexico*" by an invasion of the country east of the Rio Grande, and "*shedding American blood upon American soil.*" He will read our official documents, that the war was unprovoked. Such is the picture which may command his attention here, and is claimed by the Administration to be just. But when he turns his eyes to the acquisition of California and New Mexico, resulting from this war, he will take up this volume of evidence of eighty pages, and will say: yet, whilst the United States were professing to be governed by a spirit of justice, and love of peace upon the eastern border of Mexico, different indeed was her course in regard to those States of Mexico in the west. Early in November, 1845, she sent an officer in her service, with secret and unavowed instructions to her consular agent in California—and called from his pursuits of scientific and topographical

survey—a gallant officer and his attendants, to foment rebellion, and aid in revolutionizing the Government of California. He will point to the mission and the evidence of Lieut. Gillespie, and to the letter of Mr. Buchanan, which even then will have lost none of its true character, and to the sudden advent of Colonel Fremont into that country, and to the celerity with which it was subdued. And from these will his conclusions be drawn. Will he exempt us from the charge “*that the war originating in a spirit of rapine and conquest, an insurrection was covertly fomented, as part of the general scheme of extended dominion.*”

Let us not hasten to invoke the justice of history. Her judgment will not exempt us from the charge of a desire for conquest and acquisition. Let us “not lay that flattering unction to our souls.”

One word more, Mr. President, and I have done. California is now a portion of our country beyond the power of reclamation. It is ours, says the President, by conquest. It is now ours by a treaty of cession; a treaty which I hope may be confirmed. That country has created much interest in the public mind, and I apprehend, is much misunderstood. Public attention is directed to its soil, its climate, its resources, and its wealth. About those I fear there is little knowledge and much prejudice. It has been represented as an emblem of desolation—mostly a desert waste, destitute of herbage, and unfitted for cultivation. A narrow strip upon the Pacific, between the mountains and the sea, susceptible, indeed, of culture, but offering no inducements for us, except the fine harbors indented upon the coast. The harbor of San Francisco—perhaps the finest in the world—embraces all that is essential for commerce; and beyond this advantage, nothing was to be gained by the acquisition of California. I do not so understand the country, of extent sufficient for an empire, nor do I believe that a just appreciation of its value has been entertained. Its conformation, its resources, and its capacity for improvement, are as yet little known. An immense basin in its centre, into which flows innumerable streams from the mountains surrounding it, is yet a mystery unsolved—a wonder unexplored. Crossing the dividing ridge between this basin and the Pacific you have the rich valley of the Sacramento and the St. Joaquin—a line upon the coast of nine degrees of latitude, of surpassing fertility—mines of quicksilver of great value—with a climate mild and genial, and offering every inducement for enterprize, and culture, and improvement. Within this space we have the harbors of San Francisco, of Monterey, and of St. Diego, giving to our commerce free access to the finest ports

of that sea—and affording a ready and direct communication with the islands in the Pacific, and the ports of China and of India. With the enterprize and progress of the present age, how long may it be before much of our trade with India will centre in the ports of California, and control, advantageously, the commerce upon the whole western coast? Our hardy whalemens will also use these ports for refitting and supplying their ships. Such is my estimation of that country, now irrevocably ours. It has not proved “a bloodless acquisition;” and I fear not a just one; but the price of that acquisition must be paid, and the bill now under consideration provides for that result.

The first part of the paper is devoted to a discussion of the
 various methods which have been employed for the determination
 of the rate of reaction. It is shown that the method of
 initial rates is the most reliable and accurate method
 for the determination of the rate of reaction. The
 method of half-lives is also discussed and it is shown
 that it is only applicable to reactions of first order.
 The method of integrated rate laws is also discussed
 and it is shown that it is applicable to reactions of
 first, second, and third order. The method of
 differential rate laws is also discussed and it is shown
 that it is applicable to reactions of any order.
 The method of the method of initial rates is the most
 reliable and accurate method for the determination
 of the rate of reaction.



