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**Message of the President of the United States, communicating, in compliance with a resolution of the Senate, the instructions and correspondence between the government and Major General Wool, in regard to his operations on the coast of the Pacific.**

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## MESSAGE

OF THE

# PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

*In compliance with a resolution of the Senate, the instructions and correspondence between the government and Major General Wool, in regard to his operations on the coast of the Pacific.*

JANUARY 3, 1855.—Read, and ordered to be printed.

*To the Senate of the United States:*

In compliance with the resolution of the Senate of the 5th instant, requesting me, if not incompatible with the public interests, to communicate to that body "copies of all instructions and correspondence between the different departments of the government and Major General Wool, commanding the Pacific division of the army, in regard to his operations on that coast," I transmit the accompanying documents.

FRANKLIN PIERCE.

WASHINGTON, December 26, 1854.

WAR DEPARTMENT,

Washington, December 23, 1854.

SIR: I have the honor to transmit, herewith, copies of all instructions and correspondence between this department and Brevet Major General John E. Wool, commanding the Pacific department, in regard to his operations on that coast, as required by a resolution of the Senate passed the 5th instant.

Very respectfully, your obedient servant,

JEFFERSON DAVIS,

Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

*List of papers accompanying report of the Secretary of War, of December 23, 1854, to the President.*

December 26, 1853, General Wool to the Adjutant General.

December 30, 1853, the Adjutant General to General Wool.

- January 7, 1854, the Adjutant General to the Commanding General.  
January 7, 1854, General Wool to the Secretary of War.  
January 9, 1854, order assigning General Wool to command.  
January 10, 1854, General Wool to the Secretary of War.  
January 12, 1854, the Secretary of War to General Wool.  
January 14, 1854, General Wool to the Adjutant General.  
January 16, 1854, the Adjutant General to General Wool.  
January 19, 1854, General Wool to the Adjutant General.  
February 14, 1854, General Wool to General Scott.  
February 28, 1854, General Wool to the Commanding General.  
March 1, 1854, General Wool to the Secretary of War.  
March 14, 1854, General Wool to the Secretary of War.  
March 14, 1854, General Wool to the Adjutant General.  
March 15, 1854, General Wool to the Adjutant General.  
March 15, 1854, General Wool to the Adjutant General.  
March 16, 1854, the Adjutant General to General Wool.  
March 27, 1854, General Wool to the Adjutant General.  
March 27, 1854, General Wool to the Adjutant General.  
March 31, 1854, General Wool to the Secretary of War.  
March 31, 1854, General Wool to the Quartermaster General.  
March 31, 1854, General Wool to the Adjutant General.  
March 31, 1854, General Wool to the Commanding General.  
March 31, 1854, General Wool to the Commanding General.  
April 13, 1854, the Secretary of War to General Wool.  
April 14, 1854, the Secretary of War to General Wool.  
April 14, 1854, General Wool to the Adjutant General.  
April 14, 1854, General Wool to the Secretary of War.  
April 14, 1854, General Wool to the Adjutant General.  
April 15, 1854, General Wool to the Adjutant General.  
April 19, 1854, the Adjutant General to General Wool.  
April 27, 1854, General Wool to the Adjutant General.  
May 9, 1854, the Adjutant General to General Wool.  
May 12, 1854, General Wool to the Adjutant General.  
May 15, 1854, General Wool to the Secretary of War.  
May 15, 1854, General Wool to the Secretary of War.  
May 15, 1854, General Wool to the Commanding General.  
May 17, 1854, the Adjutant General to General Wool.  
May 18, 1854, the Commanding General to General Wool.  
May 26, 1854, the Adjutant General to General Wool.  
May 29, 1854, the Adjutant General to General Wool.  
May 30, 1854, General Wool to the Adjutant General.  
May 30, 1854, General Wool to the Secretary of War.  
May 31, 1854, General Wool to the Secretary of War.  
June 1, 1854, General Wool to the Commanding General.  
June 14, 1854, General Wool to the Commanding General.  
June 16, 1854, General Wool to the Adjutant General.  
July 1, 1854, General Wool to the Commanding General.  
July —, 1854, General Wool to the Adjutant General.  
July 12, 1854, General Wool to the Adjutant General.  
July 28, 1854, General Wool to the Adjutant General.  
July 31, 1854, General Wool to the Secretary of War.

August 3, 1854, the Adjutant General to General Wool.  
 August 4, 1854, the Adjutant General to General Wool.  
 August 4, 1854, the Adjutant General to General Wool.  
 August 14, 1854, General Wool to the Adjutant General.  
 August 16, 1854, the Adjutant General to General Wool.  
 August 18, 1854, the Secretary of War to General Wool.  
 August 28, 1854, the Secretary of War to General Wool.  
 August 29, 1854, General Wool to the Secretary of War.  
 August 31, 1854, General Wool to the Commanding General.  
 September 11, 1854, General Wool to the Adjutant General.  
 September 14, 1854, General Wool to the Commanding General.  
 September 15, 1854, the Adjutant General to General Wool.  
 September 26, 1854, General Wool to the Adjutant General.  
 September 27, 1854, General Wool to the Commanding General.  
 October 2, 1854, the Adjutant General to General Wool.  
 October 11, 1854, General Wool to the Adjutant General.  
 October 13, 1854, General Wool to the Secretary of War.  
 October 14, 1854, General Wool to the Adjutant General.  
 October 19, 1854, General Wool to the Adjutant General.  
 October 21, 1854, the Adjutant General to General Wool.  
 October 23, 1854, General Wool to the Commanding General.  
 October 28, 1854, the Adjutant General to General Wool.  
 October 30, 1854, General Wool to the Adjutant General.  
 October 31, 1854, General Wool to the Commanding General.  
 November 10, 1854, General Wool to the Adjutant General.  
 December 11, 1854, the Adjutant General to General Wool.  
 December 13, 1854, the Secretary of War to General Wool.

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TROY, *December 26, 1853.*

COLONEL; I have returned to this city to make preparations for my distant command in California. I find much more to do than I anticipated in order to arrange my private affairs in such way as not, after I assume the command of the Pacific department, to distract my attention from the duties which may be required of me. It is no small affair to arrange everything satisfactorily, and to provide the ways and means necessary for Mrs. Wool during my absence. No time, however, will be lost in getting ready to depart as soon as possible. I could go on the 10th, if there was a ship going at that time; but not on the 5th, the day above all others that would be the most inconvenient for me to leave.

After conversing with the Secretary of War and yourself, when at Washington, on the subject of staff officers going to California, I called on the chief of engineers, colonel of ordnance, and colonel of the topographical engineers. The first, General Totten, thought he had as many engineers in California as the service required. The second, colonel of ordnance, thought, with the storekeepers, the two ordnance officers now in California would do all the duty required. He was not inclined to send Major Thornton, and represented Captain

Stone as very efficient, which I presume is true. The third, Colonel Abert, said he had no topographical engineers to spare.

From all which I am apprehensive I shall get no additional staff officers for California. From the representations of the Secretary of War it appears to me no department requires efficiency more than the Pacific; and we have no other where staff officers could be so advantageously employed, and especially topographical engineers.

On examination of the quartermaster's returns of quartermasters' stores at the depot of Benicia, sent to me by the quartermaster general, I found it necessary to ask for dragoon saddles, holsters, valises, bridles, &c., &c.; horse-shoes, carpenters' tools, broad-axes, picks, crow-bars, &c.

I also required of the Ordnance Department 43 heavy guns for the works in progress in the harbor of San Francisco. These were recommended by General Totten. I also required 12 mountain howitzers, with two forges, and four travelling forges; all which, with quartermasters' stores, ought to be sent to California as soon as practicable.

Please to inform me whether the military supplies required for Oregon are obtained from the Benicia depot or direct from this quarter.

I will thank you to show this letter to the Secretary and communicate to me his views on the subject.

The forepart of January I will report to him in person.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Colonel S. COOPER,  
*Adjutant General, Washington city.*

P. S.—My time, up to the present hour, has been occupied only with official business. W.

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ADJUTANT GENERAL'S OFFICE,  
*Washington, December 30, 1853.*

GENERAL: Your letter of the 26th instant, in relation to your preparations for service in the department of the Pacific, has been submitted to the Secretary of War. In reply to your inquiry where the military supplies required in Oregon are obtained, I have the honor to inform you that such supplies are almost wholly furnished from the depot at Benicia, California. An occasional shipment is made from the Atlantic States.

I am, sir, very respectfully, your obedient servant,

S. COOPER,  
*Adjutant General.*

Bvt. Maj. Gen. J. E. WOOL,  
*U. S. army, Troy, N. Y.*

ADJUTANT GENERAL'S OFFICE,  
Washington, January 7, 1854.

GENERAL: The Secretary of War directs that Brevet Major General John E. Wool be assigned to the command of the department of the Pacific, according to his brevet of major general, with instructions to proceed to his destination as soon as practicable.

I am, sir, very respectfully, your obedient servant,

S. COOPER,  
*Adjutant General.*

Major General WINFIELD SCOTT,  
*General-in-chief U. S. army, city of New York.*

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WASHINGTON, January 7, 1854.

SIR: Agreeably to the conversation we had yesterday, and your expressed wishes, I have the honor to present my views in regard to some of the duties which may devolve on me as commander of the Pacific department.

If I understand the object of my assignment it is to preserve, as far as it may be practicable, the peace and quiet of the inhabitants within and without, and to restrain those of our citizens from violating treaties on the neutrality of the country, by fitting out expeditions against nations with whom we are at peace. If I comprehend the law on this subject, in order to *act efficiently, in all cases, it will be necessary for the President to delegate the power to me by special instructions.*

I presume it will not be difficult, if it has not been done already, to select proper positions for defence of the sea coast from San Diego to Puget Sound. It may be more difficult to establish posts in the interior with reference to the depredations of the Indians, especially the roving bands, whose object is plunder. These can only be established after personal exploration, and on becoming perfectly acquainted with the country and the tribes and bands that may infest it; and these, I understand, are numerous, both in California and Oregon. It is my intention to make personally these explorations and examinations.

To restrain more effectually the Indians from committing depredations, greater power, however, should be given to the commander of the department than I think belongs to him as a military officer, or than can be conferred upon him by the Department of War. Indians can only be restrained by a decided, steady, and firm, but just course. They should be protected in all their rights, and punished whenever they violate the rights of others. An Indian never respects a civilian; a warrior most generally commands his respect, and he prefers to negotiate with him rather than with the civil agent. This opinion is founded upon twenty-five years' experience with the Indians, and by an intercourse, more or less, with all the tribes hitherto occupying the country called the valley of the Mississippi.

I have thought it proper to call your attention to this subject in consequence of the numerous tribes occupying the Territory of Utah, and the regions bordering upon California and Oregon, which are not in-

cluded within the department of the Pacific. These Indians are roving predatory bands, who traverse the countries on either side of the limits of the department. It is unnecessary to say that unless I have greater powers than I can have without special authority of the President, or by an amendment of the law, these bands might no less embarrass me than bring me in conflict with the agents whose particular duty it is to regulate the affairs of the Indians west of the Rocky mountains.

I presume it is your desire, as well as that of the President, to have peace and quiet secured to the white inhabitants of the whole country. This can only be done by giving ample powers to the military commander, in order that he may at once, according to circumstances, apply the corrective and restrain and keep within proper bounds the red as well as the white man. To do this more effectually, and until a sufficient regular force can be furnished to carry out the views of the President, the military commander should be authorized to call for aid from the militia within his command. As reports reach us that the Indians are yet disposed to be troublesome, both in California and Oregon, I would recommend that Major T. W. Sherman's light battery be sent next spring across the country to Oregon, or by the southern route to California. A light battery passing through the Indian country could not fail to have a very salutary influence upon the Indians.

It may not be improper to say that, in order to act with greater efficiency, the commander of the department should have all the staff departments within his command under his immediate and direct control. This is indispensable to the public interest. The delays incident to obtaining supplies in the ordinary course might seriously embarrass the operations of the department.

I have thus presented to you the subjects most important connected with the command assigned me. In doing so I have been influenced by no other consideration than to carry out, effectually and efficiently, your views, as well as those of the President; at the same time, in all cases, to consult the interests of the inhabitants, and to give them, as far as it may devolve on the United States, protection from exterior and interior enemies. In managing the affairs of the department, I assure you they will be conducted with caution, prudence, and economy.

I have refrained from troubling you with details of the service, and with reference to the supplies that may be required; these can be arranged in ordinary course, and through the heads of the departments.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

HON. JEFFERSON DAVIS,  
*Secretary of War.*

GENERAL ORDERS, }  
No. 1. }

HEADQUARTERS OF THE ARMY,  
*New York, January 9, 1854.*

1. By direction of the Secretary of War, Brevet Major General John E. Wool is assigned to the command of the department of the Pacific, according to his brevet of major general. He will proceed to

San Francisco, California, as soon as practicable, and relieve Brevet Brigadier General Ethan A. Hitchcock, colonel second infantry.

By command of Major General Scott.

IRVIN McDOWELL,  
*Assistant Adjutant General.*

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WASHINGTON, D. C., *January 10, 1854.*

SIR: From the reports received from California, by the George Law, it would appear that an expedition, with some two hundred and fifty men, had been fitted out and sent to sustain Captain Walker, whose party, it would seem, was in a critical condition at Encinada. It would also appear that a great excitement exists on this subject in San Francisco, and that other parties are preparing to follow. I am not in possession of all your views in relation to the course that ought to be pursued towards such expeditions; and yet, if a decided and efficient course is to be adopted and followed on my arrival in California, to prevent similar expeditions against Lower California, I would suggest that the two companies at Fort Hamilton, New York, or two companies from some other post, be ordered to accompany me on the 20th instant by way of the Isthmus. This is suggested in consequence of the disaster which has befallen the San Francisco, which (although I do not believe her lost) may delay the arrival of the troops on board too late to be of service to carry out in time the views of the President.

Very respectfully, your obedient servant,

JOHN E. WOOL.

*Major General.*

HON. JEFFERSON DAVIS,

*Secretary of War.*

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WAR DEPARTMENT,  
*Washington, January 12, 1854.*

SIR: In addition to the ordinary duties of the military command to which you have been assigned, it is deemed proper to direct your attention to certain duties which will devolve upon you.

Among these will be the duty of maintaining our international obligations, by preventing unlawful expeditions against the territories of foreign powers. Confidence is felt that you will, to the utmost of your ability, use all proper means to detect the fitting out of armed expeditions against countries with which the United States are at peace, and will zealously co-operate with the civil authorities in maintaining the neutrality laws.

As far as the force under your command may avail, you will protect the territory of Mexico from Indian incursions, as required by the treaty of Guadalupe Hidalgo; but a proper degree of protection is not for this purpose to be withdrawn from our own citizens; for the duty assumed by that treaty is not paramount to the obligations of the government to its citizens.



There is little expectation that the force disposable for service in the Pacific department will for a long time be fully adequate to the service required of it, particularly as the limits of the command are now to be extended to embrace the Territory of Utah. You may do much, however, to prevent disaster by vigilant attention to movements among the Indian tribes, and by the judicious location of the troops; avoiding large towns which need no protection, while they exercise influences injurious to discipline and foster discontent.

The removal of the Indians in California to the reservations provided for them under the act of the last Congress, will govern in an important degree the disposition of the troops and the location of military posts, and it will greatly increase the control of the military commanders over the Indians there assembled. You should confer freely with the Indian agents, and give them all needful aid in the execution of their duty, affording them the countenance and support of the military power, which are so essential in the negotiation of treaties, and in all dealings with savage tribes.

You will exercise a strict supervision over the expenditures within the limits of your command, taking such measures as your judgment may approve to prevent purchases or disbursements not actually required for the public service, and to secure public supplies from waste or loss.

Topographical information respecting the interior of the country, being of great importance, and as yet extremely imperfect, you will cause reconnoissances to be made in connexion with all military expeditions.

Very respectfully, your obedient servant,

JEFFERSON DAVIS,  
*Secretary of War.*

Brevet Major General JOHN E. WOOL,  
*U. S. Army.*

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[By telegraph.]

TROY, *January 14, 1854.*

Received at Washington, January 14, 1854, 11 o'clock 50 m., a. m. A portion of third artillery having arrived, I recommend that two companies at Fort Hamilton go out with me on 20th instant. I go today to New York to look after troops just returned.

JOHN E. WOOL.

Colonel COOPER, *Adjutant General.*

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ADJUTANT GENERAL'S OFFICE,  
*Washington, January 16, 1854.*

GENERAL: Your telegraphic dispatch of the 14th instant, recommending that the two companies of artillery at Fort Hamilton be ordered to proceed to California with you on the 20th, has been re-

ceived and submitted to the Secretary of War. It is not intended to send this command to the department of the Pacific at present, and want of time would, in any event, prevent a compliance with your recommendation.

I am, sir, very respectfully, your obedient servant,

S. COOPER, *Adjutant General.*

Brevet Major General J. E. Wool,

*U. S. Army, St. Nicholas Hotel, New York City.*

NEW YORK, *January 19, 1854.*

COLONEL: I left Washington on Thursday last. I proceeded to Baltimore and relinquished the command of the department of the east. I then pursued my way to Troy where I arrived at 10 o'clock on Friday night, when I received a telegraphic dispatch that the "Three Bells" had arrived with part of the distressed 3d artillery, whose sufferings on board of the ill-fated San Francisco have already been made known to you. On Saturday morning I returned to New York, General Scott being in Baltimore, to see and provide for their wants. I gave instructions to my aid-de-camp and Captain Hamilton to visit them on Bedlow's Island, who did everything that was required to make them comfortable. On Sunday I returned to Troy and completed my preparations to embark to-morrow at 2 o'clock for the Pacific department.

I regret that the two artillery companies of the fourth were not ordered to accompany me. The third regiment will not be reorganized for some weeks, if in months. Under any circumstances, the third, with its present field officers had better be kept in garrison on the sea-coast than be sent where active operations might become necessary. There cannot be over 1,000 troops to guard the sea-coast of California and Oregon and the interior, including Utah, from Indian depredations. This force is entirely inadequate to act efficiently either on the sea-coast or in the interior. I hope the subject will receive due consideration, when I cannot doubt that the forces in the Pacific department will be increased.

I have received the instructions of the Secretary of War.

I am, respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Colonel S. COOPER,

*Adjutant General, U. S. Army, Washington, D. C.*

HEADQUARTERS,

*San Francisco, February 14, 1854.*

GENERAL: Having just arrived, and as the steamship for Panama leaves at 12 o'clock, I have only time to say that I have nothing of importance to communicate. The result of the expeditions to Lower California is not known. There are a variety of rumors, but they can-

not be traced to any correct source. At Acapulco, the captain of the port informed me that Santa Anna had ordered three hundred men to Sonora to expel the invaders. It was thought, for the want of supplies, they would not reach their destination. If the Secretary of War would prevent similar expeditions from this port he must send more troops to California. By the first of next month I will report in detail. Brigadier General Hitchcock informs me that he will transmit by this day's mail all information of importance in his possession relating to the department and of those who would violate the neutrality of the country.

I have the honor to be, very respectfully, your obedient servant,  
 JOHN E. WOOL,  
*Major General.*

Major General W. Scott,  
*Commanding U. S. Army, New York.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, February 28, 1854.*

COLONEL: On the 16th instant I informed you of my arrival in this city, since which I have required reports embracing a statement of the condition of each post, including the Indians, their feelings and disposition; also from the chiefs of departments setting forth the amount and condition of supplies; also from the chiefs of engineers of the number of forts in progress of erection. These were called for with reference to a critical inspection of every thing connected with the Pacific department. All the reports called for, from the chiefs of departments, have been received; but owing to incessant rains since the 19th instant, I have found it impracticable to enter upon the inspection. As soon as the weather will permit I will commence that duty, and continue it until completed.

The duty, however, most important which I have been called upon to discharge, relates to expeditions made, and making, to invade the frontiers of Mexico, in violation of treaties with the Mexican government. The expedition under the so-called Colonel Walker, will, I apprehend, be broken up and soon dispersed, unless he obtains aid from this section of the country. The following information concerning the expedition is from a letter of Captain T. A. Dornin, United States navy, commanding the United States ship Portsmouth, off Ensenada, Lower California, February 15, 1854:

"Walker has gone off, struck his flag, taken his men, (some mounted, the greater part on foot,) his cattle, sheep, and two small pieces, leaving behind him one small iron piece spiked, four wounded men, and four as a guard, and two doctors. Of these, nine are now on board the steamer, with one doctor, who was left without medicines or instruments. These men begged to be taken off, saying they were deserted by their leader, and would be murdered that night; for we all saw rancherias on horseback and on foot prowling about. We do not know where Walker has gone; I shall find out when the steamer comes back from San Diego. If he has gone across, I shall send back and

give up the steamer, as I cannot get coal at the upper part of the gulf, and wood is scarce there. I think this lawless expedition may be considered broken up."

An effort is making in this city by Count de Raousset, in connexion, as I believe, with H. P. Watkins, who has been engaged in the expedition with Walker, and who has been arrested at my request, to raise men for Sonora or Lower California. I am in hopes to be able to arrest Raousset, and prevent him from his lawless purpose. I find myself, however, very much embarrassed from the want of troops to prevent expeditions being fitted out from this port. It is my intention, however, if they do succeed in leaving this port, to pursue them and bring them back. Should they escape my vigilance, I have written Captain Dornin, in command of the United States ship Portsmouth, to look for them on the coast and the gulf of California, and intercept them and send them back. At all events no efforts shall be wanting to carry out, to the fullest extent, the wishes and desires of the President in relation to all expeditions having in view the violation of treaties with foreign powers.

An increase of force to guard against difficulties with the Indians in California, Utah, Oregon, and Washington, is indispensable. We have now about 1,000 troops, daily diminishing by discharges and desertion. These are distributed over an immense territory in small commands. The number is wholly inadequate to give protection to either whites or Indians. The difficulties with the latter are frequently produced by the cupidity of the whites. Indeed, if I am correctly informed, most of the difficulties with the Indians have been caused by outrages committed by men who have no regard for law or justice. I will do all I can, with such limited means, to prevent the continuance of these outrages.

Estimates for funds, to meet the demands indispensable for the department, have been already forwarded. I trust they will be granted, and especially those intended for the ordnance and engineer departments. All expenditures on public account, as well as private, are five to one compared with those made on the Atlantic.

I am, sir, very respectfully your obedient servant,

JOHN E. WOOL,  
*Major General.*

Lieutenant Colonel L. THOMAS,  
*Assistant Adjutant General,*  
*Headquarters of the Army, New York city.*

*Endorsed.*—Interesting. Respectfully referred to the Secretary of War.

WINFIELD SCOTT.

MARCH 30, 1854.

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SAN FRANCISCO, CALIFORNIA,  
*March 1, 1854.*

SIR: Yesterday I transmitted a report of my doings since my arrival to General Scott.

To carry out the views of the President and Secretary of War in relation to expeditions fitting out against Mexico, and to protect the

whites and the Indians against each other, we require more troops. We have about 1,000 men, decreasing every day by discharges and desertion, to defend or keep the peace in the immense territory of California, Oregon, Washington, and Utah. We have too few troops to do either the one thing or the other.

Colonel Watkins, who was engaged in the expedition with Captain Walker, at my request has been arrested. Count Raousset, of notoriety, is doing his best to raise men for Lower California or Sonora. I have written to Captain Dornin, on the coast of California, to keep a good look-out for the party, should they escape my vigilance. I shall look-out for this Frenchman, and arrest his progress. I shall, if possible prevent further parties going to Lower California. I do not think that the civil officers are very anxious to check these expeditions. I shall to-day see the district attorney and marshal, and ascertain what are their views, and what they will do in case it should become necessary to act against Raousset.

It has been raining incessantly since the 19th instant. The streets are almost impassable, and the roads are equally bad.

I have called for reports from all the chiefs of the several departments, embracing an exact statement of every thing in their charge; also, from the chief engineer, relating to the erections and progress of forts for the protection of the harbor of San Francisco; also, from all the military posts, to include the number of Indians, their feelings and disposition towards the white inhabitants. I have called for these reports with reference to an actual inspection of every thing connected with the department. This duty I will enter upon as soon as the weather will permit. The roads are now almost impassable from incessant rains. It has rained almost without intermission since the 19th instant. Yesterday and to-day are fair.

In conclusion, I shall do all in my power to carry out to the fullest extent your views, as well as the President's, relating to the Pacific department.

I have the honor to be, very respectfully, your obedient servant,  
JOHN E. WOOL.

HON. JEFFERSON DAVIS,  
*Secretary of War.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 14, 1854.*

SIR: A few days since I inspected the ordnance depot at Benicia, where I found a large amount of property exposed to the weather, for the want of store room. This fact before me, with the knowledge of a large amount of property daily expected, a memorandum of which is herewith sent, I ordered a store the size of the one recently erected, which is crowded with ordnance stores, to be put up without delay. The amount of property now at the depot exposed, and that which is daily, and some of it hourly expected, would, if stored in private stores, in a short time cost more for storage than the building

ordered to be erected, which is not to exceed the sum of twelve thousand dollars.

The necessity of the case, in order to preserve property and save expense to the United States, has induced me to give the order herewith enclosed, which I cannot doubt will be approved by the Secretary of War.

I have the honor to be, very respectfully, your obedient servant,  
**JOHN E. WOOL,**  
*Major General.*

Hon. JEFFERSON DAVIS,  
*Secretary of War.*

SPECIAL ORDERS, }  
 No. 21. }

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 10, 1854.*

Under the necessity of the case, owing to exposure to the weather of a large number of gun carriages and other property, and the want of storage for a considerable amount of ordnance stores, including muskets daily expected, Brevet Captain C. P. Stone will, without delay, commence the erection of a store-house, similar to the one recently completed, which shall not, when finished, cost exceeding \$12,000.

Captain Stone will draw from time to time for such sums as he may require for the fulfilment of the above order on the colonel of ordnance.

**E. D. TOWNSEND,**  
*Assist. Adjutant General.*

By command of  
 Major General WOOL.

MEMORANDUM OF STORES EXPECTED.

*Expected to arrive immediately.*

- 8 6-pounder guns, with carriages, implements, and equipments, complete.
- 14 12-pounder field howitzers, with carriages, implements, and equipments, complete.
- 12 field caissons, complete.
- 5,000 pounds musket powder.
- 5,000 pounds rifle powder.
- 5,000 priming tubes, filled.
- 1 fire engine, complete.

*Expected by May 15, 1854.*

- 10,000 percussion muskets, with accoutrements.
- 5,000 percussion rifles, with do.
- 800 cavalry musketoons.
- 200 horse artillery sabres.

- 200 non-commissioned officers' swords.
- 250 musicians' swords.
- 650 non-commissioned officers' and musicians' waist belts and plates.
- 250 Colt's repeating pistols.
- 400 pairs holsters.
- 5,000 feet of poplar scantling for sabots.
- 4,000 6-pounder shot.
- 1,500 6-pounder round shot.

JOHN E. WOOL,  
*Major General.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 14, 1854.*

SIR: I enclose herewith a copy of a communication, dated January 29, from Major G. J. Raines, 4th infantry, commanding Fort Dalles, Oregon, on the subject of Indian relations in that quarter. In this connexion I will also refer to the letter on the same subject from Brevet Major Alvord, dated March 31, 1853, and forwarded to Washington May 1, 1853, "recommended to the attention of the proper department."

I can add little to the representations of these officers but to urge that such steps may be taken, at an early day, as may tend to protect the peaceably disposed Indians against the outrages of lawless whites. Such outrages as are anticipated by Major Raines, in the part of Oregon to which his letter refers, are of constant occurrence in the State of California, particularly the northern part. Though copies of reports to this effect have been repeatedly forwarded from these headquarters to Washington, I cannot forbear making the following extracts from communications recently received through Brevet Colonel Wright, which give only another instance of the lawless barbarity practised upon tribes of Indians of the most inoffensive nature from, apparently, no motive but wanton cruelty.

"To Mr. Culver, Indian agent, from a committee of miners from Illinois river, dated January 19, 1854:

"The treaty made by the miners of this river last fall has been broken by a party of white men from the Sailor's Diggings, who, under the belief that they could exterminate the Indians of Illinois and Deer creek, yesterday attacked two rancherias, consisting of seven Bucks and their families, and failed, with the exception of two Indians killed and some wounded. The Indians being confined to their houses by surrounding snow, and their enemies, fought desperately for the means they had of doing so; and, after several rounds from both sides, the whites had one man wounded. A Mr. R. consulted his men whether or no it was best to continue hostilities—fled for their homes. They have left us, the miners, a prey to the Indians for their shameful and cowardly conduct."

Captain A. J. Smith, 1st dragoons, writes, in relation to this same outrage, from Fort Lane, February 3, that "a party of nineteen men from Sailor's Diggings came over to Deer creek, a tributary of the Illi-

nois, and attacked a rancheria in which there were but seven squaws, one boy, and two children, with the avowed intention of killing them all. They murdered one woman far gone with pregnancy, putting nine balls in her, and two children, and wounded three squaws and one boy, all without the slightest provocation. They were put to flight, and followed some three miles, by three squaws and the wounded boy. These brave assassins endeavored to raise an increased force to return and wipe out the Indians, when the better portion of the community interfered and delayed the party until the arrival of Mr. Culver," (Indian agent.)

Reports from the reserve recently established by Mr. Beale, Superintendent of Indian Affairs, near Tejon Pass, in the southern part of California, speak of the success of that experiment in the highest terms, and I trust every facility will be given Mr. Beale to enable him to establish other reserves in that part of California. I would also recommend that the experiment be made in Oregon, and especially in Scott's valley, which might take in the Klamath and other Indians, who I have been informed will gladly avail themselves of it, although I have doubts whether it would be successful, from the fact that the Indians in that portion of the country are of a roving disposition; and, as I am informed by Mr. Lancaster, the delegate to Congress from the Washington Territory, do not cultivate the soil, but fish and hunt in one place and seek berries and roots in another.

From all that I can learn, or have seen, in relation to the Indians and their peculiar situation in regard to the white inhabitants, treaties ought to be made with them, and if driven from their lands and hunting grounds, in order to preserve them from starvation, some allowance or remuneration should be made them.

In order to strengthen Captain Smith and prevent, as far as possible, the recurrence of further outrages, I have sent up a detachment of recruits to Fort Lane, which will add about fifty men to his command. I will only add that to keep the peace and protect the Indians against attacks from the whites, the force in this country must be increased. No efforts shall be wanting on my part to carry out the views and objects of the War Department, and, therefore, I am ready to perform any duty, whether making treaties or any other service, which may be required. As soon as the weather and travelling will permit, I will make tours of inspection throughout the department of the Pacific.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

P. S.—I enclose a copy of a report from Captain Smith of an expedition to a cave near Cottonwood, in which some Indians have fortified themselves. The reasons given for abandoning the attack appear to be sound.

JOHN E. WOOL,  
*Major General.*

Col. S. COOPER,  
*Adjutant General U. S. A., Washington city.*



## FORT DALLES, DALLES OF COLUMBIA, OREGON,

January 29, 1854.

SIR: The time has arrived when it becomes necessary to determine the question of peace or war between the citizens of the United States and Indian tribes on this frontier, east of the "Cascades" and west of the Rocky Mountains, as will be seen in the sequel.

Indian complaints have been often brought from time to time that white men are locating on their land, against their will, and that without respect to their individual possessions, or property, or priority of title of Indian claimants.

Such statements have been met by informing them that by an act of Congress of the United States, establishing the territorial government of Oregon, (approved, March 14, 1848,) "no rights of persons or property now pertaining to the Indians in this country shall be impaired, so long as such rights shall remain unextinguished by treaty between them and the United States."

They also complain of lawless violence, injury, and murder by white men who come among them, some for secret purposes of illegal traffic in spirituous liquors, irresponsible to their laws, and who are uncontrollable by the civil law of the Territory of Oregon, which intends "good faith," with inability to carry it out, by barring Indian testimony against them "in any court or in any case whatever."—(See section 3, art. 1, of organic laws of Oregon, and section 37, legislative act of Oregon to regulate the "practice" in district and supreme courts, passed February 3 and 4, 1851.) Under the laws of Oregon these people ordinarily can have no legal prosecutor, nor grand jury legally to represent their cause, and must forever be deprived of justice as long as the disparity in numbers is so great, or a white accomplice chooses to cloak crime.—(See sections 74, 76, and 77, legislative acts on crimes and misdemeanors, passed February 6, 1851.)

The Indian tribes immediately concerned are the "Des Chutes" and "Waseves," some 700 or 800 souls; the "Nez Percés," numbering about 2,500; the "Cayuses" and adjuncts, about 300; the "Snakes," composed of the Bannacks, the Shoshones, and Root Diggers, say 3,000; the Shastas, the Unatillas, the Tic, and some others, number unknown, say in all about 1,300 warriors.

If any country in the world has ever merited the title of "Indian country" *this is it*; and yet by legislative enactment this has been erected into Wasco county of Oregon Territory, the largest county ever known, and civil officers appointed where there are but few white citizens, some thirty-five perhaps in all, who claim their right to locate their "donations" where they please (and often irrespective of Indian rights) by an act of Congress making donations to settlers in the Territory of Oregon.—(See sections 4 and 5 of the act creating the office of surveyor general and for other purposes, approved September 27, 1850.) This, with a decision of the Supreme Court, sets aside the *intercourse law*, and bars our right to purge the land of incendiaries who set themselves down among the Indians to commit all crimes with impunity, even murder, with only Indian testimony against them to bring them to justice, which is not available in law.

Many of the squatters are good citizens, but this is not the case with all, far from it, and my predecessor (Major Alvord) having made representations, (referred,) also the superintendent of Indian affairs, whose business mainly it is, having previously done the same, I have been slow to move in the matter until "forbearance ceases to be a virtue," and prompt action is required, doing justice to all, to prevent an Indian war with the Indian tribes combined, between the Cascade and Rocky Mountains.

Though these Indians are very uneasy, yet there is no immediate cause of alarm; still the necessity for prompt action exists, as may be seen from the following facts, similar to those which gave rise to the Rogue river war. Life for life is the Indian rule, and soon some innocent persons among the whites may suffer for the acts of the guilty.

Within a short period there have been five men killed, viz., two by the Indians of their own people—cause: spirituous liquor introduced clandestinely, (though Judge Olney, of Oregon, is said to have stated in open court that there is no law to restrain such sales, and the legislature is now making one.) One, a Frenchman, name unknown, in about thirty miles distance, murdered by an Indian. One, an Indian, murdered by a white man, whom I had in confinement to be turned over to civil power, to be released at the Cascades on account of some informality in the action of the magistrate committing, as informed. And still a recent case of another Indian killed by a white man, whom we have now in prison in the guard-house, and who surrendered himself probably for protection from the infuriated tribe which followed him to this post.

The Indians have been pacified by being promised justice in every case, which I regret to say has not been accomplished; which state of things under legislative enactments we cannot alter, and which the citizens themselves, as soon as their civil officers are properly qualified, with an eye to their own safety, will find it equally impossible under the law, or without further legislation.

The object of this communication is to awaken attention to the state of things on this frontier; to find its way (with the approbation of my superiors) before the Committee on Indian Affairs in Congress, for them, in their wisdom, to devise some means for retributive justice in this country of Indians, and among other tribes concerned, securing to each the land on which his lodge stands, and the soil which his squaw cultivates, and defining the rights of the white settler for his better security.

Never a cent has been known to be appropriated for the benefit or improvement of these tribes, yet they are peaceably disposed, if undisturbed.

We are deficient at this post in our proper number of soldiers to fill up the two companies, 106 men, and a company of mounted men is much required.

All of which is most respectfully submitted by your obedient servant,  
G. J. RAINS,

*Major 4th Infantry, commanding post and troops on this frontier.*

Major E. D. TOWNSEND,

*Assist. Adj. Gen. Depart. of the Pacific, San Francisco, Cal.*

Ex. Doc. 16—2

FORT LANE, O. T., *January 31, 1854.*

**COLONEL:** I have the honor to report that on Sunday, the 22d, Lieut. Crook, accompanied by D. Sorrel, arrived at this post, having been sent by Captain Judah for the mountain howitzer, and informed us of a difficulty between the inhabitants of Cottonwood and the Indians, supposed to be in considerable force in that vicinity. On the morning of the 23d I left this post, taking with me Lieutenant Ogle, a detachment of fifteen men, and the howitzer, and arrived on the third day at Captain Judah's camp on the Klamath, some five miles below the cave where it was reported the Indians were fortified. I found that Captain Judah had been to the cave with his company and a party of volunteers to reconnoitre, and had returned to his camp to await the arrival of the howitzer. Here I found two companies of organized besides many independent volunteers, numbering in all about fifty men at camp, and also before joining Captain Judah I received from reliable persons important information in relation to the origin of the difficulty. I was convinced that the whites (miners) were the aggressors, and very much to blame for their unprovoked attack upon the Indians. The first attack was made by a party of men, organized in Cottonwood, who styled themselves the Squaw Hunters, whose avowed purpose was to get squaws, by force, if necessary, headed by a man who was one of Ben Wright's party at the time he attempted to poison the Murdoc Indians, and others of his stamp. During the first attack at the cave the chief Bill was encamped, with his immediate family, some ten miles above, on the river, and he absent in Yreka, but, fearing another attack he collected his little band together at the cave and prepared to defend themselves against a similar outrage. In this first attack the whites killed seven Indians (three men, one of them a brother of the chief, who was approaching the cave unconscious of danger, with a deer upon his back, two squaws and three children) without resistance on the part of the Indians. After the entrance of the cave had been barricaded the whites immediately spread the report that the Indians had collected a strong force at the cave for the purpose of war and plunder. A party of 28 men then went out under pretence of getting some stock they said the Indians had stolen, a mere rumor, and, in a fair fight, the Indians defeated them, killing four of their party; one Indian killed.

With this information, I left for the cave on the morning of the 26th, (preceded by Captain Greiger and 17 men, who volunteered to take post on the top of the cave,) with 20 men of Captain Judah's company, and 13 dragoons, with the howitzer, and some 30 volunteers, leaving Captain Judah sick in camp with a guard of eight regulars and some volunteers. The cave is in the side of a perpendicular rock or palisade of mountain, about 300 feet above the valley, the ascent to which is steep, and the approach directly in front, so that 25 men, with the barricade, could defend it against a charge of 100. The barricade is on the inside, and an excellent one, and had I attempted to charge it, it would have been done by the regulars altogether at a great sacrifice of life. After making a proper disposition of the volunteers and Lieutenant Bonnycastle with his company in front of the cave, the cannon was placed on the only eligible position, and several shells

fired. This gun was then advanced, but the elevation being so great that a trench had to be dug to lower the trail, two shells only entered the mouth of the cave, but did no damage, as I afterwards ascertained, owing to the peculiar shape of the arch of the entrance. The Indians were anxious for a talk, and had it not been for the clamorous portion of the volunteers, the difficulty would have been settled without firing the second shot. We encamped that night in front of the cave, and Bill sent three squaws to my camp, under the protection of the interpreter, to ask me to have a talk. Early next morning, I went up to the cave, accompanied by a citizen, Mr. Eddy, residing in that vicinity, and heard what the chief had to say; all of which corroborated previous information, and, in addition, his great desire to be at peace with the whites. He said he had been living on friendly terms with the whites, both in Yreke and Cottonwood, but had left the latter place on account of the ill-treatment of his women. I found only the small band of Shastas in the cave, numbering in all not over fifty, and one boy on a visit from some other tribe. They had previously occupied caves higher up the river, but this, being more commodious, furnished them comfortable and secure winter quarters. I directed the chief to remain in the cave for the present, feeling assured that the ill-disposed portion of the community would massacre indiscriminately men, women, and children if brought out.

What justice can be expected of a community that will furnish poison and approve of its being administered wholesale to the Indians? Just such characters were the instigators of this affair.

The volunteers collected all the Indian ponies (12) and brought away nine (maliciously shot one) contrary to my wishes. I regret to have to report the death of Captain Greiger; he was shot while in the act of looking over into the cave from his position on top, a rash act that he had but a few minutes previous cautioned his men against. He was an estimable man and universally beloved. After informing the volunteers of the result of the talk we marched back to Captain Judah's camp on the afternoon of the 27th. The volunteers continued on to their homes. I directed Captain Judah to return with his company to Fort Jones, and early in the morning of the 28th I set out with my detachment and howitzer for this post, which we reached yesterday afternoon.

The ground was covered with snow, and the weather intensely cold. Thermometer ten (10) degrees below zero three days before we left, during which time Captain Judah was in camp on the Klamath. I cannot speak too highly of the energy and activity of the officers and soldiers concerned.

Very respectfully, your obedient servant,

A. J. SMITH,  
*Captain First Dragoons.*

Colonel G. WRIGHT,  
*Commanding N. Dist. of Cal., Fort Reading, California.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, March 15, 1854.

SIR: Since my communication of the 28th ultimo, a material change has occurred in relation to the fillibustering expedition of Colonel Walker. By the arrest of Watkins and others, his recruiting rendezvous has been broken up, and the men engaged dispersed; consequently, no aid has been rendered to Walker since my arrival in the country.

Captain Dornin, commanding the United States ship Portsmouth, a very active and efficient officer, reports Walker's party reduced by desertion, or other causes, to less than 100 men, and greatly in want of supplies. He thinks the expedition at an end, and that Walker will soon be compelled to leave the country.

Yesterday the Columbus, employed by the government, arrived from San Diego, bringing prisoners Frederick Emory, Walker's secretary of state, and several others. They have been held to bail for trial.

I am, sir, very respectfully your obedient servant,

JOHN E. WOOL,  
Major General.

Colonel S. COOPER,  
Adjutant General, United States Army,  
City of Washington, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, March 15, 1854.

SIR: I have the honor to request that the allowances made to two soldiers, as clerks, at these headquarters, may be extended to the orderly, for the reason that the Presidio is so far distant, that the orderly cannot live there and attend to his duties in town, even though he be mounted, which is not now the case. The allowances are:

Commutation of fuel and quarters per month, per Adjutant General's letter of August 24, 1852.....	\$10 00
Commutation of whisky ration per day.....	03
Commutation of rations per day, per Adjutant General's letter of June 19, 1852.....	75
Extra pay per day, per general order No. 22, of 1852.....	15

This allowance is not more than sufficient for a soldier to live in this city with strict economy.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
Major General.

P. S. The services of an orderly at these headquarters are indispensable.

JOHN E. WOOL,  
Major General.

Colonel S. COOPER, Adjutant General,  
Washington city.

ADJUTANT GENERAL'S OFFICE,  
Washington, March 16, 1854.

GENERAL: The letter of Brevet Major *C. H. Lainard*, captain 4th infantry, of December 1, 1853, recommending that the ration of fresh beef be increased to a pound and a half, at the post under his command, from December 1, to May 1, has been submitted to the Secretary of War, and the following is the decision thereon.

"It is not deemed advisable to adopt the proposed change in the component parts of the ration, it being held preferable to exact of contractors good beef, or where that is not possible, to require them to submit to a tare which will compensate for the excess of bone.

"JEFF'N DAVIS,  
" *Secretary of War.*

"MARCH 11, 1854."

I am, sir, very respectfully, your obedient servant,  
S. COOPER, *Adj't Gen.*

Bvt. Maj. Gen. J. E. WOOL, *United States Army,*  
*Com. Dep. of the Pacific, San Francisco, California.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, March 27, 1854.

SIR: I have the honor to acknowledge the receipt of general orders numbers two and three, special orders from 18 to 25, and claim of George C. Bates, esq., for defending a suit against Lieutenant Arnold, 3d artillery.

Lieutenant Arnold is now absent on service connected with the survey of a railroad route under Governor Stevens, of Washington Territory. On his return the required report will be made in his case.

I am, sir, very respectfully, your obedient servant,  
JNO. E. WOOL,  
*Major General.*

Colonel S. COOPER, *Adj. Gen. United States Army,*  
*City of Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, March 27, 1854.

SIR: To enable me to check a supposed fillbustering expedition, fitting out in this city for Guyamas, I found it necessary to request Lieutenant Commanding James Alden, of the navy, to report to me with his steamer, the *Active*, employed upon the coast survey, and on the 20th instant I gave orders to Brevet Captain Stone, commanding *Benicia* arsenal, to issue to Lieutenant Alden for this service such arms and ammunition as might be necessary. The issue would, of course, be

of limited extent, and I request the approval of the honorable Secretary of War to the order.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Colonel S. COOPER, *Adjutant General,*  
*City of Washington.*

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HEADQUARTERS PACIFIC DEPARTMENT,  
*San Francisco, March 31, 1854.*

SIR: At the request of the officers of the staff near my headquarters, I am induced to transmit the enclosed communication and certificates of some of the most respectable citizens in San Francisco, showing that the allowance of fuel and quarters are insufficient to meet the expenses incidental thereto.

The expense of living in any part of California, as compared with the expense in the Atlantic States, is enormous; few of the officers can live on their pay and emoluments. A number of those present have property, the interest or rents accruing therefrom, with their pay and emoluments, will enable them to live without getting in debt.

The smallest cottage, with two or three rooms, in the outskirts of the city, cannot be rented short of 75 to 100 dollars per month. A room in any agreeable part of the city, or anywhere near the business part, brings from 75 to 200 dollars per month, payable in advance, the price depending on size and location, whether on the front, second, or third story. Board is from \$25 to \$50 per week, the price depending on location and size of bed-room. Servants cannot be had for less than \$50 to \$100 per month, besides board. Cooks get from \$75 to \$100. Female servants get from \$60 to \$120 per month; this is owing to the scarcity of women. A common laborer in the city gets from \$4 to \$5 per day. A mechanic from \$8 to \$10 per day.

To keep a horse at the livery stable it costs \$50 per month; two, \$100 per month. A coachman \$75, besides board. A carriage for an hour is \$5; for a day, from \$15 to \$30, the price depending on the quality of carriage and horses. A house like the one occupied by the Quartermaster General, Paymaster General, Colonel Abert, and Doctor Lawson, would bring \$500 per month, payable in advance. I can procure no house I would occupy short of \$250 per month, payable in advance. The best houses bring from \$700 to \$1,000 per month, payable in advance. Almost everything is in the same proportion.

In conclusion. I have presented the above facts to show that no officer can live decently on his pay and emoluments, without running in debt, in California.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

HON. JEFFERSON DAVIS,  
*Secretary of War.*

SAN FRANCISCO, CALIFORNIA, March 31, 1854.

**GENERAL:** The undersigned, officers of the army stationed in San Francisco, respectfully represent to you, that the present rate for commutation of fuel and quarters is entirely inadequate to provide suitable and proper rooms for their occupancy, and the fuel necessary to warm them. They beg to enclose statements from some of the principal men in San Francisco, property owners, agents, and merchants, among them such men as Mayor Garrison, Samuel Brannan, (the wealthiest resident here;) the principal bankers Messrs. Page, Bacon & Co.; Lucas, Turner & Co.; Burgoyne & Co.; Palmer, Cook & Co.; Wells, Fargo & Co., and others, in support of this representation, and in testimony of the great expense of living here. Other statements, with regard to the expense of living, are also enclosed. It is hardly necessary to say, that statements to the same effect, from hosts of respectable citizens, could have been obtained, as the facts are too well known to be questioned.

The undersigned feel oppressively the burden of the times, and view it especially grievous, that in a country where servants wages are from \$50 to \$100 monthly, livery charges for a single horse \$50 per month, washing \$3 per dozen, and board and clothing from double to quadruple what it is in the eastern States, that they should be compelled to receive an allowance, in lieu of quarters and fuel, so far below what are the current rates in this country. Some of the undersigned have families, and to support them, at the present rate of pay and emoluments and commutation in California, is an impossibility; these are compelled to go behind, monthly, one-third of the amount they receive.

The undersigned, therefore, appeal to you, that you may be pleased to take such steps as your judgment may deem proper to obtain an increase of our pay and allowances, and at least, and at once, an increase of our commutation for quarters to \$50 per room, and \$25 per cord for fuel.

We have the honor to be, very respectfully, your obedient servants,

CHARLES S. TRIPLER,

*Surgeon U. S. Army, Medical director department of the Pacific.*

E. D. TOWNSEND,

*Assistant Adjutant General.*

T. MOORE,

*First Lieutenant 2d infantry, A. D. C.*

JAMES A. HARDIE,

*First Lieutenant 3d artillery, A. D. C.*

Z. B. TOWER,

*Brevet Major of Engineers.*

A. B. EATON,

*Brevet Major and Colonel Ordnance, U. S. A.*

J. MCKINSTRY,

*Brevet Major, U. S. Army.*

HIRAM LEONARD,

*Major and Chief Paymaster department of Pacific.*

I fully concur in the views set forth, except the amount paid for fuel.

O. CROSS, *Major and Quartermaster.*

Major General J. E. WOOL, *U. S. A.,*

*Commanding the department of the Pacific.*



MARCH 31, 1854.

The undersigned, residents of San Francisco, are of the opinion that respectable and proper rooms, in decent and genteel portions of the city, cannot be procured short of the rate of \$50 per month for each room of two hundred and twenty-five square feet; and that cut wood cannot usually be delivered at our residences short of \$25 per cord; and that servants, for house purposes, cannot be obtained usually short of \$50 per month; and in most cases the compensation exceeds that sum.

PAGE, BACON, & CO.,  
LUCAS, TURNER, & CO.,  
WM. T. SHERMAN,  
BURGOYNE & CO.,  
PALMER, COOK, & CO.,  
WELLS, FARGO, & CO.

*Statement of keeping horses and carriage at livery—lowest rates.*

SAN FRANCISCO, CALIFORNIA,  
March 25, 1854.

Each horse, fifty dollars per month; keeping carriage in order and furnishing coachman, one hundred and fifty dollars per month; total, two hundred and fifty dollars per month.

J. R. MAYER.

SAN FRANCISCO, March 20, 1854.

The price of first class single rooms unfurnished, fifteen feet square, is from fifty to seventy-five dollars per month. Second class, or third-story, from twenty-five to fifty dollars per month. Suites from two to three rooms, according to situation, from one hundred to two hundred dollars per month, and in almost every case the rent is paid in advance.

THEODORE PAYNE & CO.

SAN FRANCISCO, CALIFORNIA,  
March 25, 1854.

Mr. \_\_\_\_\_,

To P. HUNT,

Corner of Kearney and Sacramento streets, DR.

To keeping one pair horses one month.....	\$100 00
To keeping a single horse .....	50 00
To shoeing, per sett .....	5 00
To servant, or coachman.....	75 00
To boarding servant per month.....	40 00

I hereby certify that the above are rates I charge as specified.

P. HUNT.

The price of first class rooms in Brannan Building, on Montgomery street, unfurnished, from fifteen to sixteen feet square, (second story,) suites of two rooms \$150 per month. Suites of two rooms on third floor \$100 per month; fourth floor \$75 per month.

SAMUEL BRANNAN.

SAN FRANCISCO, CALIFORNIA,  
March 22, 1854.

Upon request I state that the rents of rooms, as far as lies within my observation, for rooms in respectable and accessible portions of the city, average seventy-five dollars per month; that the cost of fuel is twenty-five dollars per month; and that necessary expenses generally are about four hundred per cent. above what they are in the eastern sections of the United States.

C. K. GARRISON,  
Mayor of the city of San Francisco.

SAN FRANCISCO, CALIFORNIA,  
March 25, 1854.

The price of first class single rooms, unfurnished, fifteen to sixteen feet square, from \$50 to \$75 per month; second class, or third story rooms, same size, \$30 to \$50 per month; suites of from two to three rooms, according to the situation, \$100 to \$200 per month.

L. H. SLOAT.

SAN FRANCISCO, CALIFORNIA,  
March 30, 1854.

The price of first class single rooms, unfurnished, from fifteen to sixteen feet square, \$60 to \$100 per month, according to situation; second class, or third story rooms, from \$50 to \$75 per month, according to situation; suites of rooms, from two to three, \$150 to \$250 per month.

HALLECK, PEACHY, BILLINGS & PARK,  
Owners of Montgomery Block.

SAN FRANCISCO, CALIFORNIA,  
March 25, 1854.

Mr. _____,	To PORTER & FLENNER,	DR.
To keeping one pair horses one month.....		\$100 00
To keeping a single horse .....		50 00
To shoeing, per sett .....		5 00
To servant, or coachman.....		75 00
To boarding servant per month.....		40 00
		<hr/> <hr/>

We hereby certify that the above are the rates we charge as specified.

PORTER & FLENNER,  
per Terry.

SAN FRANCISCO, CALIFORNIA,  
 March 30, 1854.

The going rates of rent for unfurnished rooms in this city are as follows:

First class single rooms, say 15 feet square, in good brick fire-proof buildings, from \$50 to \$75 per month; second class, or third story rooms, same size, \$30 to \$50. Suites of two or three rooms, according to situation, \$100 to \$200 per month.

P. W. VANWINKLE,  
*Agent for Captain Folsom's property in San Francisco.*

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SAN FRANCISCO, CALIFORNIA,  
 March 30, 1854.

The going rates of rents for unfurnished rooms in this city are as follows:

First class single rooms, say 15 feet square, in good brick fire-proof buildings, \$50 to \$75 per month; second class, or third story rooms, same size, \$30 to \$50. Suites of two or three rooms, according to situation, \$100 to \$200 per month.

A. A. SELOVER and  
 R. H. LINTON,  
*Property agents.*

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SAN FRANCISCO, CALIFORNIA,  
 March 31, 1854.

MY DEAR GENERAL: I have this day transmitted, through the Adjutant General's office, a communication with certificates from the officers of the staff near my headquarters. The certificates are from the most respectable citizens in this place, showing the price of rents, servants, fuel, and keeping of horses, &c. I assure you no officer can live decently on his pay in California; everything almost is regulated by interest, from three to ten per cent. per month, and the amount per day each man can get in the gold region, which varies from five to fifteen dollars per day, and some more. Rents are enormous and servants cannot be had for less than \$50 to \$120 per month, besides board. Female servants get from \$60 to \$120 per month; this is owing to the scarcity of women. Board is from \$25 to \$50 per week, the price depending on the size and location of the bed room; a horse to ride costs from \$5 to \$10 per day; a carriage and horses \$5 per hour, for the day from \$15 to \$30 per day, the price depending on the quality of the carriage and horses.

A house like the one you occupy, Colonel Abert, the Paymaster General, or Doctor Lawson, would bring in San Francisco \$500 a month, payable in advance. I can procure no house in this city that I would live in for less than \$250 a month; all rents are payable monthly, and in advance.

I have presented these facts in order that you may know how difficult it is for officers who have nothing beyond their pay to depend on, to get along in California without getting in debt. It ought not to be so. The commutation for fuel and quarters ought to be increased.

I am, very truly, yours,

JOHN E. WOOL,

*Major General.*

Major General THOMAS S. JESUP,  
*Quartermaster General, Washington city.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 31, 1854.*

SIR: Lieutenant Commanding James Alden, United States navy, has informed me that the funds at his disposal having been exhausted, he will be obliged, under instructions from the superintendent of the coast survey, to lay up the steamer Active, but that at an expense of "\$4,000 per month to the end of the fiscal year, or till advices could be received from Washington, (he) could carry on the work at the entrance of the harbor, and at the same time be ready for any service that the government might require."

Captain Alden has rendered me essential aid in thwarting the schemes of the fillibusters, and I shall have much need of his vessel for the public service. I have, therefore, proposed to him to come under my orders until counter-orders are received from Washington, upon condition of my furnishing him funds, not to exceed \$4,000 per month, from the quartermaster's department—to which plan he has assented. I beg leave to ask for this arrangement the approval of the honorable Secretary of War, and the concurrence of the superintendent of the coast survey.

I shall write to Captain Dornin to dispense with the steamer Columbus, chartered by the government at an expense of nearly \$2,000 per day, and, if necessary, send down the Active to replace her. It will be seen that by this arrangement some \$50,000 will be saved to the government. All which, I trust, will be approved.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Colonel S. COOPER,  
*Adj. Gen. United States Army, Washington City.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 31, 1854.*

SIR: In my communication of the 15th instant, on the subject of the fillibustering movements in this city, I alluded to the arrest of Watkins, the second in command to Walker, who was engaged in raising recruits here. I had information that the notorious Count Raousset de

Boulbon was actively co-operating with Watkins, and that he had Frenchmen and Germans engaged, with whom it was supposed he intended to join Walker either in Lower California or Sonora. After the arrest of Watkins, on my giving out that I would procure Raousset's arrest, I was told by the French consul, Mons. Dillon, that Raousset had promised him to abandon the schemes of the expeditionists, and had actually left town for Santa Barbara.

A few days after I discovered that the Mexican consul, Don Luis Del Valle, was raising men—Frenchmen, Germans, &c., excluding Americans, to go to Guaymas. I called on him and inquired the object, when he informed me that he had instructions from President Santa Anna to procure a thousand men, and to include in the number as many Frenchmen of Count Raousset de Boulbon's party as he could detach from the count to settle at Sonora and do fealty to the government, for which lands would be given them. I asked him if he was aware of the character of the men he was about to engage? He replied that he thought they could be relied on, as they would come recommended by the passports of the French consul, to whom he had written on the subject, and that he had chartered the ship Challenge to convey them to Guaymas.—(See enclosure A.) I informed him that I thought he had been deceived, and that the party would become a fillibustering one as soon as it landed in Sonora, and I had no doubt would be commanded by Count Raousset de Boulbon, who, as I believed, would relieve Walker from his perilous condition. At any rate, it was an ill-timed expedition, and whether intended for good or evil purposes, would give me a vast deal of trouble. If it was permitted to depart, as it was generally understood to be a fillibustering party, it would encourage others so inclined to follow, and instead of checking fillibustering against Mexico, it could not fail to promote it. Being satisfied of the truth of what I said, Senor Valle set about breaking the contract.

The various parties interested in the expedition called on me to induce me to withdraw my opposition, when I frankly stated to each and all of them, including the French and Mexican consuls, my suspicions that the "emigrants" would be transformed into fillibusters as soon as they arrived upon Mexican soil, and, as I believed, would be commanded by Count Raousset de Boulbon.

In his letter, (enclosure B,) Mons. Dillon disclaims any participation with Boulbon, or with any person in fillibustering operations; and in my reply, (enclosure C,) I detailed the grounds of my suspicions that he was interested in the matter. Some of the grounds of my suspicions are also exhibited in enclosures D, E, F.

The Captain Peters mentioned in D and E was to have commanded a ship called the Republic, avowedly engaged to transport the party under Watkins, and it will be seen in the affidavit of Mr. Horn (enclosure G) that the Spaniard, Cordova, who gave the people of Lower California to understand that a party of Frenchmen would soon arrive to aid them in expelling Walker, was, in fact, in close league with Walker; which goes to show that Walker was expecting a reinforcement of Frenchmen. This fact is corroborated by the affidavit, which has been mislaid, of a man named Ryan, who was of Walker's party in Lower California, and who states that it was notorious among Walk-

er's men. Cordova was released from arrest, after being brought here with Emory as a prisoner, because he was not an American citizen, or a resident of the United States.

In compliance with my request to the collector, (enclosure H,) a clearance was withheld from the ship Challenge, for a few days, until more information could be obtained in regard to the objects of the passengers to be conveyed in her. The Mexican consul, in reply to my enquiries concerning those passengers, (enclosure I,) expressed his conviction of the existence of "terrible plots" against his country, (enclosure K,) yet in his letter (enclosure L) he excuses himself from calling upon me to exhibit the instructions of his government, and has constantly avoided showing them to me, though pressed to do so, and though he has exhibited them to others, (enclosure F.) He, however, in the same letter, (enclosure L,) speaks of a charter of passage for some "emigrants," which does not exactly tally with the letter and its enclosure, No. 2 of Mons. Dillon, (enclosure M,) where it appears that these "emigrants" are to go under a regular *enlistment* as soldiers. This also appears in the affidavit of Mons. Cavailler, as to the Mexican consul's instructions from his government, (enclosure F.)

Finding that this so called emigration project, if not intended to be turned into a fillibustering expedition, was at least a probable attempt to evade the laws against enlisting soldiers for a foreign power within our territory, and foreseeing that, whether the party did actually relieve Walker or not, it would give an impulse to our own fillibustering population unless it could be detained until information was received that Walker's party was effectually broken up, I threw every obstacle in the way of the ship's sailing, and having procured the co-operation of the United States surveying steamer Active, under Lieutenant Commanding James Alden, United States navy, and of the steamer Columbus of Captain Dornin's command, under Lieutenant Commanding W. H. Ball, who happened to be in port for supplies, I desired them to take, under the collector's instructions, positions near the Challenge to aid the cutter in preventing the violation of the revenue laws as to number and character of passengers, and freight taken on board of her. The delay thus produced was occupied in frequent communications with the French and Mexican consuls, and in endeavoring to unmask their real designs. Enclosures N, O, P, Q, R, will show the measures and precautions taken by me for this end.

Certain transactions of Senor del Valle, connected with this matter, have come to my knowledge, which have caused much excitement against him among the French population. The following "proposition," by which he was to put in his own pocket about \$12,000, was furnished me by Mons. Chauviteau, one of the persons with whom he contracted to transport the "emigrants." "That Mons. Chauviteau receive \$35 for each passenger;" that Senor Valle receive \$3 each, cash in this city when the passengers sail, and \$4 each, "payable in this city at the order of the bearer, or whoever may be designated, on the day that notice may be received of the acceptance of the draft by the Mexican government;" making \$42 each passenger to be paid by the Mexican government to the contractors, of which Senor Valle should receive from them \$7. In addition to this there was an obligation on the part of "M.

Chauviteau to buy, (of Senor Valle,) in the state in which it may be found 1,000 quintals of Peruvian rice, at 4½ cents per pound, (the market price being 3 cents,) payable one half on the 14th of March, and the other on the 14th of June." I understand that it was found the rice would not be needed, but that \$1,500 was paid Senor Valle to fulfil the agreement. Upon invitation of the parties concerned in the Challenge, I sent two officers to examine her, and finding, upon their report, that there was no appearance of unfair dealing, I made no opposition to her sailing, (see enclosure S,) which, having obtained her clearance, she did the 29th instant. She was, however, boarded by a revenue officer in the bay, and ordered back for a violation of the revenue laws. It will be seen by the enclosed slip, from the Extra Herald of this date, that she has been libelled, though I understand that, on her owners giving bonds, she may be allowed to proceed. The French consul, on hearing of the detention of the vessel, addressed me the letter (enclosure T) to which I made the reply (enclosure U) and received his answer, (enclosure V.) The slip from the Herald also announces the arrest of the Mexican consul, made in consequence of my request to the district attorney, (enclosure W.)

The result has been, that all the parties to the original scheme are mutually dissatisfied with each other, and the military expedition intended by Senor Valle is, I believe, effectually stopped, except, perhaps, as to some small number of individuals who may succeed in making their way to the south without open violation of any laws.

With Captain Dorning, the naval commander on the coast of Lower California, I have continued to correspond, as shown by enclosures E, H, Y. My latest advices from him are of March 20, in which he says: "The last news from Walker, just brought in by several deserters from his camp, is that he having sent 15 men to Quentin on hearing that two vessels were there, he supposing with supplies for him, (which, in fact, were our two vessels,) and afterwards eight more in pursuit of Melendez, not one of whom had at last accounts rejoined him, induced him to pack up and march off to the Colorado with only 90 souls in all." Newspaper accounts derived from a deserter from the party, state that Walker is waiting to break in some horses in order to mount his command, when he intends to push for the province of Sonora, and that the inhabitants are flying to avoid furnishing him with provisions. It would seem his desperate resolution is hastening him to destruction.

Watkins has been convicted, but is not yet sentenced. Emory is soon to be tried, and the evidence against him is still stronger than in Watkins' case. These facts, with the breaking up of the French party, will, I trust, put an end to filibustering on this coast.

In conclusion, it is due to myself, as well as my staff, who have all been vigilant and active, and especially Major McKinstry, to say that it has given me a great deal of trouble to ferret out and defeat this nefarious scheme of the Mexican consul and his coadjutors.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL.

*Major General.*

Liet. Col. L. THOMAS, *Assist. Adjutant General,*  
*Headquarters army, New York city, N. Y.*

*Endorsed.*—Interesting. Respectfully submitted to the Secretary of War.

WINFIELD SCOTT.

APRIL 26, 1854.

[Extra.—Friday, March 31, 2, p. m.]

*Arrest of the Mexican consul!—Startling developements!—The whole plot discovered!—Secret instructions from Santa Anna.*

At half-past one o'clock to-day, the United States marshal proceeded to the consular residence of M. Luis del Valle, consul for the Republic of Mexico at this port, and arrested that gentleman for violation of the laws of the United States, by enlisting men within the territory of the United States into the service of a foreign government.

The offence with which the Mexican consul is charged is punishable under the second section of the act of Congress of April 20, 1818, which reads as follows:

SECTION 2. If any person shall, within the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, State, colony, district or people, as a soldier, a marine, or seaman on board of any vessel of war, letter of marque or privateer, every person so offending shall be deemed guilty of a high misdemeanor, and be fined not exceeding one thousand dollars, and imprisoned not exceeding three years. This act does not extend to the subject or citizen of any foreign prince, State, colony, district or people, who shall transiently be within the United States, and shall, on board of any vessel of war, letter of marque or privateer, which at the time of its arrival in the United States was fitted and equipped as such, enlist or enter himself, or hire or retain another subject or citizen of the same foreign prince, State, colony, district or people, who is transiently within the United States, to enlist or enter himself to serve such foreign prince, State, colony, district or people, on board such vessel of war, letter of marque or privateer, if the United States shall then be at peace with such foreign prince, State, colony, district or people.

It is charged against the consul that, in obedience to certain instructions, purporting to have come from the government of Mexico, he has been engaged in enlisting in this port a band of three thousand men, who were to proceed to Guaymas, there to be enrolled into the Mexican army. The advance of this force was to have sailed on board the *Challenge*. The ship, however, was detained by order of the collector of the port for a violation of the revenue laws of the United States.

We understand there is abundant proof of the enlistment of these men as soldiers, and of the issuing of commissions to officers. This proof consists, besides other things, of the depositions of two gentlemen of the highest respectability in this city. The public will see from these facts that we have not hitherto spoken unadvisedly concerning the numbers and the object of this expedition.



The instructions from the Mexican government to the consul at this port were as follows: To send down to Guaymas about 3,000 men, to be enlisted into the Mexican army for one year. The cost of transportation to be defrayed by drafts drawn by the Mexican consul on the national treasury at Mexico. The force to be composed of Germans, Irish, Italians, and French—the latter to be preferred. Mexican citizens to be counselled to leave California, and ships to be employed by the consul for that purpose. Such is a brief abstract of the instructions.

THE SHIP CHALLENGE LIBELLED.

*In the United States District Court.*

The United States *versus* the ship Challenge. The United States district attorney has filed a libel against the British ship Challenge on the following grounds:

*Firstly.* That heretofore on the 29th of March, 1854, the said vessel Challenge, owned in whole or in part by persons supposed to be British subjects, whose names are to the said district attorney unknown, whereof William Stokes was the master at the port of San Francisco, &c., &c., and within the jurisdiction of this court, was seized by Richard T. Hammond, collector, &c., as forfeited to the said United States for the causes hereinafter mentioned.

*Secondly.* That the said ship, on the day aforesaid, took on board five hundred and twenty-five passengers—a greater number of passengers in proportion to the accommodation of the vessel than is allowed by the acts of Congress of 1847 and 1849, with intent to carry the said passengers to a foreign port, to wit, the port of Guaymas, in the republic of Mexico, whereby the said master became liable to pay fifty dollars for each passenger over the above proportion, and to imprisonment for any term not exceeding one year, the aggregate sum of said amount being equal to eleven thousand five hundred dollars.

*Thirdly.* And that the said vessel had more than two tiers of berths, contrary to the said acts, whereby the said master became liable to a forfeiture of twenty-six hundred and forty dollars, being five dollars for each of such passengers as aforesaid.

*Fourthly.* That said vessel "had not interval between the floor of the lower tier of berths and the deck or platform beneath, at least six inches," pursuant to the provisions of said act of Congress, whereby the master forfeited the sum of twenty-six hundred and forty dollars.

*Fifthly.* For the payment of said several sums of money the said ship Challenge became liable, wherefore all due process and proceedings are prayed for "that the said ship, her boats, tackel, apparel, and furniture, for the causes aforesaid and others appearing, may be forfeited to the United States as aforesaid, and be condemned by the definitive sentence and decree of this honorable court, and to the uses in said statute specified."

Upon the filing of this libel process was issued, and the vessel has been seized by the United States marshal.

## A.

[Translation.]

*Contract between Luis M. Del Valle, Mexican consul in San Francisco, duly authorized by his government in accordance with the annexed extract of the instructions which he has to this end, on the first part, and Edward Cavailler and Hector Chauviteau, on the second part, with the object of transporting emigrants to Guaymas, with the following clauses and conditions :*

ARTICLE 1. Luis Del Valle, Mexican consul, will obtain, from this till the 20th of the present month, about one thousand men; and Messrs. Cavailler and Chauviteau will embark them for the port of Guaymas, providing at the same time for their maintenance aboard, which shall consist as follows:

*Breakfast*, at eight o'clock, to be composed of coffee, hard bread, and a stew of potatoes and meat.

*Dinner*, at one o'clock, to be composed of a broth of rice or beans, meat, and hard bread.

*Supper*, at six o'clock, to be composed of tea, hard bread, and beans.

ARTICLE 2. The price of passage of each man is (\$42) forty-two dollars, which shall be paid to Messrs. Edward Cavailler and Hector Chauviteau, in drafts at fifteen days' sight, by the Mexican consul upon his government, payable in Mexico.

ARTICLE 3. In case of non-fulfilment, and that the drafts be not accepted upon their presentation, or paid at their maturity, they will be augmented by an indemnity of ten thousand dollars (\$10,000;) which amount, added to the total of the drafts, shall bear as the last a monthly interest of three per cent. until the whole be paid.

ARTICLE 4. If, before the 20th of the month, the consul should present all the passengers, Messrs. Cavailler and Chauviteau may transport them immediately; if, on the contrary, one of the contracting parties should delay the other party after the 20th of the month, he will subject himself to pay an indemnity of \$100 per day as demurrage.

The present contract has been made in sextuple, of which triplicates are for the Mexican consul, and triplicates for Messrs. Cavailler and Chauviteau. The preceding contract is a copy corrected from the contract we had concluded on the 4th of this month, and which document has been annulled and replaced by the present one in the Spanish language; it being distinctly understood that this contract, with its copies, is that which has full value, and the first is annulled.

LUIS DEL VALLE.  
EDWARD CAVAILLER.  
H. CHAUVITEAU.

Witness: N. P. LEWELLEN.

Witness: NICHOLAS LARIO.

[Seal of the Mexican  
consulate.]

SAN FRANCISCO, March 4, 1854.

Paragraph 8, of the note of the minister of State, (Relaciones,) of the 13th of February of the present year:

And if in this port there should not be obtained sufficient capacity of

Ex. Doc. 16—3

vessels which may be necessary for the end referred to, you will so inform the authorities of some of our ports on the Pacific, in order that they may cause some of our national vessels to be engaged in this; advising by every opportunity this office.

DEL VALLE.

B.

MINISTERE DES AFFAIRES ETRANGERES,  
*Consulat de France, à San Francisco, March 18, 1854.*

SIR: When you did me the honor to call on me a few days ago, you stated that you were resolved to put down all filibustering attempts that might be organized within this State against Mexico. You added, that as far as that supposed to be in process of formation under Count de Raousset Boulbon was concerned, you would stop it at once by arresting its leader.

I remarked to you, in reply, that you might rely on any co-operation I could afford, and that I had the most positive orders, both from the government at Paris and the legation of France at Washington, to notify to all French subjects, residing within this State, that their embarking in any filibustering scheme, either with Count de Raousset, or with others, would be viewed by them with the utmost displeasure as an act of open and barefaced piracy.

I further remarked, that Count de Raousset, with whom I had conversed on that subject, had informed me that in consequence of the official announcement made by me of the above fact, in the columns of the "Echo des Pacifique," (see the number here annexed,) he had made up his mind to abandon his plans, at least for the present, and would leave in the course of a few days for Santa Barbara.

Since the above conversation took place I have had the honor of an interview with you at the Oriental hotel, in the course of which you hinted that you had data of a nature to show that Count de Raousset contemplated carrying out his wild and wicked scheme forthwith, and that you were not without a misgiving that I was personally in league with him to facilitate that design.

In reference to the first statement, I have only to say that if you really have the data referred to, it becomes a duty for you to arrest Count de Raousset at once, as you originally intended, and that, far from objecting to such a step, I am most anxious for its adoption.

As to the second statement, according to which there exists a secret understanding between the individual referred to and myself, I call upon you for your authority for making it. My personal honor is a portion of the honor of my government and country, and I can allow no party, no matter how high his character or situation, to connect my name with projects which I abhor and which the instructions of my government require me to combat and oppose.

I have the honor to remain, with distinguished consideration,  
Le Consul d'France,

DILLON.

Maj. Gen. JOHN E. WOOL.

## C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 20, 1854.*

SIR: I have received your communication, with enclosure, of the 18th instant, referring to conversations had with you relating to Count Raousset Boulbon and the expedition now fitting out in this port for Guaymas under the sanction of the Mexican consul, and, as he says, by authority derived from his government.

No other part of your communication appears to call for a reply, save that in which you say I "were not without a misgiving" that you were in league with Count Boulbon. I did not intend to convey the idea that you were in league with the count when I remarked that you, as well as the Mexican consul, were aiding in an expedition which, from information I had received, I could scarcely doubt was intended for filibustering purposes, notwithstanding it would go under the sign manual of the Mexican government. Whilst you disclaimed emphatically against all filibustering of every description, whether projected by Count Boulbon or others, you admitted that you had, at the request of the Mexican consul, signed many passports for Frenchmen who were to make part of the expedition to Guaymas, and that you had been an associate of Count Boulbon, and that he did not go to Santa Barbara, as he had promised you, but had remained in this city, and that you had seen him twice since my first conversation with you in relation to him. These facts having been made known to me previous to our last interview—that is, that you were granting passports to Frenchmen, and that you had seen the count and that, as reported to me, he would accompany the expedition—induced the belief that you were more than ordinarily interested in an expedition which I myself considered, from the information received, fraught with filibustering intentions. The inferences and impressions naturally derived from the above state of facts were communicated to you in a spirit of frankness and candor, such as I conceive should characterise the intercourse of the governmental agents of two such powers as the United States and France. At our last interview I remarked that whether the expedition was gotten up for good or evil purposes, it was exceedingly ill-timed, and one that I thought might lead to serious consequences. It is, however, due to you to say that in your reply you remarked of this you know nothing, and in giving or granting passports to Frenchmen you were only acting in accordance with the wishes of the Mexican consul, whose instructions from his government you had seen, and which authorized him to engage foreigners, to wit: Frenchmen, Germans, &c., to emigrate to Sonora.

In conclusion, if the expedition is gotten up in violation of our neutrality laws, I am bound to accept your disclaimer of all co-operation, and which has removed the doubt I entertained and frankly made known to you.

Accept, consul, the assurances of the distinguished consideration with which I have the honor to be your obedient servant,

JOHN E. WOOL,

*Major General.*

The Consul of France, Mous. DILLON, *San Francisco.*

D.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 15, 1854.*

SIR: I have this moment received your communication of this date. In reply, I would remark, since my communication to you in relation to the ship Challenge, I have seen Captain Merrill, who was to go in the ship under Captain Peters, when, as he informs me, that Peters was to leave the ship, and he, Merrill, was to take charge of the ship and proceed on her distant voyage. This Captain Merrill has since been discharged because he was suspected of betraying the secrets of the ship. He says Count Raousset Boulbon has had several interviews with Captain Peters, and that 600 arms and powder are secreted somewhere in the neighborhood of Telegraph hill. The Mexican consul being satisfied that he has been deceived in the matter, promised me he would grant no more passports, having granted, as he informed me, but seven. The mayor has also refused passports.

I have no objection to the ship's clearance, provided she does not deceive you in relation to her cargo or passengers. I shall probably get information to-day or to-morrow, which will satisfy me of the character of the ship, and whether or not the men or passengers to be taken are intended for a fillibustering expedition.

I have the honor to be, very respectfully, your obedient servant,  
 JOHN E. WOOL, *Major General.*

R. S. HAMMOND,  
*Collector of San Francisco.*

E.

HEADQUARTERS DEPARTMENT OF THE PACIFIC.  
*San Francisco, March 15, 1854.*

SIR: Your communication of the 9th instant, with inclosures, reporting the arrest of Emory and Cordova, and other matters relating to Walker's expedition has been received, and I beg you to accept my thanks for it.

Since my letter informing you of the arrest of Watkins, &c., I have ascertained that Raousset Boulbon, who had left the city, has returned; and the French consul having heard that the Mexican consul had received instructions from President Santa Anna to engage a party of emigrants to go to Sonora to settle the country with a view to its defense, proposed to him to receive the body of men formerly raised by Boulbon in conjunction with Watkins for that purpose. The Mexican consul, it seems, chartered the British ship Challenge, commanded by Captain Peters, to convey the party to Guaymas, but upon my representations of the suspicious circumstances attending the organization of the party, I am in hopes he will stop further proceedings in the matter. I may desire Captain Ball to remain here a few days, in case it should be necessary to pursue the Challenge with the Columbus,

to prevent a junction of Boulbon's party with Walker, or his landing with hostile intent at Guaymas. I have ascertained that arms, powder, and a small supply of lead have been provided for Boulbon's men, and can have little doubt of the object of his expedition.

I am, sir, very respectfully and truly, your obedient servant,

JOHN E. WOOL, *Major General.*

Captain J. A. DORNIN,

*U. S. Navy, Commanding U. S. Ship Portsmouth,  
via San Diego, California.*

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SAN FRANCISCO, *March 27, 1854.*

DEAR SIR: I am in receipt of your esteemed favor of this morning, to which I beg to answer that I remember to have said that I had seen the instructions of the Mexican consul on the occasion that I made a contract with him for the owner of the ship Challenge to transport one thousand passengers to Guaymas. I was beside the consul, in his office, when he read out to me from his instructions as follows, as near as I can remember, the substance:

That he had orders to send down to Guaymas about three thousand men, to be enlisted there in the Mexican army for one year, at the expiration of which they were to receive lands to settle, on condition that they should be ready at any time for military service against any foreign invasion. The pay of the soldiers and the rank and emolument of the officers was to be the same as those of equal grade in the Mexican army.

The pay of the transportation from here to there was to be defrayed by the drafts of the Mexican consul on the general government of Mexico. The contract with me and Mr. Chauviteau was only for the conveyance of one thousand men from here to Guaymas, but he held out at the time that when this contract was fulfilled he would give us the preference for sending down the balance.

The instructions were to send down three thousand men composed of Germans, Irish, Italians, but to prefer Frenchmen, and principally those who had already been there with Count Raousset, but to take care that he should not be with them.

That he should also request the Sonorians and Mexicans at the mines to return and pay their passage, and if he could not find vessels here, to get them from other ports, or ship the passengers from other parts of this coast.

That he had also orders to buy vessels for the service of his government, and asked what would be the price of the ship Challenge.

The substance of the foregoing is all that I can remember of what he read to me, or said at the time.

I remain, with great respect, yours truly,

E. CAVALLIER.

Brevet Major J. McKINSTRY,

*United States Army.*

STATE OF CALIFORNIA, *County of San Francisco, ss :*

On this twenty-seventh day of March, eighteen hundred and fifty-four, before me, a notary public in and for the county aforesaid, and known to me, personally appeared Edmund Cavallier, of San Francisco, who being duly sworn by me, deposed and saith that the facts contained and stated in the within letter are true to the best of his knowledge and recollection.

E. CAVALLIER.

Sworn to and subscribed this 27th of March, 1854.

JOS. W. FINLEY,  
*Notary Public, [L. S.]*

STATE OF CALIFORNIA, *County of San Diego, ss.*

On this sixteenth day of March, in the year one thousand eight hundred and fifty-four, personally appeared before me, a notary public in and for said county, A. J. S. Horn, who, being duly sworn according to law, maketh oath and sayeth that he knows Manuel Fernandez de Cordova; that he has known him by sight for about three years, but that he has had intimate relations with him for about ten months prior to the date of this affidavit; that about that time deponent was cautioned by W. Rand, then editor of the "Los Angeles Star," not to have anything to do with said Cordova, or place any confidence in him; that sometime between the 10th and 15th of February, of this year, said Cordova made his appearance at Santo Tomas, in Lower California, and represented himself an agent sent by the Mexican consul to ascertain the condition of affairs in Lower California, and report to said consul; that said Cordova publicly said to the native population that he, Cordova, had purchased arms and raised a force of French and Spanish volunteers in San Francisco to aid them, the Californians, in expelling Walker's command, but that owing to the want of security to the vessel chartered to convey the same to San Quentin, said expedition did not leave; that said Cordova, after remaining at Santo Tomas for about a day and a half, left for below; that some four or five days subsequent said Cordova again appeared at Santo Tomas; that from this time to the arrival of Walker and his men at San Vincente, said Cordova intermingled with said Walker, travelling with him on amicable and confidential terms; that during this time deponent had been taken a prisoner and remained for some days a prisoner; that about two or three days after arriving at San Vincente, deponent was conducted to Walker's quarters, when he met Cordova writing an order to be published by Walker; that said Cordova asked deponent to copy the same as he, Cordova, could not write Spanish in as good orthography as deponent; that deponent did copy the same from the original written by Cordova; that the day after the so-called convention deponent was again ordered by Cordova to make copies of the representations; that when left alone to write the same Cordova told deponent he had better not influence the people who might come in not to sign the same, if he did so it

should fare badly with him, deponent; that the day before said Cordova left San Vincente for Upper California he came to deponent and said, "I want you to stay here during my absence, and act as secretary to Walker; that deponent declined, saying he had to attend to his own business in San Diego, to which Cordova replied he should see whether he should ever get there, at the same time he informed deponent that he would be released from prison that day; that said Cordova wrote two letters, which he forced Jose L. Espinoza and Jose Y. Arce to sign, directed to Ventura Arce, at San Ygnacio, and the citizens of Lower California, making false statements of the proceedings at San Vincente, and recommending them to join in and declare for the so-called new republic, and advised that copies should be sent to Molaye and La Paz; that said Cordova was called by Walker's men general, and respected by them as a man of such rank; that deponent understood that said rank of general had been conferred on Cordova by Walker; that said Cordova was constantly with Walker during his stay at San Vincente, and to all appearances Walker did not take a single step without consulting said Cordova; that during the stay of said Cordova at San Vincente he, Cordova, did not sleep in camp, but in the house of one Varran, distant about half a mile, and that, on various different occasions, Cordova asked from Walker and obtained a guard to watch over him, said Cordova, during the night; that said Cordova told deponent that Walker had offered him a grant of land for his, Cordova's, services rendered to Walker, and that he, Cordova, had fixed upon Santa Catalina; that Cordova showed deponent a letter purporting to be signed by Walker, and bearing Walker's name, offering to Antonio Maria Melendrez a guarantee of his life and property if he, Melendrez, should present himself at headquarters with Cordova; that said Cordova left San Vincente in company with one Captain Snow, one Potter, and one Frederick Emory, for Upper California; that to the best of the knowledge and belief of the deponent he was imprisoned at the instance of Cordova, who knew deponent to be unfriendly to Walker's movements; that Cordova intended publishing in the upper country the representation of the Californians, as it would have a good effect in favor of Walker; that deponent was present at the so-called convention; that Cordova was side by side with Walker; that after some fifteen Indians and two white men had been sworn, the rest of the Californians present refused to swear, when Walker said that he should treat them as enemies and rebels, and that their punishment would be death and confiscation of their property.

In witness whereof he has hereunto affixed his name, the day and year first above mentioned.

A. J. S. HORN.

Sworn and subscribed to before me,

LEWIS A. FRANKLIN, [SEAL.]

Notary Public.



## H.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 13, 1854.*

MY DEAR SIR: The ship Challenge has been chartered by the Mexican consul to take to Guaymas some 900 or 1,000 men as immigrant foreigners to settle the country. A few for that purpose have received passports. I have little doubt, however, that the 1,000 men are intended as an expedition by the French Consul Dillon and Count Raousset Boulbon against Sonora, and similar to the one some time since headed by the count in Sonora. Arms and powder have been procured, but have not yet been put on board of the Challenge; they will either be put on board at the last moment, or sent on board after the ship has passed the Golden Gate in a small vessel. Allow me to recommend a strict watch of this ship.

The Mexican consul is satisfied that he has been duped by the French consul, and instead of sending out *bona-fide* settlers of the country, he is about to send out to Guaymas a filibustering expedition to Sonora, far more formidable than that of Walker. To-morrow I will be better informed of the movements of Dillon and his count.

In the meantime I would hope you would give no clearance to the ship Challenge.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

HON. R. P. HAMMOND, *Collector of San Francisco.*

## I.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 15, 1854.*

CONSUL: Permit me to ask if you have received my further information in regard to Count Raousset Boulbon. Please to tell me the number of passengers expected to go on board of the ship Challenge, and whether arms and powder are to be furnished them. The whole scheme of the count, countenanced as I believe by the French consul, is exceedingly suspicious, and may lead to difficulties which should, if possible, be avoided.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

DON LUIS DEL VALLE, *Mexican Consul, San Francisco.*

## K.

CONSULADO DE MEXICO EN SAN FRANCISCO.  
*San Francisco, Marzo 15, 1854.*

SEÑOR GENERAL: Por los informes que estoy recibiendo acerca del Conde Raousset Boulbon no tengo inconveniente en manifestar á V. E.

que todas las relaciones que sobre el estoy sabiendo diariamente son contestas con los temores fundados que V. E. y yo tenemos. Unicamente me detenia en reforza en relato en las disposiciones que sobre el debe ministrar el Español prisionero D. Manuel Cordoba uno de los agentes de Walker traídos en el vapor Columbus trasbordado del Portsmouth y los Franceses que me han informado de las terribles tramas de que se está sirviendo dicho Conde de lo que dará a V. E. cuenta en su oportunidad.

Por ahora puedo asegurar á V. E. que es incierto el numero de los pasajeros del Challenge ana no he recibido los informes comprobados de los personas que me los han afrecido pero soy de opinion que V. E. obre con enerjia que tiene acreditado en me asunto que afecta tanto nuestros respéctivos gobiernos y nuestras particulares misiones.

Convencido de los indudables intrigas que estan verificando en este asunto los enemigos de la integridad de mi pays soy de opinion en ese caso se detenga la salida del Challenge.

En nombra de la nacion Mejicano suplico a V. E. crea las protestos de mi lealtad y perfecta consideracion.

LUIS M. DEL VALLE,  
*Consul de Mexico.*

Senor General Don J. E. Wool,  
*Cefe de los fuerzas militares, de San Francisco.*

---

K.

[Translation.]

MEXICAN CONSULATE IN SAN FRANCISCO.  
*San Francisco, March 15, 1854.*

GENERAL: By the information I am receiving with regard to Count Raoussset Boulbon, I have no hesitation in informing you that all the accounts brought daily to my knowledge with regard to him are in accordance with the fears we had founded. I was only waiting to fortify the reports by the revelations that might be made by the Spanish prisoner, D. Manuel Cordova, one of the agents of Walker, brought up by the steamer Columbus from on board the Portsmouth, and by the Frenchmen who have informed me of the terrible plots which the said — is making use of, which I will relate to you in due time.

At present I can assure you, that the number of passengers on the Challenge is uncertain; and although I have not received information supported by direct evidence, from the persons who have promised it to me, I am of the opinion that you are proceeding with the energy imparted to you upon a subject which affects so much our respective governments, and our particular missions.

Convinced of the undoubted intrigues which the enemies of the integrity of my country are verifying in this subject, I am of the opinion that the clearance of the Challenge should be detained. In the name of the Mexican nation I beg you to believe in the protestations of my loyalty and perfect consideration.

LUIS M. DEL VALLE,  
*Mexican Consul.*

L.

## CONSULADO MEXICANO EN SAN FRANCISCO.

SOR. GENERAL: Se me han presentado los Señors Chaviteau y Caviller de parte de V. E. invitandoner á passan á su oficina con las instrucciones que haya podido recibir de mi gobierno relativamente al contrato celebrado con dichos señores.

Tengò el honor de cometer à su pendiente discrecion que asegurado en las disposiciones del alto gobierno de mi nacion, he contratado con elos señores el ajuste de pasage de algunos emigrantes para que ma los transportasen à un puerto de la republica en virtue de las premisas.

Siento infinito señor general no poder pasar personalmente á contestar con V. S. por impedirmelo el mal estado de mi salud y las muchas ocupaciones que en este momenta me rodear.

Recibo V. señor general, las consideraciones de mi afecto y respecto.

LUIS M. DEL VALLE.

Señor General Don JUAN WOOL.

M.

SAN FRANCISCO, *March* 20, 1854.

MONSIEUR LE GENERAL: I have the honor to acknowledge the receipt of your reply of this day's date to my communication of the 18th instant, and hasten to assure you that you will always find me disposed to reciprocate that spirit of frankness and candor which, as you very properly remark, should characterize the intercourse of the governmental agents of two such powers as France and the United States, and of which your precited letter is a gratifying instance.

It may contribute not a little to this result to set you right in regard to the motives and object of the French emigrants now about to leave for Guaymas on board the English ship the Challenge, and it is with this view I submit to you the following particulars.

The Mexican government having ascertained that Count de Raousset Boulbon was organizing within this State a band of adventurers with the view of co-operating with certain parties in the interior of Mexico, who meditated revolting against General Santa Anna, addressed a formal note of complaint to the French legation at Mexico. M. de Dano, acting minister of France in that capital, forwarded me this communication, (see enclosure No. 1,) with an urgent request that I would spare no effort to prevent all French subjects residing within this State from embarking in the irregular and reprehensible courses referred to. I deemed it my duty to give publicity to Mr. Dano's dispatch in the "Echo du Pacifique." It forms the enclosure of which you acknowledge the receipt in your letter of this day, and which is the only communication I have received from the legation of France at Mexico on the subject.

In order to carry out more effectually the intentions of Mr. de Dano, I instructed my secretary to refuse to deliver passports for the Mexican territory, no matter how respectable the parties who might demand them. It was only on M. de la Valle, consul of Mexico at this port,

informing me (see enclosure No. 2) that his government had instructed him to offer to all who would detach themselves from Count de Raousset a free passage to a Mexican port, with certain advantages on their arrival there; and further, requesting me, officially, to give passports to all such, that I consented to depart from this rule. Even then, I have been careful to impress upon the minds of such of my countrymen as applied for passports that I had no advice to give them as to whether they had better go or stay; that I had received no instructions on the subject either from Paris or Mexico, and that if they accepted the Mexican consul's offer, they did it at their own risk and peril.

Hoping that these frank and explicit details will contribute to efface from your mind a groundless impression of mistrust, and merely adding that I have never been the associate of Count de Raousset in any scheme, but merely desirous of his welfare as one to whom he had been recommended by a common friend in Paris. I have the honor to offer you, M. le Général, the renewed assurance of my most distinguished consideration.

Le consul de France,

DILLON.

MINISTÈRE DES AFFAIRES ÉTRANGÈRES,  
*Consulat de France à San Francisco.*

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[Enclosure No. 1.—Translation.]

NATIONAL PALACE,  
*Mexico, January 17, 1854.*

The undersigned, minister of foreign relations, has received instructions from his serene highness the General President to inform the chargé d'affaires of France, that from the original documents which the supreme government has in its power, and the authority of which cannot be doubted, it seems that the Count de Raousset Boulbon conspires anew against the peace of the republic and the integrity of its territory.

Scarcely had he arrived at San Francisco than he occupied himself in organizing a vast plan, the object of which is to invade the department of Sonora and Sinaloa, enlisting in that enterprise many Frenchmen and adventurers from other countries.

There is a circumstance to which the undersigned calls the attention of the chargé d'affaires of France; it is that the Count de Raousset, despising the benevolent and honorable welcome which he has received in this capital, when he arrived here, plotted, during the month of October, these criminal projects against a nation friendly to France, and entertaining with her the best relations. Instead, then, of consecrating his sojourn in Mexico to the noble end that the government of the undersigned had proposed to attain in his favor, the count profited by it to work with all his power upon the enterprise he had on foot.

It is useless to repeat here how criminal is that enterprise, and to dilate upon the results and the consequences which its execution would bring about. His serene highness the President desires that Mr. Dano, knowing the conduct of Mr. de Raousset, would be pleased to take the

measures he should see fit to stop him, and the Frenchmen to be engaged in this guilty course. The influence of the consuls of France in Upper California may be very efficacious, if, following the instructions they will receive from Mr. Dano, they would try to accomplish this end, which would, besides, contribute to the preservation of good harmony between Mexico and France.

As, in order to preserve good relations and to render them more close, the government of his imperial majesty is disposed, as well as that of the republic, to do all that is in its power under the circumstances, his serene highness the President of the republic is persuaded that his majesty the emperor, as soon as he will know of the criminal projects of the Count de Raoussett, will direct immediately the most energetic measures to hinder them, or break them up if they have been put into execution. Thus impressed, Mr. Dano could not, probably, but conform himself to the intentions of his majesty, should he be pleased to warn the commandants of the French ships-of-war in the Pacific to employ all their vigilance in watching the boats which may transport to the shores of the republic the invaders referred to, to visit them, and to employ such means as they may think proper to prevent the disembarcation of those who, trampling under foot justice and the rights of nations, wish, like vandals, to take possession with the armed hand of a part of the Mexican territory,

If France should render this service to the republic, it would be justly appreciated by the latter. The undersigned, not doubting it, appeals to the solicitude and philanthropy of the French chargé d'affaires, hoping that he will be pleased to act in the same manner with the government of his imperial majesty. The Mexican minister in Paris will make demands in the same tenor, and will receive special instructions from the undersigned according to what may be the resolution of his serene highness the President.

The undersigned must from this moment declare, that after the orders of his highness, if the expedition of the Count de Raousset takes place and invades the national territory, all the individuals who make a part of it will be treated and punished as pirates.

The undersigned profits by this occasion, &c., &c.

MANUEL DIEZ DE BONILLA.

Mr. ALPHONSE DANO,

*Chargé d'Affaires of his Majesty  
the Emperor of the French.*

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[Enclosure No. 2.]

MEXICAN CONSULATE IN SAN FRANCISCO.

CONSUL: By virtue of dispatches which I have just received from my government, under which I am making preparations, I place myself in communication with you, to whom the legation in Mexico gives sufficient and appropriate instructions, in order that we may co-operate in procuring the withdrawal of the Frenchmen who compose the expe-

dition of Count Raousset, proposing to them their enlistment in the service of my nation.

I have the honor of conveying to you the tenor of the conditions, which is as follows :

1. That their engagement be at least for one year as volunteers, subjecting themselves to the laws and military code of the republic.
2. That to soldiers there will be given the same pay and clothing as to Mexicans, and that to officers the same grade they can prove to have had in the French army.
3. That the transport of both will be on account of the treasury.
4. That to all those who shall have conducted themselves well, and shall have served with loyalty and honor, there will be given, according to their grade and time of service, a certain quantity of lands in the locality which the government of Mexico may deem proper, of which matter the ministries of the interior and of war shall take charge, and shall make the corresponding designations.

In making to you this official communication, I am filled with the honor of offering myself to you your most obedient and faithful servant, Q. B. S. M.

M. DEL VALLE,  
*Mexican Consul.*

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N.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 17, 1854.*

MY DEAR MAJOR: I have received information this morning that the captain of the ship Challenge has declared that, under the sanction of the British consul, he will sail at the appointed time without a clearance, should you not give him one. I think it would be well that the revenue cutter should be in position to watch the movements of this ship, and if she sails without a clearance to have her brought back.

The parties interested are to call and see me at three o'clock this afternoon. In the meantime, I have a person engaged who thinks he can obtain all the information necessary to enable me to judge of the character and objects of the intended expedition. It would seem that all the parties interested are apprised that I have been the cause of the delay in furnishing the ship with her clearance. Hence great anxiety is expressed to satisfy me that they have no fillibustering intentions.

I have requested Captain Merryman, if it meets your approbation, to place his cutter in a position which will enable her to watch the movements of the ship in question, and, as far as practicable, to observe who and the number of men going on board.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

O.

[CONFIDENTIAL.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 20, 1854.*

CAPTAIN: The ship Challenge is about to get her clearance, and will leave under suspicious circumstances, the object, I believe, being more or less connected with fillibustering intentions. My object, at the present time, is to request that you will have your steamer in readiness to follow her until she passes Fort Point, when she will be overhauled and an inspector put on board, when it is expected it will be ascertained that the laws of the revenue have not been complied with.

In such a case she will be ordered to return, and will be subjected to the penalties imposed by the laws.

Allow me to request that you will aid in this matter, and for that purpose report to Major Hammond for instructions.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Captain WM. H. BALL, *U. S. Navy,*  
*Commanding steamer Columbus, San Francisco.*

P.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 22, 1854.*

CAPTAIN: The ship Challenge has moved out of sight. It is presumed that the revenue cutter is watching her. I have to request that you will, as soon as practicable, look after this ship, and, agreeably to previous instructions, provided the collector thinks it advisable, to have her brought back. I hope you will see the collector, and take his instructions on the subject.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Captain W. H. BALL, *U. S. Navy,*  
*Commanding Steamer Columbus, San Francisco.*

Q.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 24, 1854.*

SIR: I am informed the ship Chili the second is about to sail. She

is reported to be in ballast. I should be glad if you can board her and give her an examination, and let me know the result.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Captain MERRYMAN,

*Commanding U. S. Revenue Cutter, San Francisco.*

[CONFIDENTIAL.]

R.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*March 27, 1854.*

CAPTAIN: There is an expedition fitting out in this port for Guaymas by the Mexican consul, and, as he says, under the sanction of his government, which I have no doubt will become a fillibustering party as soon as it lands in Sonora, and, as I believe, will be commanded by Count Raousset de Boulbon. As I am inclined to think that the whole proceeding is in violation of good faith, if not of the laws of the United States, I have to request you will hold yourself, and the United States steamer *Active*, under your command, in readiness to act according to circumstances, in order to prevent, if it should be attempted, any violation of the laws of the United States.

I therefore desire you will take a position with the steamer near the ship *Challenge*, which is preparing to convey the expedition to Guaymas, and watch her movements, and report to me from time to time the result.

Her movements, and the information I shall receive to-day, will enable me to form a correct opinion of her character, and that of the expedition, and whether it will be necessary to take the ship and break up the expedition.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Captain JAMES ALDEN, *U. S. Navy,*

*Commanding the Steamer Active.*

S.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 31, 1854.*

SIR: I have just received your communication of this date, and in reply thereto I answer in the affirmative—that is, I being satisfied, after a close examination of the ship *Challenge*, and the positive assurances on honor of the consul of France, Mr. Argenti Cavallier, and Chauviteau, that it was exclusively an emigrating party, and would proceed without arms or ammunition to Guaymas, I withdrew my op-



position to the ship proceeding to sea with the men on board. At the same time I recommended to the party interested to see the collector, who might have, on other accounts, objections,

He had duties to perform as well as myself, and they were different. Accordingly, I went with Mr. Chauviteau, and called on you, to whom I assigned my reasons for withdrawing my objections to the ship Challenge proceeding to sea.

Very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Hon. R. P. HAMMOND,  
*Collector of the Port of San Francisco.*

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T.

MINISTÈRE DES AFFAIRES ÉTRANGÈRES,  
*Consulat de France, à San Francisco, le 29 Mars, 1854.*

MONSIEUR LE GENERAL: Ayant appris que les émigrans Français qu'ont pris passage à bord du navire Anglais le "Challenge," à destination de Guaymas, ont été mis dans l'impossibilité de partir par suite de l'intervention des officiers du steamer des États Unis "l'Active," et d'un des bateaux de la douane, agissant l'un l'autre, en vertu d'ordres émanés de vous, j'ai l'honneur de vous prier de vouloir bien m'informer si ce bruit est fondé et dans le cas de l'affirmation, de me faire connaître le motif qu'a dicté cette mesure que je ne abstiens pour le moment de qualifier.

Veillez agréer, Monsieur le General, l'assurance de ma haute considération.

Le consul de France,

DILLON.

Major General JOHN E. WOOL,  
*Commander in chief.*

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U.

HEADQUARTERS DEPARTMENT OF THE PACIFIC.  
*San Francisco, March 30, 1854.*

CONSUL: I have the honor to acknowledge the receipt last evening of your communication of the 29th instant. I am unable to comprehend why it should have been addressed to me. If you are specially or directly interested in the expedition fitted out by the Mexican consul, under the authority as he says, of his government, you should have applied for the information you seek to the collector of this port, who ordered the seizure of the Challenge.

Accept, consul, the assurances of the distinguished consideration with which I have the honor to be.

JOHN E. WOOL, *Major General.*

Monsieur DILLON,  
*Consul of France, San Francisco, California.*

MINISTERES DES AFFAIRES ETRANGERES,  
*Consulat de France à San Francisco, Mars 30, 1854.*

MONSIEUR LE GENERAL: J'ai l'honneur de vous accuser réception de votre lettre en date de ce jour par laquelle vous m'informez que c'est en vertu d'un ordre émané de la donaire de ce port qu'on a mis empêchement au départ du "Challenge."

Si je me suis adressé à vous pour être renseigné sur un point que m'intéresse vivement en ce qu'il se trouve à bord de ce navire plusieurs Français depourons de tout c'est qu'on m'avait assuré que vous avez transmis à la douane les instructions en vertu desquelles elle agissait, et qu'il importait de pouvoir fixer mon gouvernement sur la nature de la faute qu'avait entraîné cette repression.

Veuillez agréer, Monsieur le Général, l'assurance renouvelée de ma haute considération.

Le consul de France,

DILLON.

Major General JOHN E. WOOL,  
*Commander in Chief.*

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W.

HEADQUARTERS DEPARTMENT OF THE PACIFIC.  
*San Francisco, March 30, 1854.*

SIR: On examination of the 2d section of the act approved April 20, 1828, I believe the Mexican consul has rendered himself subject to the penalties prescribed by that act. I have, therefore, to request, if you agree with me in opinion, from the facts submitted to your consideration, that the consul be arrested and brought to trial before the district court of the United States, in this city.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Hon. S. W. INGE,  
*U. S. District Attorney, San Francisco, California.*

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X.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 10, 1854.*

My DEAR SIR: Having just returned from Benicia, I received your favor of the 6th, for which you have many thanks.

I think fillibustering is at an end. The means which I have adopted in relation to those engaged in this city in procuring men to aid Walker have completely defeated their schemes. Colonel Watkins has been arrested, and will soon have his trial. It is thought he will be convicted. Count Raousset Boulbon, whom I intended to have arrested,

has fled. We cannot learn that aid, either in men or money, will be sent to Walker. I think, therefore, his expedition is at an end, and he will soon be compelled to fly the country. The current of public opinion, including those who have favored Walker, is decidedly against any further aid or assistance being rendered to him or his party. If any movement, however, should be made, or any assistance attempted to be rendered Walker in this city, I will inform you without delay. I think you need not apprehend any. This being the case, you will not perhaps consider yourself under the necessity of adopting the measures in regard to the Gulf, as suggested in your communication just received. Of this, however, you will be the best judge.

With considerations of the highest respect, I am, very truly, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Captain T. A. DORNIN,  
*Com'ding U. S. Ship Portsmouth, &c., San Diego, Cal.*

Y.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 24, 1854.*

CAPTAIN: I avail myself of a moment before the Columbus departs for San Diego to say that, by the assistance of Captain Ball, we have paralyzed the expedition fitting out in this port by the sanction of Santa Anna, for Guaymas, ostensibly for the settlement of Sonora, and the defence of the frontiers against Indians, but, in fact, to aid in the revolution now going on in Guerrero, and, as I believe, to relieve Walker who, as we are informed, without this aid will be compelled to abandon the country, or surrender himself a prisoner. My object has been, if possible, to break up this expedition in order to prevent a greater evil. If it goes, as expected, it will stimulate our own fillibustering population to further aggressions, and, consequently, to prevent, will give you as well as myself much trouble. Of all which Captain Ball will be able fully to explain.

Watkins has been convicted. His conviction will secure that of Emory. These convictions, I am in hopes, will at least check for a season American fillibustering, and it may have a salutary influence on all who are thus disposed.

I have just this moment received your two letters of March 20, and fully concur in your views. It will be impossible for me to leave here until some important matters connected with these expeditions are disposed of.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Captain T. A. DORNIN,  
*Com'ding U. S. Ship Portsmouth, San Diego, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 31, 1854.*

GENERAL: I have this day transmitted a report of the difficulties I have had in relation to an expedition attempted to be fitted out by the Mexican consul. The whole subject, I think, is worthy of your attention.

The difficulty of preserving the peace of the country is daily increasing, owing to the increase of emigrants, who are constantly encroaching upon the Indians, and depriving them of their improvements. This produces collisions between the two races, white and red, which too frequently ends in bloodshed. To keep them quiet, and preserve peace, a larger military force is indispensable. We have now less than 1,000 men to guard and defend California, Oregon, Washington, and Utah, altogether in size an empire of itself. To guard this department, and to defend it, with almost an innumerable number of Indian tribes, requires at least one regiment of artillery, two of dragoons, and three of infantry. A force certainly small to preserve and keep quiet so extended a country. Allow me to request, general, that you will urge upon the War Department to send another regiment as soon as practicable. I do this because we may have trouble, and in such a case the militia would be called on for military duty. I would avoid this if possible.

I have the honor to be, very respectfully, your obedient servant,  
 JOHN E. WOOL,  
*Major General.*

Major General W. SCOTT,  
*Commanding the Army, New York.*

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Respectfully submitted to the Secretary of War. I concur in the opinion that another regiment (in addition to the 3d artillery) is needed in the department of the Pacific, and there is not one that can be spared.

WINFIELD SCOTT.

HEADQUARTERS OF THE ARMY, *April 26, 1854.*

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WAR DEPARTMENT,  
*Washington, April 13, 1854.*

SIR: I have received your letter of the 14th ultimo, enclosing a copy of your order to Brevet Captain C. P. Stone, to erect another storehouse at the ordnance depot at Benicia, at a cost not to exceed twelve thousand dollars, for which he was to draw on the colonel of ordnance.

This subject was submitted to me by Colonel Craig, some days since, with a report that there were no funds properly applicable to the object, upon which I decided that, "Estimates having been presented to Congress, and the case thus submitted, it cannot be considered as a *contingency*, nor can the construction of a storehouse be

included among the objects for which the *ordnance service* appropriation was made; and though that and other buildings for like objects at Benicia are deemed by the department to be very desirable, the action of Congress is necessary to justify their construction."

Very respectfully, your obedient servant,

JEFFERSON DAVIS,  
*Secretary of War.*

Brevet Major General JOHN E. WOOL,  
*Commanding Department of the Pacific,  
San Francisco, California.*

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WAR DEPARTMENT,  
*Washington, April 14, 1854.*

SIR. Your letter of the 1st of March has been duly received. In reply I have to state that the department was fully aware of the want of troops in the department of the Pacific at the time you were assigned to that command, and had previously made arrangements to increase the number, as far as the strength of the army would allow. You were aware of the disaster of the 3d artillery, which prevented the early arrival of that regiment in California, and, also, of the departure of the recruits for the three companies of dragoons in Oregon.

Your own knowledge of the numerical strength of the army, and the demand for troops upon the frontiers, could only, in the contingency of an increase of the army by an act of Congress, permit you to hope for a larger force than had been previously ordered to your command. No such increase has yet been made.

The armament designed to protect the harbor of San Francisco, during the construction of the fortifications at that place, was ordered before you left here, and will be forwarded as soon as possible. Before it reaches you, there can, of course, be no change in the efficiency of the defenses for the protection of that harbor.

Your remarks in relation to unlawful expeditions sailing from the coast of California, suggests the propriety of referring your instructions upon this subject. It was not expected or desired that the military commander should do more than belongs to the ordinary relations of the civil and military power; and in instructing you to aid the civil authorities, it was not intended that you should originate arrests and prosecutions for civil misdemeanors. You will readily perceive that consequences injurious to the public service would probably follow from such interference by the military with the functions of civil officers.

By a letter from the district attorney, dated three days before the date of your letter, the department is informed that through the agency of men who returned disaffected from the expedition of Walker, the district attorney has been enabled to ascertain that Watkins and others of his confederates were in San Francisco, and that he had arrested them, and had instituted proceedings against them.

I am happy to receive the assurance of your cordial co-operation in the views of the department; it was confidence in this as well as in

your zeal and ability which caused you to be invited to the responsible command of the Pacific department.

Very respectfully, your obedient servant,

JEFFERSON DAVIS,

*Secretary of War.*

Brevet Major General JOHN E. WOOL,  
*U. S. Army, San Francisco, California.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 14, 1854.*

SIR: I have the honor to acknowledge the receipt of special orders, from 26 to 29, inclusive.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Colonel S. COOPER,  
*Adjutant General, U. S. Army, city of Washington, D. C.*

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SAN FRANCISCO,  
*Headquarters Pacific Department, April 14, 1854.*

SIR: By the last steamer of the 1st instant I transmitted a report to the headquarters of the army of importance, relating to the conduct of the Mexican consul, charged with enlisting men for the Mexican army. His conduct was no less extraordinary than corrupt, which you will have discovered by the report above alluded to. He was, at my request, arrested, and is to have his trial next week. His arrest and conviction, together with that of Watkins and Emory—the latter plead guilty, both fined \$1,500 each, I am in hopes will, in a great measure, put a stop to filibustering in California. I have, however, received information that Count Raousset de Boulbon meditates another French expedition to Sonora, which I have no doubt will be attempted if the Mexican consul should escape trial and conviction. I am in great hopes of catching this count. He is, however, cautious, and accomplishes his ends through the medium of others.

Allow me to call your attention to a report which has reached me, that Colonel Cooper intends relieving, as soon as he can, Major Townsend, and order him to Washington. This I regret, deeply regret to learn, because if the major should be taken from me it would no less embarrass me than it would be a serious injury to the service. His place cannot be supplied by any officer in the adjutant general's department, and from the fact that he is acquainted with all the transactions relating to the affairs of the department, and which is no less important to me than to the public service. The department is so extensive, embracing many interests of the highest importance, and of daily investigation. Without the knowledge of Major Townsend I should no less be groping in the dark than I should find it difficult to arrive at correct conclusions. In a word, if the public interest instead of private is to be consulted, no such order, which I know Major Townsend anticipates, will be issued. It

appears to me I ought to be consulted on a subject so intimately connected with the interest of the Pacific department. No officer of the adjutant general's department could possibly make himself acquainted with the affairs of this department to the extent possessed by Major Townsend, short of one year's constant application.

Since my arrival in San Francisco most of my time has been occupied in ferretting out and defeating the schemes of fillibusters, and they are numerous. Hence I have not been able to devote that attention to my professional duties which the public interests demand, consequently, I have been compelled to rely principally on the information derived from Major Townsend and other staff officers. Again, I could hope that none of the chiefs of departments in this department would be removed or relieved from their positions without first consulting myself. The information they possess, and which cannot be acquired short of one or two year's service, is invaluable and indispensable to the good of the public interest. My anxiety on the subject I hope will be soon relieved.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

HON. JEFFERSON DAVIS,  
*Secretary of War.*

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HEADQUARTERS PACIFIC DEPARTMENT,  
*San Francisco, April 14, 1854.*

COLONEL: It has just reached me by report that you should have said Major Townsend will be relieved as soon as it can be done, and ordered to Washington. I regret to learn of any such determination, for I cannot dispense with his services. If he should be taken from me, it would no less embarrass myself than it would be a serious injury to the service. His place cannot be supplied by any officer of the adjutant general's department, and, from the fact that he is acquainted with all the transactions relating to affairs of this department, and which is no less important to me than to the service. No officer in your department could possibly acquire the information he possesses and so essential to the faithful discharge of my duties, short of one year's constant application. If the public instead of private interest is to be consulted, no such order as now anticipated by Major Townsend will be issued. Again, I could hope that none of the chiefs of the Pacific department would be taken from the department, without first consulting me. The information they possess in relation to the military affairs of the department is invaluable, and cannot be dispensed with without great loss and injury to the public. No one except Major Townsend has indicated any such wish, and it is but recently and since the arrival of Captain Jones, that the Major has expressed any desire to leave California. The daily investigation of old claims presented for consideration, requires some one present who has been acquainted with them, and can give the information and action had upon them under the former commander. Indeed, there is not a day

passes but some important question relating either to Indians or citizens come up for discussion, and, in most cases, requires reference to some former action. I would hope if there has been any determination to relieve Major Townsend it will be abandoned, for I cannot properly dispense with his services. I must retain him no matter who may be sent to relieve him.

I am, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Colonel S. COOPER,

*Adjutant General, U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, April 15, 1854.*

COLONEL: It will be some months before any guns can be mounted in this harbor, unless the chief engineer of this department is furnished with more funds than hitherto.

I perceive by an order from Major General Scott, that Colonel Mansfield is ordered to make a minute inspection of the Pacific department. This will relieve me very much, as it seems impossible for me to leave this position until fillibustering is entirely checked, which I have great hopes will be the case after the trial and, as I believe, conviction of the Mexican consul.

All information from the interior is favorable to quiet and peace between the whites and Indians. In most cases, if not all, the latter desire peace, and only retaliate when the former invade their rights, which, unfortunately, occurs too frequently. As soon as a sufficient number of troops arrive, I will endeavor to so dispose of them as to protect both the red and white man.

I am, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Colonel S. COOPER,

*Adjutant General, Washington, D. C.*

ADJUTANT GENERAL'S OFFICE,

*Washington, April 19, 1854.*

GENERAL: On the 20th of March ultimo the clothing receipt rolls of the non-commissioned, staff, and band, and companies "A," "D," "G," "H," "I," and "K," 3d regiment of artillery, were borrowed from the Treasury Department, and sent to Colonel Gates, that they might be copied, as far as necessary, to renew the clothing accounts of the enlisted men of the regiment who were on board the San Francisco. It appears that these rolls, excepting those pertaining to company "I," were taken to California on the 5th instant with the regimental records.

Their retention was not at all contemplated, and the failure to return them, as directed, has already produced inconvenience and embarrassment, as many of them are vouchers to unsettled accounts. I have,



therefore, respectfully to request that you will please give the requisite instructions for their prompt transmittal to this office.

A copy of the letter of the Second Auditor, furnishing me with the rolls herein referred to, is herewith enclosed.

I am, sir, very respectfully, your obedient servant,

S. COOPER,  
*Adjutant General.*

Brevet Major General J. E. WOOL,  
*Com'ding Depart. of the Pacific, San Diego, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 27, 1854.*

SIR: I have the honor to acknowledge the receipt of the following communications:

General Orders No. 4.

Special orders from 30 to 36, inclusive.

Letter of March 7, in relation to recruiting for the general service.

Letter of March 16, concerning increase of ration of fresh beef at Steilacoom.

Letter of February 25, containing decision of the President in the case of Captain Canfield.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Colonel S. COOPER,

*Adj. Gen. U. S. Army, City of Washington, D. C.*

ADJUTANT GENERAL'S OFFICE,  
*Washington, May 9, 1854.*

GENERAL: The Secretary of War directs that you order to the city of New York, with instructions to report from thence by letter to the Surgeon General, such of the medical officers on duty in the department of the Pacific as can, in your opinion, be spared consistently with the requirements of the service.

I am, sir, very respectfully, your obedient servant,

S. COOPER  
*Adjutant General.*

Brevet Major General J. E. WOOL,

*Com'ding Dep't of the Pacific, San Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 12, 1854.*

SIR: I have the honor to acknowledge the receipt of—  
Special orders from 37 to 44.

Letter of March 23, containing the decision of the Secretary of War in the case of Assistant Surgeon Campbell.

Letter of March 30, approving the assignment of recruit J. C. Roper to company I, 4th infantry.

Duplicate of letter of April 1 to Lieutenant Colonel Bonneville, exonerating officers of the 4th infantry from blame in crossing the Isthmus.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Colonel S. COOPER,  
*Adjutant General U. S. Army, City of Washington.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 15, 1854.*

SIR: Since my last report, the first of May, in consequence of the conviction of the Mexican consul, the threats of the French consul, he having lowered the French flag, and the expectation of several French ships-of-war in the harbor of San Francisco, and other causes, I have deemed it prudent to order ten heavy guns, six of which are 8-inch howitzers, to be mounted on Alcatrazas island, and ten 32-pounders at Fort Point. I have also ordered ten 24-pounders from Monterey, which I intend to have mounted on siege-carriages, to be moved to any point I might deem necessary for the defence of the harbor. I have also ordered barracks to be erected at the Presidio for two companies of artillery, at an expense of seven thousand dollars. These are indispensable, in consequence of the very limited and dilapidated state of the barracks at this port. The erection of these barracks will give store-room for supplies and a hospital, which are much needed at the present time.

I had hopes that the conviction of the Mexican consul would have effectually checked all further French fillibustering. It seems I was mistaken, for the notorious Count Raousset de Boulbon is still engaged in preparing another expedition. I think, however, that the measures which will be adopted this week will put a stop to his nefarious schemes, when I trust I shall be able to devote more of my time to the military affairs of my department.

Colonel Mansfield, inspector general, arrived by the last steamer. He left to-day on a tour of inspection, embracing the military posts of Monterey, San Diego, and Fort Yuma. From this latter post he will return by the military reserve for the occupation of Indians, at the Tejon Pass, and Fort Miller.

Two companies of the third artillery, B and L, arrived by the last steamer. I ordered company L to the Presidio, under the command of Brevet Captain Lendrum. The other company, B, is stationed at Benicia, with Brevet Lieutenant Colonel Nauman in command. Four other companies are expected by the steamer hourly looked for.

The Indians throughout this department are quiet, and appear peaceably inclined. The plan suggested by the superintendent of Indian affairs, Lieutenant Beale, appears to be favorably received, and there

are indications that many Indians will remove to the military reserve at the Tejon Pass in the course of the year. To carry out successfully the plan of the superintendent, the appropriation to meet expenses should be certain and large. He requires five hundred thousand dollars, and the sooner it is granted the better. Should success attend his efforts, which I have no doubt will be the case, it will enable me to dispense with several posts which are now kept up at a very heavy extra expense to the government. As soon as the troops arrive I intend to establish a post, with a company of artillery and a company of dragoons, in the reserve, where they can be maintained comparatively at a small expense.

I am much in want of dragoon officers. We have three companies of dragoons, and only four officers attached to them. Two of these are intemperate, and cannot be trusted with independent commands. Captain Smith and Lieutenant Radford are fine officers, and efficient.

Since writing the above, the grand jury, now in session, has indicted the French consul, Dillon, for violating the neutrality laws of the country. In consequence of the trouble given me by Count Raousset de Boulbon, in his endeavors to prepare another expedition to Sonora, I requested Mr. Inge, if the facts presented would justify, to arrest the French consul, and have him tried before the district court, now in session. His trial is postponed until Monday next. I have no doubt of his conviction. I had, however, no desire to bring the consul before the tribunals of justice. His interference and aid in his endeavors to fit out expeditions against Sonora, left me no other course but the one pursued. His trial will relieve me, I think, of Count Raousset de Boulbon, when I think fillibustering will cease. Public opinion is almost universal against Dillon, the French consul.

I hasten to say that Walker and thirty-three of his party surrendered themselves on the 8th instant, at San Diego, to Major McKinstry and Captain Burton. The latter has just arrived with them at these headquarters. I have ordered them to be turned over to the United States civil authorities for trial.

I enclose herewith copies of orders to Brevet Major Barnard, corps of engineers, and Brevet Captain Stone, ordnance department, in relation to mounting the batteries in this harbor.

I have the honor to be, sir, very respectfully, your obedient servant,  
 JOHN E. WOOL,  
*Major General.*

HON. JEFFERSON DAVIS,  
*Secretary of War.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC.

*San Francisco, May 1, 1854.*

SIR: The commanding general desires you to cause ten heavy guns to be mounted at Alcatrazas island, and the same number at Fort Point, for immediate service.

The general directs that you report to him in person, without delay, for further instructions.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,

*Assist. Adj't Gen.*

Bvt. Maj. J. G. BARNARD, *Corps of Engineers,*  
*San Francisco.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 1, 1854.*

SIR: The commanding general directs that you mount on Alcatraz-island, six eight-inch guns, and if practicable, six 32-pounder guns, in the positions indicated by him to Brevet Major Barnard, also ten 32-pounder guns near Fort Point, to command the entrance to the harbor.

You will see that a proper amount of ammunition is prepared for these several batteries, for which the engineer officers will furnish you storage at the different points.

You will call upon the quartermaster department for the necessary transportation.

You will confer with Brevet Major Barnard in taking measures for executing these instructions.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,

*Asst. Adj't Gen.*

Bvt. Capt. C. P. STONE, *U. S. Ordnance,*  
*San Francisco, California.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 15, 1854.*

SIR: The enclosed papers refer to a piece of land containing about 393 acres of land, adjoining the military reserve at Benicia. It would be an important acquisition if it could be obtained at a reasonable price. The Hon. P. A. Morse, who is desirous of selling it to the government, asks for it \$20,000. Captains Clary and Stone estimate its value at \$12,000. About two years since it was contracted for on account of the government at \$5 per acre, but given up, because Mr. Conrad, Secretary of War, disapproved of the purchase, on the ground that an act of Congress was necessary to authorize it. If it can be had for \$12,000, I would recommend the purchase.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Hon. JEFFERSON DAVIS, *Secretary of War.*

SAN FRANCISCO, *April 28, 1854.*

SIR: In reply to your verbal communication of this day, I have the honor to state that I will sell to the United States the tract of land purchased by General Villgo, containing 393 acres, more or less, situated adjacent to the northern boundary of the military reserve at Benicia, for the sum of twenty thousand dollars, provided the purchase is consummated within a reasonable delay, not to exceed six months. I will deliver immediate possession, and warrant the title against the claims of all persons except the United States.

Very respectfully, your obedient servant,

P. A. MORSE.

Maj. E. D. TOWNSEND, *Asst. Adj't Gen.,*  
*U. S. Army, San Francisco, California.*

QUARTERMASTER'S DEPARTMENT,  
*Benicia depôt, April 22, 1854.*

SIR: In reply to your communication of the 30th instant, I have the honor to state for the information of the general commanding the Pacific department, that the purchase of land adjacent to the northern boundary of the military reserve, at this place, by General Hitchcock, was, in my opinion, a most judicious and important acquisition, and had it been retained it could have effected an annual saving, in pasturing alone for public animals, *more than the original cost* of the land, without calculating the facilities afforded for cutting hay and for agricultural purposes, and the advantages arising from an enlargement of the arsenal grounds, which is particularly desirable, that such magazines as the exigencies of the service may require may be removed to a safe distance from the storehouses, workshops, &c.

The public animals not required for service at the depôt are herded in the valley of Monte Diablo, some 20 miles distant, at an annual expense of \$2,500, which would be obviated by the acquisition of the land in question.

As it was purchased by the present owners on speculation, I have reason to believe that they would be willing to dispose of the whole at a reasonable advance on the price paid by them—say from \$25 to \$30 per acre, there being, as surveyed by Captain Stone, 393 acres.

Although, for purposes purely military, a less amount adjoining the northern boundary of the reserve might be sufficient, yet it is probable (as it was purchased on speculation) that the price demanded for a part would not fall much short of that asked for the whole tract; the purchase of which I would recommend, if it can be obtained within the limits above stated.

Very respectfully, your obedient servant,

R. E. CLARY.

Major E. D. TOWNSEND,  
*Assistant Adjutant General, U. S. Army,*  
*Headquarters Department of the Pacific, San Francisco, California.*

BENICIA ARSENAL, CALIFORNIA,  
*April 22, 1854.*

Having been consulted by Captain Clary, assistant quartermaster, on the subject referred to in the foregoing letter, I would state that I fully concur with him in his views on the subject, but I would not recommend the purchase should more than \$30 per acre be charged for the land.

Respectfully submitted,

C. P. STONE, *Bvt. Captain,*  
*1st Lieutenant Ordnance, Commanding Arsenal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 15, 1854.*

SIR: Since my last report, the 1st of May, in consequence of the conviction of the Mexican consul, the threats of the French consul, he having lowered the French flag, and the expectation of several French ships-of-war in the harbor of San Francisco, and other causes, I have deemed it prudent to order ten heavy guns, six of which are 8-inch howitzers, to be mounted at Alcatrazas island, and ten 32-pounders at Fort Point. I have also ordered ten 24-pounders from Monterey, which I intend to have mounted on siege-carriages, to be moved to any point I might deem necessary for the defence of the harbor. I have also ordered barracks to be erected at the Presidio for two companies of artillery, at an expense of seven thousand dollars. These are indispensable, in consequence of the very limited and dilapidated state of the barracks at this post. The erection of these barracks will give store-room for supplies and an hospital, which are much needed at the present time.

I had hoped that the conviction of the Mexican consul would have effectually checked all future French fillibustering. It seems I was mistaken, for the notorious Count Raousset de Boulbon is still engaged in preparing another expedition. I think, however, that the measures which will be adopted this week will put a stop to his nefarious schemes, when I trust I shall be able to devote more of my time to the military affairs of my department.

Colonel Mansfield, inspector general, arrived by the last steamer. He left to-day on a tour of inspection, embracing the military posts of Monterey, San Diego, and Fort Yuma. From this latter post he will return by the military reserve for the occupation of the Indians at the Tejon Pass and Fort Miller.

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The Indians throughout the department are quiet, and appear peaceably disposed. The plan suggested by the superintendent of Indian

affairs. Lieutenant Beale, appears to be favorably received, and there are indications that many Indians will remove to the military reserve at the Tejon Pass in the course of the year. To carry out successfully the plan of the superintendent the appropriation to meet expenses should be certain and large. He requires five hundred thousand dollars, and the sooner it is granted the better. Should success attend his efforts, which I have no doubt will be the case, it will enable me to dispense with several posts which are now kept up at a very heavy expense to the government.

As soon as the troops arrive, I intend to establish a post, with a company of artillery and a company of dragoons, in the reserve, where they can be maintained comparatively at a small expense.

I am much in want of dragoon officers. We have three companies of dragoons and only four officers attached to them. Two of these are intemperate, and cannot be trusted with independent commands. Captain Smith and Lieutenant Radford are fine officers and efficient.

Since writing the above the grand jury, now in session, has indicted the French consul, Dillon, for violating the neutrality laws of the country. In consequence of the trouble given me by Count Raousset de Boulbon, in his endeavors to prepare another expedition to Sonora, I requested Mr. Inge, if the facts presented would justify, to arrest the French consul, and have him tried before the district court, now in session. His trial is postponed until Monday next. I have no doubt of his conviction. I had, however, no desire to bring the consul before the tribunals of justice. His interference and aid in his endeavors to fit out expeditions against Sonora left me no other course but the one pursued. His trial will relieve me, I think, of Count Raousset de Boulbon, when I think fillibustering will cease. Public opinion is almost universal against Dillon, the French consul.

I hasten to say that Walker and thirty-three of his party surrendered themselves on the 8th instant at San Diego to Major McKinstry and Captain Burton. The latter has just arrived with them at these headquarters. I have ordered them to be turned over to the United States civil authorities for trial.

I enclose herewith copies of orders to Brevet Major Barnard, corps of engineers, and Brevet Captain Stone, ordnance department, in relation to mounting the batteries in this harbor.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Major General WINFIELD SCOTT,  
*General in Chief.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 1, 1854.*

SIR: The commanding general directs that you mount on Alcatraz island, six eight-inch guns, and, if practicable, six 32-pounder guns in the positions indicated by him to Major Barnard; also, ten 32-pounder guns near Fort Point, to command the entrance to this harbor. You

will also cause ten 24-pounder guns to be brought from Monterey, to be mounted on siege-carriages for the general defense of the harbor.

You will see that a proper amount of ammunition is prepared for these several batteries, for which the engineer officers will furnish you storage at the different points.

You will call upon the quartermaster's department for the necessary transportation.

You will confer with Major Barnard in taking measures for executing these instructions.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
*Assistant Adjutant General.*

Brevet Captain C. P. STONE,  
*U. S. Ordnance, San Francisco, California.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 1, 1854.*

SIR: The commanding general desires you to cause ten heavy guns to be mounted at Alcatrazas island, and the same number at Fort Point for immediate use.

The general directs that you report to him in person without delay, for further instructions.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
*Assistant Adjutant General.*

Brevet Major J. G. BARNARD,  
*Corps of Engineers, San Francisco, California.*

[Endorsed on the foregoing letter of General Wool.]

Respectfully submitted for the information of the Secretary of War.  
WINFIELD SCOTT.

ADJUTANT GENERAL'S OFFICE,  
*Washington, May 17, 1854.*

GENERAL: Your letter of the 14th ultimo has been duly submitted to the Secretary of War. In answer, I am instructed to say, that, although it was not contemplated by the department to withdraw Major Townsend from your command at this time and assign him to another station, yet, should such change be hereafter determined upon, the department will expect that the instructions which may issue on the subject will be duly respected and obeyed, and that you will not, in that case, carry out the intimation in your letter "to retain him no matter who may be sent to relieve him." I am further instructed to remind you of a conversation had with the Secretary of War, when, on asking for the services of an officer, other than Major Townsend, you were told that as the commander of the department was to be changed, it was the more necessary Major Townsend should remain there, he being fully acquainted with all the transactions relating to



the affairs of the department. As you had not, therefore, originally applied for that officer, but his being left there was a suggestion of the department, the Secretary could not now expect so urgent a remonstrance from you against his relief, after you have had time and opportunity to make yourself acquainted with all the circumstances of your command.

I have the honor to be, general, very respectfully, your obedient servant,

S. COOPER, *Adjutant General.*

Brevet Major General J. E. WOOL,  
*Commanding Department of the Pacific, San Francisco, Cal.*

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HEADQUARTERS OF THE ARMY,  
*New York, May 18, 1854.*

GENERAL: I respectfully enclose herewith a copy of a letter from the adjutant general to the general-in-chief, of the 17th instant. The letter directs that you will please take the necessary measures, without delay, to carry out the instructions of the Secretary of War as therein expressed.

I have the honor to be, general, very respectfully, your most obedient servant,

IRVIN McDOWELL,  
*Assistant Adjutant General.*

Brevet Major General JOHN E. WOOL,  
*Com. Dep. of the Pacific, Headquarters, San Francisco, Cal.*

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ADJUTANT GENERAL'S OFFICE,  
*Washington, May 17, 1854.*

GENERAL: The Secretary of War desires that instructions may be given for the transfer of the headquarters of the department of the Pacific from San Francisco to *Benicia*, and that the public quarters and the barracks at that place be used for the accommodation of the officers and offices connected with the department headquarters. A guard not exceeding a single company is deemed sufficient for the protection of the store at *Benicia*. Such staff officers as it may be absolutely necessary should remain behind must be quartered at the *Presidio*, near San Francisco, or, if permitted to live in the city, they must do so at their own expense, as commutation for quarters and fuel will not be allowed them. The foregoing is to be construed as applying to all staff officers reported in the department returns as being stationed in San Francisco. The Secretary of War further directs that the troops be withdrawn from the *Presidio* and ordered elsewhere.

I have the honor to be, sir, your obedient servant,

S. COOPER, *Adjutant General.*

Major General WINFIELD SCOTT,  
*Commanding the army, city of New York.*

SPECIAL ORDERS, }  
 No. 80. }

HEADQUARTERS OF THE ARMY,  
 New York, May 18, 1854.

By direction of the Secretary of War, the headquarters of the department of the Pacific will be transferred from San Francisco to Benicia.

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By command of Major General Scott.

IRVIN McDOWELL,  
*Assistant Adjutant General.*

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ADJUTANT GENERAL'S OFFICE,  
 Washington, May 26, 1844.

GENERAL: The several explanations called for in my communication of August 5, 1853, to Brevet Brigadier General Hitchcock, then commanding the Pacific division, have all been received, with the exception of that in the case of First Lieutenant *Tredwell Moore*, 2d infantry. I have to request that you will please cause that officer to render the required explanation without delay, in order that the matter may be submitted to the Secretary of War.

I have the honor to be, general, very respectfully, your obedient servant,

S. COOPER, *Adj't Gen.*

Bvt. Maj. Gen. J. E. WOOL,  
*Com. Dep. of the Pacific, Benicia, California.*

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ADJUTANT GENERAL'S OFFICE,  
 Washington, May 29, 1854.

GENERAL: Observing in your special orders No. 37, of the 25th ultimo, the reassignment of Brevet Major *McKinstry*, of the quartermaster's department, to the San Diego depot, from which he was relieved in January last by your predecessor, for reasons set forth in department order No. 1, of the 12th of that month, I am instructed by the Secretary of War to invite your attention to this order, and request that you will report the considerations which have induced you to send Major *McKinstry* back to the station from which, in the opinion of Brigadier General Hitchcock, the public interest required his removal.

I am, general, very respectfully, your obedient servant,

S. COOPER, *Adj't General.*

Brevet Major General J. E. WOOL,  
*Com. Dep. of the Pacific, Benicia, California.*

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HEADQUARTERS PACIFIC DEPARTMENT,  
 San Francisco, May 30, 1854.

SIR: I have the honor to acknowledge the receipt of general orders No. 5, special orders from 45 to 57, and letter of April 19, calling for receipt rolls of companies of the 3d artillery.

Ex. Doc. 16—5

Brevet Lieutenant Colonel Nauman, commanding the 3d artillery, to whom was referred the letter of April 19, states that the rolls "of the non-commissioned staff and band, and of companies D, G, and H, 3d artillery, were brought to California with a portion of the records of the regiment. They are no longer wanted, and will be transmitted to Washington at the earliest moment practicable.

It appears that those of companies A and K, 3d artillery, have never been returned to regimental headquarters, and are supposed to be in the hands of the officers commanding those companies.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
Major General.

Colonel S. COOPER, *Adjutant General,*  
*Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco May 30, 1854.*

SIR: I had the honor to receive your communications of the 13th and 14th of April last, by the mail steamer that arrived on the 18th.

In reply to the first, which relates to the draft of Captain Charles P. Stone, ordnance department, for \$6,000, I would observe that I regret it was not paid. This draft, and another for a like amount, were drawn to meet the expenses of an arsenal building, indispensable to the preservation of ordnance property exposed to the weather, and of a large amount hourly expected, the storage of which, on inquiry, in any private building, either in Benicia or San Francisco, would cost more than \$2,000 per month, besides being exposed to destruction by fire. Captain Stone informs me that he has been compelled to arrange the payment of the draft at a great sacrifice of money to himself. Money cannot be borrowed in San Francisco for less than three per cent. per month. So gallant, capable, and efficient an officer should not have been subjected to the sacrifice.

In relation to your second communication, of April 14, I would remark that I am somewhat at a loss to comprehend its meaning. With the exception of the last paragraph, it appears to bear the impress of rebuke, if not of direct censure. This, in every sense of the term, is undeserved.

In urging in my communication of February 28 that the troops be sent to California, my object was simply to apprise you, as well as the general-in-chief, of the necessity of sending troops as soon as practicable, in order that the peace and quiet of the country might be preserved, which is almost daily threatened by the whites and Indians coming in contact with each other.

This was no less due to myself than to the service, no matter what your information might have been on the subject, lest you should have supposed from my silence the immediate necessity did not exist, and delay might follow; consequently, if evil resulted from it I would justly deserve censure. Indeed, I think you would have had just cause to censure me if I had not on my arrival represented the state and condi-

tion of the department to which I had been assigned, and more especially if the peace of the country was in danger. I was not willing, under these circumstances, to assume the fearful responsibility of remaining silent. Although I could not expect any more regiments than had been assigned to the department until an increase of the army by an act of Congress, yet I might have at least expected the number, 660, of the recruits, as required February 28, besides counting the 2d infantry as recruits, to fill up the 1st dragoons, 3d artillery, and 4th infantry, serving in the department of the Pacific.

This increase required no act of Congress, and might have become of vast importance in preserving the peace and quiet of the country.

On the subject of my duties relating to fillbustering expeditions, you say: "Your remarks in relation to unlawful expeditions sailing from the coast of California suggest the propriety of referring you to your instructions on this subject. It was not expected or desired that the military commander should do more than belongs to the ordinary relations of the civil and military power; and in instructing you to aid the civil authorities it was not intended that you should originate arrests and persecutions for civil misdemeanors. You will readily perceive that consequences injurious to the public service would probably follow from such interference by the military with the functions of the civil officers."

By these remarks I infer that you expected that I would wait until called on by the civil officers to aid them in maintaining the neutrality laws. If such was your intention, you should so have instructed me, and if such had been your instructions I have no doubt you would have heard of several expeditions having been fitted out against the territories of Mexico.

Having referred me to my instructions, it is to be inferred that you are under the impression that I have exceeded them. Let us see what they are:

*First.* In the proclamation of the President of the United States, dated the 18th of January, 1854, I find (having reference to all who might violate the neutrality laws) the following positive instructions: "I call upon all officers of the government, civil and military, to use any efforts which may be in their power to arrest, for trial and punishment, any such offender."

In the instructions received direct from yourself, dated Washington, January 12, 1854, you say: "In addition to the ordinary duties of the military command, to which you have been assigned, it is deemed proper to direct your attention to certain special duties which will devolve upon you.

"Among these will be the duty of maintaining our international obligations, by preventing unlawful expeditions against the territories of foreign powers. Confidence is felt that you will, to the utmost of your ability, use all proper means to detect the fitting out of armed expeditions against countries with which the United States are at peace, and will zealously co-operate with the civil authorities in maintaining the neutrality laws.

These instructions are too plain to be mistaken or misunderstood. Whilst I have literally complied with them, I have in no instance exceeded them. I have done no more nor less than "to maintain our in-

ternational obligations, by preventing unlawful expeditions against the territories of a foreign power;" to the utmost of my power used all "proper means to detect the fitting out," in which I succeeded, "armed expeditions against a country with which the United States are at peace;" and I have "zealously" and harmoniously "co-operated with the civil authorities in maintaining the neutrality laws."

In the discharge of these duties, which have cost me some sleepless nights, I have made no arrests, nor interfered with the functions of the civil officers.

It is, however, too late to refer to my instructions. The work, whether for good or for evil, has been done. Watkins, Emory, and the Mexican consul have been tried and convicted; the French consul tried, but not found guilty; the jury stood ten for conviction, and two for acquittal. Walker and his party surrendered. Walker and Jurnagin have been indicted; all which, I trust, will put an end, at least for a time, to fillibustering, and leave me more able to attend more strictly to my professional duties.

You have thought proper to allude to a letter from the district attorney, in which you say: "The department is informed that, through the agency of men who returned disaffected from the expedition of Walker, the district attorney has been enabled to ascertain that Watkins and others of his confederates were in San Francisco, and that he had arrested them, and instituted proceedings against them."

In reply to which I would observe that after Watkins had conducted the party, which he publicly enrolled without interference or molestation in San Francisco, to Walker, he returned. Everybody knew that Watkins was in the city, and that he came to recruit more men for Lower California or Sonora. It was under these circumstances that I called on Mr. Inge, the district attorney, and suggested the arrest of Watkins, when he replied he would arrest him as soon as I would make a written application to that effect, with which I promptly complied. Emory was arrested at San Diego, I presume under the President's proclamation, by an officer under Captain Dornin, and brought here for trial. In every case, on presenting the facts against those who have violated the neutrality laws, Mr. Inge has required of me a written application for the arrest, with which I always promptly complied. Even in the case of the French consul, and after he had been indicted by the grand jury, who passed resolutions calling on the district attorney to prosecute him, Mr. Inge, requested of me a written application for Mons. Dillon's arrest and trial.

I did not, however, urge the arrest and trial of the French consul, although I believed, from the information I received, he was engaged in a French fillibustering scheme.

In presenting these statements, my object is merely to show that not only the civil and military have acted harmoniously and efficiently together, but that instead of interfering or dictating to the civil officers, I have been required by them to take the initiative step, at least so far, after presenting the facts, as to ask for the arrest of the offender.

In reply to your remarks in the concluding paragraph of your letter of the 14th April, I can only say, if an honest, zealous, and faithful

discharge of all my duties, regardless of consequences, will retain your confidence, as well as that of the President, I am sure of it.

I have the honor to be, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Hon. JEFFERSON DAVIS,  
*Secretary of War.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 31, 1854.*

SIR: At the request of J. M. Pindell, I herewith have the honor to transmit his application, with a report thereon, from Majors Cross and Barnard, and Captain Folsom, for the right of way to make a plank road from the city of San Francisco to the ocean, passing through the military reserve embracing the Presidio and Fort Point, giving to the United States, under certain conditions, the free use of the road without taxation. Such a road would, undoubtedly, as set forth in the report of Major Cross, be of great advantage to the public service, and therefore, worthy of consideration. The cost of the road is estimated at about \$38,000 per mile. The distance to be made through the reserve would be about two miles, and would, as estimated, cost about \$76,000. If the right of way should be granted, and I would not recommend any other right or privileges, it is expected by Mr. Pindell that the government would pay the cost of so much of the road as would pass through the military reserve. He will, however, accept of any amount that Congress might think proper to grant.

If we could have such a road at a reasonable expense, under the conditions set forth in the report herewith presented, being confident that it would be of great advantage to the public, I cheerfully recommend its adoption.

I am, very respectfully, your obedient servant,

JNO. E. WOOL,  
*Major General.*

Hon. JEFFERSON DAVIS,  
*Secretary of War.*

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SIR: I have procured from the supervisors of the county of San Francisco a charter to make a plank road from the city of San Francisco to the Pacific ocean.

I have had two routes surveyed for the purpose of finding which one is the most feasible. One of the surveys passes a few yards north of Presidio, and running a little south of the fort; thence on to the ocean; but after leaving the fort it has to pass over a large creek, a deep gulch, and a hilly, mountainous country, adding very much to the distance of the road, almost one-third, thereby increasing the expenditure of building said road to at least one-third, if not more.

The other survey runs south of the government reserve entirely, sev-

eral miles from the government works, and runs in almost a straight line, through valley land, where there will be no grading required, which is the heaviest item of expense in building such a road as the one proposed in this country, where labor is dear. It will be shorter than the other route, and a much more beautiful one, which is a matter of great moment, as the road will be one much used for pleasure.

The property-holders on this route, to induce me to select it for the road proposed, and to assist me in building the same, have come forward in a liberal manner and deeded to me a large portion of their property lying adjacent to said survey, upon which I can raise the requisite sum for building the road by hypothecation.

I believe the government works, when brought to completion, will be the greatest ornament to the Pacific coast, and to our city, and when we look ahead for a few years only, no man can pretend to predict or conceive the importance of this military location. I am anxious to throw all the weight of such an improvement as a plank road to assist in beautifying and bringing to early completion the improvement of the Presidio and the fort.

In our dry season it is almost impossible to get through the sand and over the hills to the fort with anything like a loaded wagon. During the winter, or rainy season, it is alike impossible to get even to the Presidio; and until such an improvement as a plank road, or something similar, shall be made, the government works can never be approached by any other mode than on horseback; and now, in these troublous times of war, quick communication with the city, the fort, and the ocean, will be indispensable.

I propose that if the government will give me the same assistance for building the above plank road through the reserve, passing between the Presidio and the fort, a short distance from both, and a right of way, the same to be deeded to the county of San Francisco, that the property-holders on the other route offer me, and an appropriation of money, that the government shall have free use of said road for all purposes, and be subject to no kind of tax or expense during the term of my charter, viz: For ten years after the road shall be completed, at the expiration of the same, the road is to be declared a public county road.

I annex hereto the survey of the road as made and returned by the county surveyor of San Francisco county, with an estimate of the distance of the fort from the city of San Francisco, and the cost of building the proposed plank road from the city to the fort.

J. M. PINDELL.

Major General Wool.

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SAN FRANCISCO, *May 24, 1854.*

DEAR SIR: Enclosed I send you an approximate estimate of the cost of building a road from San Francisco to Fort Point, as requested.

The amount named will not differ materially from the actual cost at the present prices of material and labor.

Yours, respectfully,

J. J. GARDNER,  
*City and County Surveyor.*

*Estimate of cost of building road from San Francisco to Fort Point.—  
Distance, say three and a half miles.*

Cost of planking and material, 18,480 feet, at \$4 per running foot.....	\$73,920 00
Excavation and embankments.....	60,000 00
Total .....	<u>\$133,920 00</u>

The above is an approximate estimate of the cost of said road.

J. J. GARDNER,

*City and County Surveyor.*

SAN FRANCISCO, *May 24, 1854.*

SAN FRANCISCO, CALIFORNIA, *May 24, 1854.*

MAJOR: The undersigned officers having been directed by Major General Wool to examine the proposition made by Mr. J. M. Pindell, to construct a plank road to Point Lobos *via* the Presidio and Fort Point, under certain conditions, have the honor to report that they have made a careful examination of the proposed route contemplated, and are of the opinion that, located as the Presidio and Fort Point are relative to this place, the facility it would afford in transporting stores at all seasons of the year, particularly during the winter months when heavy rains render the present route impassable, that to allow the construction of a plank road would not injure in the least the public grounds, but enhance the value of the public reserve, and be of infinite advantage to the government. They therefore recommend that the right of way for a period of ten years be granted to the said J. M. Pindell, with the understanding that the government have the free use of said road without any taxation during that period.

The undersigned recommend that the road shall follow the course which shall be designated by the senior engineer or the quartermaster at the Presidio, so as to avoid its encroaching on the Presidio or the grounds in the vicinity of Fort Point. They do not deem it necessary to recommend any appropriation for the completion of the road, or that it should be turned over to the county after the expiration of the time specified; this would come more properly from the memorialist, it being partly of a private nature.

Should the road be allowed to pass through the reserve, it is recommended that, previous to commencing it, there shall be articles of agreement drawn up between the parties undertaking its construction and the assistant quartermaster at the Presidio, jointly with the senior engineer, so as to define its limits and the extent of the right intended to be granted to the government and the contracting party.



All which is respectfully submitted to the commanding general for consideration.

Respectfully, major, your obedient servant,

O. CROSS,

*Major and Quartermaster.*

J. G. BARNARD,

*Brevet Major Engineers.*

J. L. FOLSOM,

*Captain and Assistant Quartermaster.*

Major E. D. TOWNSEND,

*Ass't Adj't General, Dep't of the Pacific, San Francisco.*

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QUARTERMASTER GENERAL'S OFFICE,  
*Washington, July 10, 1854.*

SIR: I have carefully examined the letter of Major General Wool, dated the 31st May last, and accompanying papers relative to a plank road, which it appears a Mr. J. M. Pindell wishes to construct from San Francisco to the Pacific ocean, coast of California, passing through the military reserve at the Presidio, San Francisco. Mr. Pindell, in his communication to the general, states that he annexes a survey of the road. This is not found with the papers, and without it it is difficult to form an opinion of what benefit, or what injury, if any, might be sustained by granting the right of way applied for.

The Board of Officers appointed by General Wool, recommend that the right of way be granted for a period of ten years on certain conditions, but do not deem it necessary to recommend any appropriation for the completion of the road, or that it should be turned over to the county after the expiration of the time specified. This would come more properly from the memorialist, *it being partly of a private nature.* The memorialist (Mr. Pindell) asks not only a right of way to be deeded to the county, but an appropriation to assist in building the road.

General Wool states that the distance through the reserve is about *two* miles, and would cost, as estimated, about \$76,000; that if the right of way be granted, and he would not recommend any other rights or privileges, it is *expected by Mr. Pindell* that the government would pay the cost of so much of the road as would pass through the military reserve, but that he will accept of any amount that Congress may think proper to grant.

The whole length of the road is stated to be three and a half miles; and the application is that government give a right of way for more than half the distance, make the road, and, in return, to be allowed the privilege of passing over it, free of charge, for ten years; after which it is to be given up to the county.

Such a road might be of some advantage to the government—to what extent, from the data furnished, I am unable to determine. It seems to me that the principal or main object of Mr. Pindell is, to have a road from which he is to derive most, if not all the advantage, affording the inhabitants of San Francisco easy access to the ocean-shore, for the purpose, probably, of forming a watering place. This may be all very

proper and desirable on the part of those concerned, but I cannot discern anything in the papers to induce me to think that the government would be very materially benefitted by the operation, taking the cost, &c., of it into view, and therefore respectfully recommend that no action be had on it without further and more particular information on the subject.

The papers are herewith returned.

I remain, sir, most respectfully, your obedient servant,

CHAS. THOMAS,

*Deputy Quartermaster General in charge.*

HON. JEFFERSON DAVIS,

*Secretary of War, Washington.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, June 1, 1854.*

COLONEL: Coming events often cast their shadows before them. It is rumored that the headquarters of the Pacific department are to be moved to Benicia; this would be unfortunate, in as much as there are no public quarters which could be occupied by the staff, and the expense of hiring offices and quarters would not be diminished.

In addition to this, the expenses of moving to Benicia would be large. Besides, our communications with the headquarters of the army would be delayed two weeks. The mail from the east arrived last evening, consequently in time to acknowledge our communications by the steamer that leaves to-day. The mail leaves to-day for Benicia. San Francisco is the centre of business, and from this point communications can, at all times, be more easily and promptly forwarded through the department. I am quite sure if the headquarters of the department should be transferred to Benicia, they would, in three months, be ordered back to San Francisco.

Please to forward this communication to Washington, with such remarks as the general-in-chief may think proper to endorse on it.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

To Lieut. Col. L. THOMAS, *Asst. Adj. Gen.,*

*Headquarters United States army, New York.*

HEADQUARTERS OF THE ARMY.

*New York, June 28, 1854.*

The request of Brevet Major General Wool to retain the headquarters of the department of the Pacific at San Francisco, is approved by the general-in-chief, and respectfully forwarded for the consideration of the Secretary of War.

L. THOMAS.

*Asst. Adj't Gen.*

## HEADQUARTERS DEPARTMENT OF THE PACIFIC.

*San Francisco, June 14, 1854.*

COLONEL: Nothing of very grave importance has transpired since the 14th ultimo, except a collision between some whites and Indians, near Fort Jones, when one or two on either side were killed. I herewith transmit Lieutenant Bonnycastle's report of the facts.

About one hundred and fifty tons of ordnance and ordnance stores arrived a few days since, at Benicia, and a much larger amount, I am informed, is on its way from the Atlantic, and is expected in the course of two months.

We will require another building in addition to the one recently erected, to store this property. As the draft for the first payment of this building was not honored, I do not feel authorized to direct the erection of another building for its storage or preservation. To store it in a private building, besides the danger of destruction by fire, the storage in six months would cost as much, or more, than another building, which seems indispensable for its security and preservation. I must, therefore, ask what shall be done in such case with this property?

Count de Raousset Boulbon left some time since, with ten men, for Guayamas. We have in this city and in the neighborhood a large number of Americans and Frenchmen, ready at a moment to embark for Sonora, where, it is said, the precious metals may be found in great abundance. It is thought that my presence alone keeps them from organizing. If I should leave for the country for a week or ten days, which my health requires, I have no doubt an expedition would be fitted out against Sonora.

June 15.—I had written thus far, when I received an order to remove the headquarters of the Pacific department to Benicia, and withdraw the troops from the Presidio, and order them elsewhere. This is as unexpected as I think it will be seriously injurious to the public service. Here, everything concentrates, and must be distributed to the military posts. Three-fourths of all the supplies are transported coast wise, being first transmitted to Benicia, and placed in depot, and brought back when wanted for distribution.

The establishment of headquarters at Benicia, instead of being a measure of economy, will prove to be one of increased expenditure to the government. The travelling of staff officers from Benicia to San Francisco, which cannot fail to be frequent, in order to procure supplies, and to attend to receiving and re-shipping stores arriving from the east, will increase the expenses to a large proportion of what can be saved in commutation by the transfer of the headquarters.

At Benicia, I find the headquarters of the 3d artillery; the quartermaster informs me that there are no more quarters at that post than are required for the officers already stationed there, that is, Lieutenant Colonel Nauman, his adjutant, regimental quartermaster, one company with its allowance of officers, assistant quartermaster, assistant commissary of subsistence, two ordnance officers, an assistant surgeon, besides the non-commissioned staff and band. The two companies at that post, recently arrived from the east, (one of them in tents,) have been waiting for their baggage, which was left at Panama. It arrived

last evening, and they will proceed at once for Forts Miller and Reading, under Pacific department special orders, numbers 52 and 56.

To carry out the requirements directing the two companies at the Presidio to be sent elsewhere, I find myself somewhat embarrassed.

I can send one company to Fort Vancouver, which I intended to do as soon as Brevet Lieutenant Colonel Steptoe arrived with the two companies under his command. For the other I have no position, unless I put the men in tents. All the quarters at the various posts are occupied, and there are no quarters or barracks for either officers or men, unless I send them to Monterey; and it would appear very extraordinary to take the troops from San Francisco, leaving this place without protection, and send them to Monterey where they are not needed, and where they are not accessible to any other place. In my letter to you of February 28, I remarked that "I found myself very much embarrassed from the want of troops to prevent expeditions from being fitted out from this port. I fear the operation of this order will be to invite such expeditions, to say nothing of the impossibility of preventing them should they be undertaken.

That these remarks may not seem inconsistent with representations I have heretofore made of the want of troops in this department, and especially in my letter to Major General Scott of March 31, I must say that my instructions from the honorable Secretary of War extend my command over Utah; that when I left the east it was supposed a law would be passed increasing the number of regiments in service, and in view of that increase I hoped to reserve one or more regiments to be posted in Utah. The late communications of the Secretary of War to me make me hesitate to assume the responsibility of erecting new quarters at any of the posts, and by the disposition already made of the troops in this State, Oregon, and Washington Territories, all the quarters are fully occupied. Of course I cannot send two or three companies to Utah. Hence my present embarrassment in relation to stationing the two companies now at the Presidio, and the two under Lieutenant Colonel Steptoe.

I have been waiting for the return of Colonel Mansfield, who has gone to inspect fort Yuma. On his return he will visit the reserve selected by Lieutenant Beale, to ascertain, at my request, (see copy of letter of May 12, enclosed,) whether a military post is needed on the reserve, and, if so, to select the position. As soon as this was done, I intended to place two companies on the reserve and to erect quarters for them.

To do this will cost some thousands of dollars. I am apprehensive, however, that the expenditure will not be approved. Hence I shall hesitate before I give the order.

Until this post is established, I have no place for the other company now at the Presidio. It will not cost half as much at the Presidio as it would 100 miles in the interior. But why take all the troops from the Presidio? They are intended for the protection of San Francisco, which, above all other places in the Pacific department, requires protection and defence. The bay may become the rendezvous of English, French, and Russian ships-of-war. It seems to me we ought to be in a position to keep the peace. A Russian man-of-war is reported to be

on the coast. Should she enter the harbor and find French and English merchant ships, she might capture them if there were not batteries to prevent it. If this should occur, it would place us in an unfortunate position as a neutral power. It was for these and other reasons that I ordered batteries to be erected in the harbor of San Francisco, and my course meets the views of the engineers and other officers of the staff. They cost but a few hundred dollars; the principal expense being occasioned, I believe, in the transportation of the guns. The batteries do not interfere in the slightest degree with the regular works.

In conclusion, I have only to remark that the order of transfer cannot be executed without turning out of their quarters Lieutenant Colonel Nauman and his officers, who would be compelled to go into tents or take quarters in the village, a mile from the post. This, surely, was not intended by the general-in-chief, who had already made the post of Benicia the headquarters of the third artillery. If, therefore, the order is not promptly complied with, it will be because it cannot be done without doing a great injury to the service, and one which could not have been contemplated by the Secretary of War when he dictated the order. I feel assured if he had known at the time the situation of affairs at San Francisco and Benicia, he would not have ordered the transfer.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Lieut. Col. L. THOMAS,

*Assist. Adjt. General, Headquarters of the Army,*

*New York City, N. Y.*

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HEADQUARTERS OF THE ARMY,

*New York, July 13, 1854.*

The general-in-chief approves of the views expressed within in relation to the transfer of the headquarters of the department from San Francisco and the stationing of troops.

Respectfully referred to the adjutant general.

L. THOMAS,

*Assistant Adjutant General.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, May 12, 1854.*

COLONEL In making your official tour through the Pacific department I would ask your particular attention to the posts as now established; whether their location is such as to give the best protection to the white inhabitants and restrain the Indians; whether the posts should be temporary or otherwise; whether the buildings and improvements have been made with reference to the comfort of the troops and the preservation of the public property; and, lastly, whether any changes can be made for the better protection of the whites and Indians.

Lieutenant Beale, who possesses the confidence of the administration, has established a reserve for the location of the Indian tribes at the Tejon Pass. This measure appears to meet the approbation of the Secretary of War, and from the success which Lieutenant Beale has met with, the happiest results are anticipated. He proposes to add to his present reserves two more, making four in all. If we can get the Indians to settle on these reserves, and to cultivate the soil, it will not only preserve these people who are fast disappearing by disease and other causes from the face of the land of their fathers, but relieve us of much trouble and a great expense of maintaining military posts in the interior. So far as California is concerned, if the plan can be carried out, and I think it practicable, it would reduce the military posts in the interior to two, at most to three. Forts Miller, Reading, and Jones, could be dispensed with, which are now kept up at a very heavy extra expense. The estimate for two months amounts to more than \$21,000.

Lieutenant Beale thinks that within a very few years he will be able to concentrate the greater number of the Indians in California at the Tejon Pass. If this can be done, it would reduce the interior posts to the Tejon Pass and Yuma.

This latter post, Yuma, is considered an important position at the present time, and will continue so, unless by treaty the Mexican boundary should be carried further south, when it may become a question whether or not it ought to be given up. I propose to station at this post two full companies of artillery, and at the Tejon Pass a company of artillery and a company of dragoons.

To all which I would be much pleased with your opinion after your inspection and examination.

My aide-de-camp, Lieutenant Moore, will accompany you to assist you in the discharge of your arduous duties.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Colonel J. K. F. MANSFIELD,  
*Inspector General U. S. Army, San Francisco, Cal.*

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FORT JONES, CALIFORNIA,  
May 28, 1854.

SIR: I have the honor to report that about the 12th instant I was informed by one of the Indians encamped at this place that an outrage had been attempted on a white woman living between Yreka and the Klamath river, during the absence of her husband, by an Indian called "Joe," of the Shasta tribe, and that the Indian had been prevented from accomplishing his purpose by the resistance of the woman, and by the arrival of some white men, on whose near approach he fled. I immediately sent Lieutenant Hood to inform the chief of the Shastas, "Bill," that I required the unconditional surrender of the Indian "Joe," that he might be punished.

Lieutenant Hood, with the Indian agent, Mr. Rosborough, saw the

chief, and made my demand known to him. Bill made an effort to extract a promise that Joe should not be hung, and at the same time expressed himself as being angry that the offence had been committed. I had, however, directed Lieutenant Hood to require an unconditional surrender of the Indian for two reasons: because I wished to test the protestations of friendship I had received from these Indians, and because, intending as I did, to hand the offender over to be tried by civil authority. I could not answer for his being only punished strictly according to law.

After some hesitation, Bill promised that the offender should be delivered to me at the fort within two days. Three days having elapsed, and having heard nothing of Bill, on the 16th instant I started from this post with all of the force at my disposal for the purpose of compelling the surrender of Joe. On reaching Yreka my camp was visited by two of the principal Indians of the Scott Valley band, who expressed themselves as very anxious that Joe should be given up, and endeavored to obtain a promise from me that he should not be hung. This promise I refused to give for the reasons already stated, but agreed that in case the offender should be surrendered before I reached the Klamath river, I would return to Fort Jones satisfied; but if I was forced to cross the river to get him, I told them that I should hold the tribe responsible for his misconduct, and that I should engage the services of a large band of De Chute (Oregon) Indians to aid me in catching and punishing them.

Early the next day I resumed my march without holding any further communication with these Indians, although solicited to do so, but before having marched ten miles I was overtaken by an old Indian, formerly chief of the Shastas, and three other Indians, all mounted. The old chief was very anxious that I should go with him to see that the woman had not been hurt, and it was with some difficulty that I could make him understand that the intention was almost as culpable, whether successful or not. Indeed, the Indian could not see why I spoke of the offence as being of such magnitude, when their squaws are constantly run down, sometimes by men on horse, and raped.

Having ascertained where I intended camping that night, getting me to promise that I would await there his return, the next day the old man, with the other Indians, pushed on for the camp of the Shastas in the mountains, promising before he left that Joe should be given up the next day.

I encamped then at the Willow Spring, within a few miles of the Klamath, on the night of the 17th instant, and purposed remaining at this point until the evening of the next day, in order to give Bill every chance of remaining at peace with us; but just at dark a messenger from Cottonwood arrived with the information that at noon that day a pack train had been attacked on the Siskigon mountains by Indians, and one of the two men with the train killed, the other barely escaping.

The Siskigon range being the country through which the Rogue river chief known as "Tipsha Tyee" and his band roam, I at once concluded that it was he who had attacked the train; and this being a blow at the interests of almost all of the citizens of this section of the country, I resolved to follow him up as rapidly as possible, with the hope of being

able to catch and punish the Indians engaged in the murder. My promise to the Shasta Indians to await their arrival at my camp, with the necessary preparations for quick movements, prevented me from leaving until midday, when the Shastahs, not having arrived, we started for the Siskigon, having our pack animals under a guard, and every man carrying one blanket, with ten day's rations of bread and pork. That night we reached nearly the top of the mountain. From Willow Spring I sent Lieutenant Hood back to Yreka, to inform Sem-tes-tis, the chief of the De Chutes, of my being called off in another direction, and early on the morning of the 18th he overtook me at the point where the murder had been committed, accompanied by some thirty-eight of the De Chutes, well mounted, and anxious to aid in the capture of Tipsha. These Indians having made a long march, contrary to my wish, I was forced to remain that day on the mountain with them, that their horses might rest and graze. At daylight on the 19th, taking the trail of Tipsha, we started across the mountain, and marched more than twenty-five miles, mostly over a very rough country. The De Chutes, being well mounted, and riding anywhere, with practiced eye detected signs of the retreating Indians, when but few whites could have detected any indication that they had passed. By the sign, the De Chutes asserted that six Indians were engaged in the murder. Late in the afternoon we reached a point where the signs indicated that the Indians had recently encamped, and halting spies were sent out, who on their return reported that two Indians had gone off to the northward, up a valley, with the mules taken from the train, while the other four, with seven horses, stolen from some drovers two nights before, had gone in the direction of the cave on the Klamath, and that one Indian, afoot, had been traced going up the valley quite recently after the Indians with the mules. This Indian they believed to be one of some adjacent tribe, who, having come to visit the camp at which we were halted, and finding it deserted, was returning to his home.

The direction taken by the Indians with the horses inducing me to believe that the murder had been participated in by the Shasta Indians, I determined to pursue them, and to inflict severe punishment. Following their trail, then, at nightfall we encamped, and at daylight next morning moved on toward the cave. About ten o'clock the De Chute scouts discovered the Shasta camp, and bringing back the information, we hurried forward, with the expectation of engaging them before they could gain their stronghold.

On reaching the brink of a tall bluff opposite to another on the top of which the Shasta camp was, we were hailed by an American, who called out that Captain Goodall was with the Shastas, and wished to see me. Supposing that he was there to inform me that the Indian "Joe" had been given up, and that he knew nothing of my having tracked the murderers of the packer to this camp, I told Captain Goodall to come over to me, when I expected that on learning the facts I had to communicate, he, with the three men with him, would join me in an attack on the Shastas. However, on reaching me he informed me that Tipsha had come into the Shasta camp about thirty-six hours before, and had proposed, after telling them of the murder he had just



committed, that they should join him in waging war on the whites; and instead of agreeing to this, the Shastas had killed Tipsha, his son, and his son-in-law, the fourth Indian with him escaping, and being doubtless the Indian whose foot-tracks the De Chutes had seen the evening before.

Captain Goodall further stated that these Indians were very anxious to remain at peace; that the Indian Joe had been brought in about two hours after I had left my camp at the Willow Spring, where I had promised to wait, and had then gone on to the Yreka, where he remained two days, when he had returned with him to the Shasta camp; that immediately on killing Tipsha two Shasta Indians had brought his scalp, with that of his son, to him in Yreka, soliciting his interference to prevent my attacking them when Tipsha's trail should have led me to their camp, when by authority of the Indian agent he had come out.

Sending my company and the De Chute Indians to find a camp, accompanied by Lieutenant Hood, Captain Goodall, the chief Sem-tes-tis, and one or two others, I passed over to the Shasta camp, where I was received by the Indians with every demonstration of confidence and friendship.

After expressing my approbation of their course in killing Tipsha, I demanded that the horses, &c., taken from him and the boy Joe should be given up to me, to which they gave prompt assent, and Captain Goodall volunteered to bring Joe in with him the next day, to which, under the circumstances, I agreed. Having talked with them for some time, assuring them of my friendship so long as they behaved, and advising them to come in and learn to work, &c., I told them to catch up the horses taken from Tipsha, as I wished to take them with me. This was done at once. And after, at their request, giving them a paper, requesting that they might not be molested by the whites, I mounted and rejoined my company in camp, from which we moved on that night to the Klamath, and on the next day camping beyond Yreka.

I rode into town for the purpose of making some arrangements with Mr. Rosborough as to the disposition of the Indian Joe when he should be brought in by Captain Goodall. On reaching Mr. Rosborough's room I found Captain Goodall had just arrived there, and, to my astonishment and regret, he had neglected to bring Joe. He gave several excuses for his omission, but deeming none of them sufficient, I spoke very plainly to him of his violation of a voluntary promise, and told him that having started out to get Joe, I was determined to have him, even though I was compelled to retrace my steps. Captain Goodall, who had omitted to bring the Indian in with him, not thinking of the importance attached to his voluntary surrender, admitted his error, and told me that he would start back that night and get him. The Indian agent having given to Captain Goodall a note authorizing him to bring in Joe, he started the same night with the chief Bill, who was in Yreka, for the Shasta camp, and I returned with my command for Fort Jones.

Captain Goodall, knowing that both the Indian agent and myself desired the Shasta Indians to come into Scott valley, determined without my knowledge to endeavor to induce the whole band to come in at once, and on his way to their camp unguardedly stated such to be his intention in conversation with several white men. Having reached the

Shasta camp, the band readily agreed to accompany him to Fort Jones, and on the morning of the 24th instant they all started the Indians, numbering, men, women, and children, some sixty; reaching the Klamath ferry on the afternoon of this day, they camped some two hundred yards above the ferry, when the chief Bill, with five of his men, wishing to cross the river for the purpose of bathing, left their arms in the camp, and went with Captain Goodall to the ferry. On arriving opposite the ferry they saw four white men with the De Chute chief Sem-tes-tis, the latter of whom had that same day promised me solemnly not to molest the Shastas, advancing to the water's edge on the opposite shore with rifles. Captain Goodall at once seeing that the Indians were to be attacked told them to run, and called to the whites not to fire, that he was acting by authority. Five of the Indians with him ran, the chief Bill being lame was unable to do so; they were all fired into both by the whites on the opposite side of the river, and by others on the same side with the Indians. In fact, they were completely surrounded by whites and the De Chutes, who had been hired to engage in this villainous affair.

The chief Bill was severely wounded at the first fire, two other Indians were killed, and two others escaped very badly wounded. A white man named *McStuart* went up to Bill for the purpose of scalping him while yet alive, but Bill struggling with him got his knife away, when this man, after having beat him about the head with his pistol, shot him several times; after which he was scalped by a man named *Brickey*, I understand. When not yet dead he was thrown into the Klamath river.

Most of the Indians having escaped into the adjacent chapparal; where they lay concealed, the whites began a search for them; during which an Indian from behind his bush fortunately shot and killed a white man named *McKaney*.

The De Chute Indians who had not done much towards killing the Shastas plundered their camp, stealing four children, six or seven horses, and several guns; and one of them, I am informed, at the instigation of the man *Brickey*, indecently mutilated one of the murdered Shastas, and afterwards the band started with their plunder for Rogue river.

Before dark of the same evening the Shastas who had escaped came opposite the ferry-house and called the Cottonwood men cowards, &c., dared them out to fight, an invitation which these men declined, preferring the shelter of a heavy log-house, on which the Indians fired repeatedly for more than an hour.

Captain Goodall came on to Fort Jones at once and informed me of this cowardly and brutal murder on the part of the whites, when, mounting six men on mules, with Lieutenant Hood, I started for Cottonwood for the purpose of obtaining such information as might enable me to bring the whites to punishment, and by sending Lieutenant Hood on to Fort Lane to recover the children, &c. stolen by the De Chutes, that they might be returned to the Shastas. I ascertained the particulars of this murder to be as already stated, but could obtain no information as to the names of more than three white men engaged in it; these were *Brickey*, *McStuart*, and *E. M. Geiger*.

Mr. Rosborough accompanied me and made every effort to obtain information for the purpose of bringing the murderers to trial. We should have obtained writs for the three men named, and Judge Peters, of the district court, who took a warm interest in the matter, would have caused a grand jury to be summoned that they might be indicted, had Mr. Rosborough and myself not been perfectly well aware that in this section of the country actions of this nature would only result in the escape of the guilty parties, the greater number of the populace vilely regretting, not that they have among them such murderous scoundrels, but, that since the assassination of the Shastas was attempted, it had not been completely successful.

The Shastas vowed vengeance against *all* the whites, and I feared that innocent persons living on farms within their reach might be made to suffer for the acts of those who sought immunity from retribution in the town of Cottonwood.

I, however, sought the Indians, whom I have had encamped here during the winter, and explaining the whole matter to them, and telling them that I had sent to recover the stolen children, &c., and that I would make every effort to have the guilty whites punished.

I directed them to see the Shastas, and to tell them that the soldiers and many white citizens were friendly to them; that if I had known they were coming in I should have been at the ferry with a party of soldiers to protect them, and that I wished them to retaliate only on those men who participated in the murder of their chief; that if they killed no other whites I should have nothing to say.

From this act of treachery I feared that any influence I might have with these Indians, any confidence which my treatment of them might have inspired, was all lost, but much to my surprise and gratification, on night before last, just after my return from Cottonwood, two of the Shastas, one a boy, brother to the murdered chief, came into Yreka, and sent word to Mr. Rosborough and myself that they wished to talk with us.

Yesterday morning early they came to Mr. Rosborough's room, and we had a long talk with them. They stated that they knew the men who had attacked them, that they were satisfied that *all* the whites were not treacherous, and finally promised to endeavor to induce the remainder of the band to come to Fort Jones. Mr. Rosborough fed them, made them some presents, and took them under his protection, as even in Yreka there are white men who would murder these two unarmed Indians if they could do so with safety. The Shastas are to send me word if they will come here; and in case they wish to do so, I shall have a party of soldiers to protect them on their way, as I should have done before had I known that they intended coming in.

Captain Goodall deserves the highest praise for his constant and humane efforts in behalf of these Indians, by which he has lost much time and money, and has moreover rendered himself disagreeably unpopular with the vagabond mass of the community. It was unfortunate that he attempted to bring the Indians in just when he did, or that, intending to do so, he should have avowed his purpose to whites on the road; but he had not arrived at the same just opinion of the character of many of the mining populace as that which had already

forced itself upon me some months since, when, with the same object in view, I took care to have a party of soldiers at the ferry. Mr. Geiger proposes leaving for the Atlantic States on one of the steamers leaving San Francisco on the 15th of June, and I would respectfully suggest that, if possible, he be arrested in San Francisco, to be tried there before the United States court. I shall endeavor to send an affidavit, with reference to his participation in the murder, by the next express. This is the course proposed to be pursued by Mr. Rosborough with reference to the other men engaged in the matter so soon as he can get their names.

I would respectfully call the attention of the commanding general to the fact that these Indians when attacked held a paper from me intended to guarantee their safety, while Mr. Goodall was acting with the written authority of the Indian agent, and I hope, by that, the most severe measures may be taken against the murderers.

In conclusion, I feel called on to express my admiration of the firmness and energy of Mr. Rosborough, the Indian agent, with reference to this murder, and to express a hope that he may be promptly supported by the superintendent of Indian affairs in his efforts to bring the murderers to justice.

With reference to the first portion of this communication, the pursuit of Tipsha Tyee over a rough mountainous country, making long and fatiguing marches, the energy and zeal of Assistant Surgeon Sorrel, Lieutenants Crook and Hood, and of the men of company "E," 4th infantry, is gratefully reported for the information of the commanding general.

I am, sir, your obedient servant,

J. C. BONNYCASTLE,

*First Lieutenant 4th Infantry, Commanding.*

General JOHN E. WOOL,

*Commanding Department of the Pacific,  
San Francisco, California.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, June 16, 1854.*

SIR: I have the honor to acknowledge the receipt of general orders, No. 6, special orders, Nos. 58 to 76 inclusive, letter of May 9, relative to ordering medical officers to New York, letter of May 17, in reply to remonstrance against the withdrawal of Major E. D. Townsend, assistant adjutant general, from duty in this department.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Col. S. COOPER,

*Adjutant General, United States army.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, California, July 1, 1854.*

COLONEL: Under an impression that an arrangement could be made by which the order of the Secretary of War removing the headquarters of the Pacific department to Benicia could be carried out, I issued orders No. 8, herewith enclosed. On a more strict examination, however, I find it impracticable, without doing a great and a serious injury to the public service, and I have therefore deemed it proper to suspend its execution until I have heard again from the general-in-chief or the Secretary of War, when I cannot doubt the order will be revoked, and for the following reasons:

1. There are not at the post of Benicia, it being the headquarters of the third artillery, to exceed twelve rooms beyond those occupied by the officers already stationed there, while I would require for myself and staff, including officers, three times that number. The order does not admit of hiring quarters in the town of Benicia.

2. If I should withdraw all the troops from the Presidio, I have no doubt the military reserve would be taken possession of by squatters, and consequently subject the government to the loss of more than a million dollars, at the same time interfere with the arrangements indispensable to the erection of the permanent fortifications now in progress at Fort Point. (See Major Barnard's letter, herewith enclosed.)

3. A guard of one company seems necessary to protect this property, together with the ordnance and other property at the post, the latter of which would cost a considerable sum to transport it to Benicia, and which would be necessary in order to preserve it. There are no more quarters at this post than would be necessary for the officers of one company and an assistant surgeon.

4. The post of Benicia is an inappropriate place for the headquarters of the Pacific department. Every thing concentrates at San Francisco. Here all supplies are purchased not coming from the east, and all contracts made for carrying supplies coastwise or in the interior of the country, and where most of the discharged soldiers in the department come to receive their pay on being discharged. Hence the necessity of the chiefs of the quartermaster, commissary, and pay departments being stationed in San Francisco. These should be near the commander of the department, who is required to approve of all estimates, contracts, and drafts made on the government. These duties bring the chiefs in close contact with the commander, who requires personal conferences in order to satisfy himself of the necessity of the estimates, contracts, and drafts.

5. Instead of the removal being one of economy, it cannot fail to become one of increased expenditure, and in consequence of the almost daily travelling of the staff to and from San Francisco.

6. Instead of communications from these headquarters to the headquarters of the army once a month, it could only take place once in a little more than six weeks. It would therefore take *three* months instead of *two* to obtain replies to communications from the headquarters of the army.

For these reasons, and others transmitted in my communication of the 14th ultimo, I have suspended the execution of the orders trans-

ferring the headquarters of the Pacific department and of withdrawing the troops—except one company—from the Presidio and ordering them elsewhere. I cannot but hope that they will be duly considered and approved by the general-in-chief, as well as the Secretary of War. The mail steamer is just in from Panama. The mail for Benicia will not be sent up before to-morrow. If any communications are in that mail intended for these headquarters they cannot be acknowledged before the 16th instant, when the mail will again leave for the east.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

P. S.—The only officers necessary to be here are the commander of the department, the assistant adjutant general, the chief quartermaster, commissary, and paymaster, and if it were left to my discretion I would order all the rest to Benicia or the Presidio. If there were quarters there, the Presidio would be the proper place for the headquarters of the department.

JOHN E. WOOL,  
*Major General.*

Lieut. Col. L. THOMAS,  
*Assist. Adj't General, Headquarters of the Army,  
New York City, New York.*

[Endorsements.]

I concur in the views herein expressed and commend them to the Secretary of War.

Respectfully submitted.

WINFIELD SCOTT.

JULY 25, 1854.

Respectfully submitted to the Secretary of War.

S. COOPER,  
*Adjutant General.*

ADJUTANT GENERAL'S OFFICE, July 31, 1854.

Referred to the quartermaster general for information as to the quarters at Benicia, the commutation allowances for headquarters at San Francisco, and such other points as are presented within bearing on the functions of the quartermaster's department.

JEFFER. DAVIS,  
*Secretary of War.*

AUGUST 2, 1854.

Respectfully returned to the Secretary of War. There were 48 assignable rooms on the 30th June, 1854, in addition to which were 14 attic rooms. General Wool, in a recent letter to this office, says that there are only fourteen rooms unoccupied at Benicia. Whether

those occupied have been assigned in accordance with the regulations, the reports in this office do not state.

I estimate the commutation to officers at San Francisco at twenty-two thousand dollars per annum. The officers there consider the rates entirely too low, and are urging an increase.

TH. S. JESSUP,  
*Quartermaster General.*

AUGUST 3, 1854.

The views within are not concurred in. The report of the quartermaster general confirms the opinion of this department on which the order to remove the headquarters was given.

JEFFER. DAVIS,  
*Secretary of War.*

WAR DEPARTMENT, *August 16, 1854.*

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SAN FRANCISCO, *June 24, 1854.*

SIR: As the chief engineer of fortifications on the coast, I feel it my duty to call your attention to the probable consequences of an entire removal of the garrison from the Presidio.

You are aware that a large reservation of land for military purposes has been made and is now held by the government. This reservation was made for the purpose of securing the sites of the fortifications at Fort Point and their auxiliary outworks, and of the fine location for barracks for troops at the Presidio.

A brief glance at the configuration and topography of this reservation will at once convince you that, large as it may appear, no part of it can be relinquished without serious detriment to the military service.

In outline it is a triangle, the apex of which is at Fort Point, the two adjacent sides being washed by the waters of the bay, and the third side, or base, is the line running across the peninsula, from shore to shore, and dividing the reserve from private property towards San Francisco. The apex of this triangle is the site of the fortifications now under construction at Fort Point—the most important of the whole system of harbor defence. Along the base and near the boundary line are three points, either now or hereafter to be occupied, viz: the Presidio, (at present occupied,) the Presidio hill, 800 yards distant, and the hill formerly occupied as a telegraph station, about three-quarters of a mile from the Presidio and one mile from Fort Point.

Both from its proximity to the fortifications and its local advantages, the Presidio is unquestionably the best site for barracks for troops on the bay of San Francisco. The two last mentioned points have been selected by the board of engineers, who were appointed to devise the project of harbor defence for this harbor and bay, as the sites of redoubts considered indispensably [necessary] to securing the harbor batteries at Fort Point from an attack on the land side.

Thus you will perceive that, large as the reservation may appear, the points actually to be occupied are distributed throughout its whole

area, and that it would be highly detrimental to the public interests to relinquish any part of it.

It is a well known fact that school warrants, and other claims, are located over every portion of this reserve, and that nothing but the actual presence of a military force strong enough to repel intruders prevents, at the present moment, the whole reserve from being occupied by squatters; and I think that I may venture to predict that one week will not have elapsed, after the withdrawal of the garrison, before the whole surface of the reserve will be thus occupied. Two weeks hence a million of dollars will not suffice to recover to the government property which it must have, and of which it now holds quiet possession.

With regard to the propriety, in a military point of view, of withdrawing the entire military force, at such a period, from this city and bay, I presume it would not be decorous in me to speak, as these things ought to be as well understood at Washington as here; but I may take the liberty of supposing that the government would not thus have abandoned its own property had the facts I have endeavored to set forth been clearly understood.

I am, very respectfully, your obedient servant,

J. G. BROWN,  
*Brevet Major Engineers.*

Major General JOHN E. WOOL,  
*Commanding Department of the Pacific.*

Official:

E. D. TOWNSEND,  
*Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 30, 1854.*

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ORDERS, NO. 8.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 21, 1854.*

The following orders and instructions have been received from the headquarters of the army.

*From the Assistant Adjutant General at army headquarters, dated May 18, 1854.*

I respectfully enclose herewith, a copy of a letter from the Adjutant General to the general-in-chief, of the 17th instant. The latter directs that you will please take the necessary measures, without delay, to carry out the instructions of the Secretary of War, as therein expressed.

*From the Adjutant General, dated May 17, 1854.*

The Secretary of War desires that instructions may be given for the transfer of the headquarters of the department of the Pacific from San



Francisco to Benicia, and that the public quarters and the barracks at that place be used for the accommodation of the officers and offices connected with the department headquarters. A guard, not exceeding a single company, is deemed sufficient for the protection of the stores at Benicia. Such staff officers as it may be absolutely necessary should remain behind, must be quartered at the Presidio, near San Francisco, or, if permitted to live in the city, they must do so at their own expense, as commutation for quarters and fuel will not be allowed them. The foregoing is to be construed as applying to all staff officers reported on the department returns as being stationed in San Francisco. The Secretary of War further directs, that the troops be withdrawn from the Presidio and ordered elsewhere.

SPECIAL ORDERS, }  
No. 80. }

HEADQUARTERS OF THE ARMY,  
New York, May 18, 1854.

[Extract.]

1. By direction of the Secretary of War, the headquarters of the department of the Pacific will be transferred from San Francisco to Benicia.

By command of Major General Scott.

IRVIN McDOWELL,  
*Assistant Adjutant General.*

In conformity with the foregoing orders, the headquarters of the department will be established at Benicia, on and after the 1st proximo. Official communications will be directed accordingly.

Brevet Major R. Allen, assistant quartermaster, will remain in the performance of his duties at this station, and will, after the removal of the troops, take charge of the reserve, public buildings, and property, at the Presidio.

All the other officers of the general staff, now on duty in this city, will move with the headquarters to Benicia.

Company L, 3d artillery, will be prepared, without delay, to proceed to Fort Vancouver. Company M, 3d artillery, will receive orders as soon as it can be assigned to another post.

The quartermaster's department will furnish transportation for the above movements.

By command of Major General Scott.

E. D. TOWNSEND,  
*Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, July, 1854.

SIR: I have the honor to acknowledge the receipt of general orders, No. 7, special orders, from 77 to 87, inclusive, copy of a letter dated

May 27, authorizing Captain E. D. Keyes to delay his departure for his company until July 5.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Colonel S. COOPER,

*Adjutant General, U. S. Army, City of Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, July 12, 1854.*

COLONEL: I received by the last mail, via Benicia, your letter of the 29th May, relating to Major McKinstry, of the quartermaster's department. In reply to the request of the Secretary of War, to report the considerations which induced me to send Major McKinstry back to the station from which, in the opinion of Brigadier General Hitchcock, the public interest required his removal, I have only to say, that I was influenced by no other considerations than those which have governed all my actions since I took command of the Pacific department—the good of the service. If Major McKinstry deserved punishment, it should have been inflicted by the sentence of a court martial, which the court of inquiry did not recommend. If his integrity was doubted, he certainly ought not to have been ordered to another post, where the opportunity would be three-fold greater to wrong the government.

I have no reason, however, to suppose from anything contained in the opinion of the court of inquiry, that his honesty or his integrity should be called in question, nor does General Hitchcock, in his remarks upon the proceedings, impute any moral delinquency to Major McKinstry.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Colonel S. COOPER,

*Adjutant General U. S. Army, Washington city.*

[Endorsement.]

Respectfully submitted to the Secretary of War with a copy of the letter to which this is an answer, and a copy of the order of General Hitchcock, promulgating the proceedings of the court of inquiry in the case of Major McKinstry.

S. COOPER,  
*Adjutant General.*

ADJUTANT GENERAL'S OFFICE, *August 14, 1854.*

ADJUTANT GENERAL'S OFFICE,  
*Washington, May 29, 1854.*

GENERAL: Observing in your "Special Orders," No. 37, of the 25th

ultimo, the reassignment of Brevet Major McKinstry, of the quartermaster's department, to the San Diego depot, from which he was relieved in January last by your predecessor, for reasons set forth in Department Order No. 1, of the 12th of that month, I am instructed by the Secretary of War to invite your attention to this order, and to request that you will report the considerations which have induced you to send Major McKinstry back to the station from which, in the opinion of Brigadier General Hitchcock, the public interest required his removal.

I am, general, very respectfully, your obedient servant,  
 S. COOPER,  
*Adjutant General.*

Brevet Major General J. E. WOOL,  
*Com. Dep't of the Pacific, Benicia, California.*

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ORDERS, No. 1.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, January 12, 1854.*

The court of inquiry instituted by "special orders," number 61, dated headquarters, Pacific division, November 17, 1853, at the request of Brevet Major J. McKinstry, assistant quartermaster, to examine into certain accusations or imputations made against him by Mr. C. J. Coutts, has reported the following facts and opinions:

The matters investigated were certain allegations made by Mr. C. J. Coutts, against Major McKinstry, mostly contained in a letter addressed May 2, 1853, by Mr. Coutts, to the Quartermaster General, United States army, and may be arranged as follows:

- I. Undue interference in the elections of San Diego county in 1852.
- II. Gambling in his own quarters, and at public gaming tables.
- III. Bribing one F. R. Maritousky to sign a voucher against the United States.
- IV. Fraud, or some improper transactions connected with vouchers signed by F. R. Maritousky.
- V. Supporting the rancho of Santa Isabel at the expense of the quartermaster's department.
- VI. Paying employes of the department less money than they signed receipts for.
- VII. Transporting private goods in public wagons.

1. In reference to the first allegation, it appears that several government wagons, filled with employes of the quartermaster's department, were driven from the depot, in Major McKinstry's charge, to a democratic nominating convention, held in Old San Diego, in October, 1852; but from the evidence adduced, it is the opinion of the court that this was done without the sanction or knowledge of Major McKinstry.

2. That there is no evidence to show that Major McKinstry, during the fall of 1852, (the time stated,) gambled either in his own quarters, or at public gaming tables.

3. That, in the opinion of the court, no evidence was adduced to support the allegation of bribery.

4. It appears that F. R. Maritousky signed, during the second quarter of 1852, two vouchers against the United States, one purporting to be for two hundred and fifteen fanegas of barley, at \$8 per fanega, signed by Maritousky, in the name of "Lorendo Soto and company," of which firm he was a member; another for two hundred and fifty tons of hay, at \$30 per ton. That said Maritousky furnished himself a portion of the barley, while the remainder was probably furnished by Indians to the troops and trains of the United States, early in the year 1852; that the officers receiving this barley gave to the Indians orders for its value on Major McKinstry; that many of these orders came into the possession of Maritousky, and he signed the receipt for the whole amount, and in the opinion of the court the government received the amount of barley paid for.

That the first item, (25 tons of hay,) called for in the voucher marked B, was probably furnished by the Indians, in February, 1852, and the Indians were paid for it by Major McKinstry, who had the amount introduced into Maritousky's voucher; that the third item was furnished by Mrs. Redington, and that it was introduced into Maritousky's accounts, for the reason that Mrs. Redington did not write her name; that the value, \$450, was paid to Mrs. Redington. The court have in vain sought evidence of the delivery of the remaining items called for in voucher B, amounting to two hundred and ten tons of hay, excepting by the labor of men, employed and paid by the quartermaster's department; and the court are of the opinion that the transaction was, notwithstanding the difficulties which existed that year in procuring forage, an unnecessary departure from the system presented by regulations.

5. It appears that the rancho of Santa Isabel is the property of Mrs. McKinstry, the wife of Major McKinstry; that this rancho has been used since early in 1852 as a sub-depôt, and as a general feeding and grazing place for the public animals pertaining to the Gila trains; that it is a fine grazing rancho, every way desirable for the purpose, and that its occupation is greatly conducive to the interests of the public service, in keeping the public animals in good order. It is claimed by Major McKinstry, and believed by the court, that the United States government has not paid the owner of the rancho for its use, or for the grass consumed by, and cut for the public animals; that the rancho has not been improperly maintained at the expense of the quartermaster's department, but it is the opinion of the court, that there has been an unnecessary mingling of public and private interests in the management of the affairs of the rancho.

6. The imputation made during the progress of the investigation, that Major McKinstry has paid employees of the quartermaster department less money than he signed receipts for, was not at all sustained by evidence in the case of John Van Alst, the only one presented.

7. It appears that public teams have been made to transport, from San Diego to a store kept at Santa Isabel, considerable quantities of goods; but in the opinion of the court Major McKinstry was not himself interested in those goods, nor did he receive pay for their transportation, and no attempt appears to have been made to conceal the act from Major McKinstry's superiors. It must be added by the court that

the evidence of several witnesses would seem to show that, considering the condition of the grass at Santa Isabel in the summer of 1852, and the routes followed by the trains, that the full amount of forage called for in the returns maked S, T, U, V, W, X, and Y, could not have been issued, but from a full consideration of all the circumstances the court are of the opinion that the issues may have been made as therein stated.

The court have, at the special request of Major McKinstry, made a thorough examination of the accounts and papers of Major McKinstry, and have placed on file in the appendix all such as they have deemed it possible could throw any light upon the subjects investigated.

The court has been greatly inconvenienced by the fact that so long a time has elapsed since the occurrence and investigation of the acts in question. The evidence has been, on the most important points, conflicting and unsatisfactory.

II. The general commanding the department has carefully examined the testimony and opinions of the court of inquiry in the case of Brevet Major J. McKinstry, assistant quartermaster. The proceedings of the court are approved, and its opinions are concurred in.

It appearing therein that Brevet Major McKinstry has been instrumental in creating embarrassments in the execution of his public duties at San Diego, he will be relieved at the depôt at that place, temporarily, by Lieutenant Eddy, without unnecessary delay, and will then repair to Fort Reading and report to the commanding officer to relieve Captain Miller, assistant quartermaster at that post.

This change of station has been rendered necessary by the condition of things brought about by Major McKinstry at San Diego; first, by a departure from the regulations in the mode of making purchases of, or through, F. R. Maritousky; and second, by the purchase, as the attorney of his wife, of a rancho so situated as to make it difficult, if not impossible, to discharge his public duties without the hazard of mingling private with public interests. In giving these orders and the reasons for them, the general does not assume that any actual pecuniary loss has been sustained by the United States in the payment of the Maritousky vouchers, nor does he deny the right of an officer to purchase, either in his own or his wife's name, property in the market for sale. But it is not just either to the officer, to the quartermaster's department, or to the army, that an officer should be required to remain at a post where he cannot discharge his public duties without incurring suspicions to the prejudice of his own and the public interest; and when, as in the present case, the embarrassments have been created chiefly by the agency of the officer himself, it becomes more imperatively necessary to change his station.

III. The court of inquiry, of which Brevet Major A. B. Eaton is president, is dissolved.

IV. Captain M. S. Miller, assistant quartermaster, on being relieved by Brevet Major McKinstry, at Fort Reading, will proceed to San Diego and relieve Lieutenant Eddy in charge of the quartermaster's depôt.

By order of General Hitchcock:

E. D. TOWNSEND,  
*Assistant Adjutant General.*

ADJUTANT GENERAL'S OFFICE,  
Washington, July 12, 1854.

GENERAL: Your orders upon the proceedings of the garrison court martial, convened at the Presidio of San Francisco pursuant to "post orders" No. 3 of May 27, as conveyed to Brevet Major Thomas by your letter of June 13, declaring the proceedings void, for the reasons stated, have been received and *are approved*.

I have the honor to be, general, very respectfully, your obedient servant.

W. G. FREEMAN,  
*Assistant Adjutant General.*

Brevet Major General J. E. WOOL,  
*Com'ding Dep't of the Pacific, Benicia, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, July 28, 1854.

SIR: I have the honor to acknowledge the receipt of general orders No. 8 and special orders from 88 to 98.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Colonel S. COOPER,  
*Adj't General U. S. Army, city of Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, July 31, 1854.

SIR: I have the honor to forward herewith copies of a correspondence with the legation of the United States at Mexico on the subject of the Mexican consul's arrest in this city.

I have the honor to be, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Hon. JEFFERSON DAVIS,  
*Secretary of War.*

LEGATION OF THE UNITED STATES,  
Mexico, April 22, 1854.

SIR: In an interview with the minister of foreign relations of the government of Mexico, he informed me that intelligence had been received of the imprisonment of the Mexican consul, Señor Vallé, at San Francisco by the federal or military authority of the United States. In reference to which, though not well advised of the particulars, he

requested to make the following remarks, and desired of me to communicate the same to you :

“With the view of destroying all motives for the lawless enterprises which the Count de Raousset was attempting to stimulate amongst the French in California, and indirectly to further the measures adopted by the United States government to this end, instructions have been transmitted by his government to Señor Vallé to offer as an allurements to those Frenchmen who might be induced to enlist with Raousset military service in the Mexican army for a certain term, at the expiration of which lands were to be apportioned them as colonists; that these instructions had not been given with the slightest idea of violating the laws of the United States, or of forming any hostile organization in the territory of a friendly nation, since they had been published in the public prints of San Francisco, without mystery, on the part of Señor Vallé. Notwithstanding the spirit and intent with which these instructions were issued, should they happen to come in contact in their execution with any prohibition of the United States, the government withdraws them, and would ask neither men nor arms without previous permission of the proper authorities; and that Señor Vallé had been directed not to give the least cause of offence to the authorities, but in every respect to yield obedience. In consequence of this frank explanation the minister desires the consul to be put at liberty, and left in the free exercise of his functions; and should he on any future occasion act in contravention of the laws or provisions made by the United States, information be given him of the fact that he abstain from further violation.”

Not being in possession of the circumstances, I feel called upon simply to bring the substance of the minister's remarks to your notice, in compliance with a desire expressed by his excellency, to avoid misunderstanding upon a subject that cannot be represented in Washington before the next twenty-five days.

Very respectfully, your obedient servant,

JOHN S. CRIPPS.

General Wool, *Com'nding U. S. forces, Cal.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, July 29, 1854.*

SIR: Your communication of the 22d April last, relating to the arrest of the Mexican consul, was not received until yesterday, from M. E. Barron, esq., who reports himself as acting consul for Mexico, in the place of Señor del Vallé, who leaves this day on his return for Mexico.

In reply to which, I hasten to observe that soon after my arrival in San Francisco, Watkins, who had raised publicly in the streets of San Francisco two hundred and forty men, and conducted them to Walker, returned, and, as I was informed, in connexion with Count Raousset, was engaged in raising more men to reinforce Walker. It was under these circumstances that I asked for the arrest of Watkins, when he was tried and convicted. Soon after I learned that the Mexican con-

sul was engaging foreigners, principally Frenchmen, to emigrate to Guayamas. I called on Señor del Vallé, to ascertain the object, when he informed me that he had instructions from President Santa Anna to procure a thousand men, and to include in the number as many Frenchmen of Count de Raousset's party as he could detach from the count to settle in Sonora, and do fealty to the government, for which lands would be given them. I asked him if he was aware of the character of the men he was about to engage. He replied that he thought they could be relied on, as they would come recommended by the passports of the French consul, to whom he had written on the subject, and that he had chartered the ship Challenge to convey them to Guayamas. I informed him that he had been deceived, and that the party, instead of settling in the country and doing fealty to the government, would become a filibustering one, and I had no doubt would be commanded by Count Raousset de Boulbon, who intended to relieve Walker from his perilous condition. At any rate, I remarked that it was an ill-timed expedition, and whether intended for good or evil purposes, would give me a vast deal of trouble. If it was permitted to depart, as it was generally understood to be a filibustering party, it would encourage others so inclined to follow, and, instead of checking filibustering against Mexico, it could not fail to promote it. Being satisfied of the truth of what I said, Señor del Vallé set about to break the contract made with Chauviteau and Cavailler, from whom the ship Challenge had been chartered to take the men to Guayamas. Afterwards, however, being overruled by the advice of the French consul, he determined to fulfil his contract, and to send to Guayamas the 1,000 men, principally Frenchmen, to be followed by 2,000 more. Being assured myself that he was deceived, and that if either the 1,000 or 3,000 men should be landed in Sonora, that they would be commanded by Count de Raousset, and that he would take possession of the country, either as revolutionist or in the name of the French government, I determined to break up the expedition. Hence the arrest of the Mexican consul, his trial, and conviction. It is, however, due to the consul to say that I do not believe originally that he had any intention of violating the neutrality laws of the United States. He was the dupe of the French consul, who, I have no doubt, was acting in concert with Count de Raousset, for the purpose of introducing into Sonora, under the sign-manual of Santa Anna, three thousand Frenchmen, to be commanded by the count, and for the purposes above mentioned. Hence the great anxiety of the French consul that the ship Challenge should proceed with the expedition, and hence his repeated pledges to me, notwithstanding his letter to the French consul at Guayamas, herewith enclosed, of the "honor of France and his own honor that these men would never fight for Santa Anna, for they were all red republicans and revolutionists."

By the detention of the ship Challenge, and other obstacles thrown in the way of fitting out the expedition, the schemes of the French consul and Count de Raousset were defeated, which compelled Walker to abandon Lower California, and surrender himself and party as prisoners. The result of which was the arrest, trial, and conviction of Watkins, Emory, the Mexican consul, the arrest and trial of the French consul. The latter was acquitted; the jury stood ten for conviction and



two for acquittal. If he had been tried a second time, he would unquestionably have been convicted.

With the Guayamas letter, I send you a correspondence between myself and the French consul. You will observe that in a conversation with him, in the presence of the Mexican consul and others, when I charged him with aiding in the fitting out of a fillibustering party, he declared that he knew nothing of the expedition, and in giving or granting passports to Frenchmen he was only acting in accordance with the wishes of the Mexican consul. In his letter to me, of the 20th March, where he alludes to giving passports, he says: "I had no advice to give them whether they had better go or stay." From all which M. Dillon intended that it should be inferred that he knew but little about the expedition, and cared less. And yet, by his letter of the 27th March, it would seem that he knew all about it, and that he took a deep interest in the success of the expedition; at the same time takes great credit to himself for detaching from Count de Raousset five hundred and fifty men, who were to enter the Mexican army, and were to receive the same rank and pay that they had in the French army. One or two days before the date of that letter, he repeatedly pledged the honor of France, and his own honor, that the same party were merely emigrants going to settle in Sonora, without reference to the performance of any military duty whatever, and that I might rest assured they would never fight for Santa Anna, for they were all red republicans and revolutionists.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

JOHN S. CRIPPS, esq.,

*Chargé d' Affaires, U. S. Legation, Mexico.*

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ADJUTANT GENERAL'S OFFICE,

*Washington, August 3, 1854.*

GENERAL: Your communication of July 1, to the assistant adjutant general at the headquarters of the army, reporting that you had suspended the execution of the orders directing the transfer of the headquarters of the department of the Pacific from San Francisco to Benicia, has been submitted by the general-in-chief to the Secretary of War, by whom I am instructed to say, that the subject was fully considered before the change was directed, and he now sees no sufficient reasons for revoking the order. The transfer of your headquarters will, accordingly, be made as originally directed. If, however, the presence of troops at the Presidio of San Francisco be necessary to prevent intrusions upon the government reservations at that place, the Secretary of War directs that a sufficient guard be left for that purpose.

Very respectfully, sir, your obedient servant,

S. COOPER,

*Adjutant General.*

Bvt. Maj. Gen. JOHN E. WOOL.

*Com. Dep't of the Pacific, San Francisco, California.*

ADJUTANT GENERAL'S OFFICE,  
Washington, August 4, 1854.

SIR: Upon referring to my communication of yesterday, in relation to the guard to be left at the Presidio of San Francisco, to prevent intrusions upon the government reservations at that place, I find it not so positive as the Secretary of War desires it should be, and I am now instructed by him to say, that a guard of sufficient strength to effect the object above indicated will be left at the Presidio.

Very respectfully, general, your obedient servant,

S. COOPER,  
Adjutant General.

Bvt. Maj. Gen. JOHN E. WOOL,  
Com. Dep't of the Pacific, San Francisco, California.

ADJUTANT GENERAL'S OFFICE;  
Washington, August 4, 1854.

SIR: I have the honor to enclose, herewith, a copy of the instructions of the War Department, of the 2d instant, charging Second Lieutenant John Withers, fourth infantry, with the construction of the extension of the military road from Myrtle creek to Scottsburg, Oregon Territory.

It is the intention of the War Department that Lieutenant Withers should not relinquish his appointment as regimental quartermaster, or be separated from his military duties to any greater extent than may be absolutely necessary for the execution of the duties entrusted to him by the Secretary of War.

Very respectfully, general, your obedient servant,

S. COOPER,  
Adjutant General.

Bvt. Maj. Gen. JOHN E. WOOL,  
Com. Dep't of the Pacific, San Francisco, California.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, August 14, 1854.

SIR: I have the honor to acknowledge the receipt of general orders No. 9, and special orders from 99 to 108.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
Major General.

Colonel S. COOPER,  
Ad't Gen'l U. S. Army, city of Washington, D. C.

ADJUTANT GENERAL'S OFFICE,  
Washington, August 16, 1854.

GENERAL: The Secretary of War directs that company I, 1st artillery, be detailed, and held in readiness for duty as the escort of that portion of

the Mexican boundary commission, engaged in the survey of the boundary from the Colorado river to the Rio Grande. The company will take with it only such clothing, camp, and garrison equipage as may be required in the field, and as it will not return to California, you will direct that the battery, and other property not required on the march, to be turned over to the proper departments in California. It is, of course, impossible to determine here how long the company will be engaged on this duty, but you will please give such directions as will insure its being properly supplied and equipped for the service required of it. The officer in charge of the survey will be instructed to report to you when the services of the escort will be required.

Very respectfully, general, your obedient servant,

S. COOPER,  
*Adjutant General.*

Bvt. Maj. Gen. JOHN E. WOOL,  
*Com. Dep't of the Pacific, Benicia, California.*

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WAR DEPARTMENT,  
*Washington, August 18, 1854.*

SIR: Your letter of the 30th of May has been duly received. You permit yourself to employ a style of complaint, and even in some degree, of reproach to the department, on account of the decision on Captain Stone's drafts, and the instructions sent to you in my letter of the 14th of April, in regard to your authority to suppress illegal expeditions against the Mexican territory. In this connexion, I will here take occasion to remind you that while you choose to hold the high commission of general in the army, you assume an obligation to render due respect and cheerful obedience to the authority and orders of this department.

The department did not object to the prudence and economy of your orders for the erection of a suitable storehouse in the ordnance depôt at Benicia. Of this you must have been sensible, from the terms in which the decision of the department was communicated to you, and from the further fact that there was no appropriation applicable to the object for which you had ordered the expenditure. If, therefore, Captain Stone "had been subjected to the sacrifice," as stated in your letter, the responsibility of placing him in that position rested with yourself and not with this department.

An appropriation was made in the army appropriation act on the 4th instant, for the purchase of a site and erection of an arsenal at Benicia. Under the act of September 11, 1841, (Cross' Military Laws, 272,) no part of this appropriation can be expended until the Attorney General shall have given his opinion that the title to the site is valid, and the legislature of California shall have given its consent to the purchase. Pursuant to this provision of law the deeds have been submitted to the Attorney General, and an application forwarded to the governor of California to procure the consent of the legislature. When these conditions shall have been fulfilled, the appropriation will be available to refund the amount expended by Captain Stone in building.

To reimburse the expenses incurred by the protest of the draft, &c., will require a special act, which an effort was made by the department without success to procure at the last session, but which it is hoped will be passed hereafter.

My letter of the 14th of April, is explanatory of the instructions of the 12th of January, so far as relates to unlawful expeditions against the territories of foreign powers. It is not necessary to argue whether your construction of them is sustained by their letter. It is sufficient to the department to presume that the interpretation you originally put on them was sincere, and that you acted in accordance with that interpretation; but, when you received my letter of the 14th of April, stating to you the construction that the department designed you to place on your instructions, you should have been content to act in conformity thereto. Doubtful questions may arise in regard to the powers vested in the President to enforce our neutrality laws, and the extent to which he may devolve authority for that purpose upon military officers. These laws have not yet received, in all points, a full judicial consideration. But it is understood from the language of the Supreme Court that the President *may* authorize a general in command to use his command *directly* against violators of these laws, and without the interposition of the civil authorities. But the court were also of opinion that this "high and delicate power" ought only to be exercised when "by the ordinary process, or exercise of civil authority the purposes of the law cannot be effectuated," and when military or naval force is "necessary to ensure the execution of the laws." Upon these principles the instructions to you were framed, and it was only designed that you should act in coöperation with the civil authority, and in cases where your aid was necessary to sustain and enforce that authority.

But the instructions of the 12th of January embraced other matters which had been confided to you of equal importance, and which, if attended to, would necessarily have required your presence elsewhere than in the city of Francisco, for, at least, a portion of your time; and this was the more expected from the assurances of your determination to make a thorough personal inspection into every branch of the military service embraced in your command. The department is not aware that these inspections have yet been made, however advantageously they might have resulted to the service.

You again refer to your oft-repeated requisitions for more troops, and, notwithstanding my letter of the 14th of April was sufficiently full and explicit on this point, and, although you admit that you could not expect any more regiments until an increase of the army by an act of Congress, you permit yourself to censure the department for not sending you a certain number of recruits, which, you remark, you "might have at least expected," when you could not, by any possibility, know whether the department had that particular number, or, indeed, any number at its disposal; yet, when required to remove your headquarters to Benicia, you state, among the reasons why this change should not be made, the difficulty of finding places for the troops then at Benicia and at the Presidio. It would but add to the difficulty to send additional troops to your command, so long as you entertain the

opinion that troops cannot be posted in the field except at places where barracks are prepared for their accommodation.

Very respectfully, your obedient servant,

JEFFERSON DAVIS,

*Secretary of War.*

Brevet Major General JOHN E. WOOL.

WAR DEPARTMENT,

*Washington, August 28, 1854.*

SIR: I have the honor to acknowledge the receipt of your letter of the 31st ultimo, enclosing copies of your correspondence with the legation of the United States at Mexico, on the subject of the arrest of the Mexican consul at San Francisco, and to inform you that the attention of the State Department has been called to them.

Very respectfully, your obedient servant,

JEFFERSON DAVIS,

*Secretary of War.*

Brevet Major General JOHN E. WOOL,

*Com. Dept. of the Pacific, San Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, August 29, 1854.*

SIR: I have the honor to acknowledge the receipt of special orders from 109 to 120, and letter of 12th of July, approving my action on a garrison court martial at the Presidio.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Colonel S. COOPER,

*Adjutant General, U. S. Army, city of Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, August 31, 1854.*

COLONEL: Herewith I enclose a letter, dated the 16th of August, 1854, from the collector of the port of San Francisco, with my answer, dated the next day, the 17th of August, which I request the general-in-chief will have forwarded to the Secretary of War.

I am, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major General.*

Lieutenant Colonel L. THOMAS,

*Assis't Adj't Gen'l, headquarters army, New York.*

[Endorsement.]

HEADQUARTERS OF THE ARMY,  
New York, September 26, 1854.

Respectfully forwarded by command of General Scott.

L. THOMAS,  
*Assistant Adjutant General.*

Respectfully submitted to the Secretary of War. The correspondence transmitted by General Wool relates to the anticipated organization of a hostile expedition against the Sandwich Islands.

S. COOPER,  
*Adjutant General.*

ADJUTANT GENERAL'S OFFICE, September 29, 1854.

[Confidential.]

CUSTOM-HOUSE, SAN FRANCISCO,  
*Collector's Office, August 16, 1854.*

SIR: I deem it my duty to inform you that I have been *confidentially* advised by the United States commissioner at the Sandwich Islands, D. L. Gregg, esq., that two persons, named J. D. Blair and — Lathrop, arrived in this city by the steamer Polynesian, from Honolulu, a few days since, having in view the organization of a force intended to operate against the present government of those islands, and to declare its separate independence.

The commissioner further states that the said Blair and Lathrop are *ostensibly* warm supporters of the projected annexation of that country to the American Union, but are, in fact, devising schemes hostile to such annexation and to American interests in the Pacific.

If you still regard this subject of fillibustering as coming within the range of your present duties, I shall be pleased to confer with you, and to second any plan you may propose to check the evil in question.

Very respectfully, your obedient servant,

RICHARD P. HAMMOND, *Collector.*

Major General JOHN E. WOOL,

*U. S. Army, Comd'ing Pacific Div., San Francisco, Cal.*

A true copy:

E. D. TOWNSEND,  
*Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, August 31, 1854.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, August 17, 1854.*

SIR: I have received your confidential communication of the 16th

instant, by which I am informed that "J. D. Blair and ——— Lathrop arrived in this city by the steamer Polynesian, from Honolulu, a few days since, having in view the organization of a force intended to operate against the present government of those islands, and to declare its separate independence."

In the conclusion of your communication you remark that "if you still regard the subject of fillibustering as coming within the range of your present duties, I shall be pleased to confer with you, and to second any plan you may propose to check the evil in question."

In reply to all which I would observe that since the trial of Watkins and others for violating the neutrality laws, I have received from the Secretary of War the following instructions. Referring to previous instructions on the unlawful expeditions sailing from the coast of California, he says: "It was not expected or desired that the military commander should do more than belongs to the ordinary relations of the civil and military power, and in instructing you to aid the civil authorities, it was not intended that you should originate arrests and prosecutions for civil misdemeanors."

By which you will perceive I am restricted to simply rendering aid to the civil authorities in all cases of fitting out unlawful expeditions against foreign powers.

In conclusion, I have only to remark any aid coming within the purview of my instructions will be most cheerfully and promptly rendered to the civil officers in all cases touching the violation of our neutrality laws.

Very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Hon. R. P. HAMMOND,  
*Collector, San Francisco, California.*

[Endorsement.]

If the collector desired the military commander of the Pacific department to originate arrests and prosecutions for civil misdemeanors he has properly declined, and his decision to confine himself to rendering assistance when required by the collector to aid him in the discharge of his duties is in conformity with the views of this department. Copies of the within correspondence having been sent direct to the Secretary of State, and received at the State Department before it reached the War Office, it is unnecessary to make any communication to that department on the subject.

JEFFERSON DAVIS,  
*Secretary of War.*

WAR DEPARTMENT, *October 1, 1854.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 11, 1854.*

SIR: I have the honor to acknowledge the receipt of—

General orders, No. 10.

Special orders, from 121 to 132.

Letter of August 4, enclosing instructions to Lieutenant Withers.

Letters of August 3 and 4, in relation to the change of department headquarters.

Two packages of blanks.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL.

*Major General.*

Colonel S. COOPER, *Adj't General, U. S. Army,*  
*City of Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 14, 1854.*

SIR: I have the honor to report, that a military post is now being built at the Cañada de las Uvas, fifteen miles southwest of the Tejon Indian reservation, which is to be called Fort Tejon, to indicate its location. I have assigned Brevet Lieutenant Colonel B. L. Beall, major 1st dragoons, to the command, and company A, 1st dragoons, is now there as a garrison. The recent reduction of the limits of the reserve prevented the post from being placed within its limits; Santa Barbara, California, is now the nearest post-office. Having in June last heard reports of Indian hostilities, near Whidby's island, W. T., I sent instructions to Lieutenant Colonel Bonneville, at Fort Vancouver, to render any assistance in his power, in that section. I have just received, in reply, a report from Lieutenant Russell, commanding Fort Steilacoom, in which he states that the difficulties are for the present settled. "The disturbance had its origin in the *supposed* murder of two or three white men by the Indians. The chief ones engaged in those outrages have been apprehended, and are now in confinement in the guard house, at this post, awaiting trial by the civil authority of the territory." "The most recent difficulty was occasioned, by a descent of a party of northern Indians, residing in the Russian territory, upon the settlements in Bellingham bay. This is the most northern portion of Washington territory, being within a few miles of the 49th parallel. The settlers there are more liable to the incursions of the tribes beyond the jurisdiction of the United States, who are able to make a descent in their canoes, and retreat before any force can be brought against them. The only sure method of effectually checking these Indians, at the same time giving additional security to the settlements between this post and that point, would be, in my opinion, to establish a post of one company at Bellingham bay, or in that vicinity."

Lieutenant Colonel Bonneville remarks, in addition to this, that acting Governor Mason thinks, "the only effective method to check the incursions of the Russian Indians is to have on Puget sound a steam



revenue cutter," to pursue them in their canoes. I have not now an available company for the new post suggested by Lieutenant Russell, but shall take this measure into consideration by the time Lieutenant Colonel Steptoe arrives with his battalion. He ought soon to be here.

In reply to a communication to Captain A. J. Smith, 1st dragoons, commanding Fort Lane, in which I called his attention to apprehended difficulties with the immigrants and the Indians, near Gosse Lake, he informs me that all necessary measures have been taken in that quarter, and he is on the alert to prevent disturbances. It seems a company of volunteers has been mustered into service, by the authority of the governor of Oregon, but Captain Smith is of opinion that they were not needed, and that it was done upon the representations of speculators, who expected to be benefitted by furnishing supplies.

Reports from Major G. J. Rains, 4th infantry, commanding Fort Dalles, O. T., informs me, that "on August 20, the emigrants *en route* for the west were attacked on Boise river, a branch of the Snake river, and eight men killed, and four women and five children carried away captives, with all their property.

"Assistance was asked for by the Indian agent, (Mr. R. R. Thompson,) and others, and I, (Major Rains,) dispatched Brevet Major Haller, Lieutenant Macfeely, and Assistant Surgeon Suckley, with 26 soldiers, to the scene of difficulty." Major Haller left August 30, and since, a company of volunteers having offered, 30 strong, their services were accepted, and they were furnished with arms, horses, ammunition and rations, and left here, (Fort Dalles,) yesterday, August 31.

The scene of this outrage was fifteen miles from Fort Boise, and about three hundred miles from Fort Dalles, the nearest military post. The Win-nass Indians, who are those concerned, are said to number six hundred warriors, and are believed to be all hostile.

Lieutenant Colonel Bonneville has sent company L, third artillery, from Fort Vancouver to the Dalles, with 6,000 rounds of cartridges. A Mr. John F. Noble, living on Malheur river, twenty miles west of Fort Boise, who appears to have influence with the Indians, has also gone out with a half-breed Snake Indian, to endeavor to recover the captives and their property. Colonel Mansfield, inspector general, happened to be at Fort Dalles when the information arrived there. He writes from Fort Vancouver, the 4th instant, that "Major Raines has acted promptly and efficiently. He was able to mount all the infantry and volunteers, and Colonel Bonneville has sent the artillery company from this post to Fort Dalles. No further steps need now be taken as to movement of troops at this season of the year, till further developments."

I enclose herewith a copy of instructions sent to Lieutenant Colonel Bonneville, to use all diligence which the means at his disposal will permit. A part of the office furniture attached to the department headquarters was sent up to Benicia some ten days ago. I am only waiting for the return of the transport to move the remainder. An accident which happened to the vessel has detained her. As will be seen by "special orders," No. 86, I have sent a detachment from the company at the Presidio to Fort Orford to relieve the detachment from the

company at Benicia barracks, this arrangement appearing to be more in accordance with the views of the honorable Secretary of War.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Lieut. Col. L. THOMAS, *Assist. Adjutant General,*  
*Headquarters of the army, New York.*

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HEADQUARTERS OF THE ARMY,  
*New York, October 12, 1854.*

Respectfully referred to the adjutant general.

L. THOMAS,  
*Assistant Adjutant General.*

Respectfully submitted to the Secretary of War.

S. COOPER,  
*Adjutant General.*

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Inquiry will be made as to the cause of the small limits of the reserve. The posts designed to protect and control the Indians, to be collected on the military reserves, to be effective, should certainly be on the reserves. The want of troops in Oregon is apparent, and will be remedied as soon as possible.

JEFF'N DAVIS,  
*Secretary of War.*

WAR DEPARTMENT, *October 13, 1854.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 13, 1854.*

SIR: Your two letters of August 31, in relation to Indian difficulties on Puget sound and Boise river have been received.

The general commanding entirely approves the measures taken by yourself and Major Raines, and he desires you to omit no proper expedient to maintain peace in the Territories of Washington and Oregon. The troops and depôt at Fort Vancouver are intended to operate in any quarter where they may be needed, and the general relies upon your energy and judgment to turn them to the best account. He desires you to send a mountain howitzer to Fort Dalles if there is not one already there, and, if occasion should arise, you will not hesitate to forward any ammunition or other stores to any post within your range.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
*Assistant Adjutant General.*

Lieut. Col. B. L. E. BONNEVILLE, *4th infantry,*  
*Fort Vancouver, W. T.*

ADJUTANT GENERAL'S OFFICE,  
Washington, September 15, 1854.

SIR: It is observed, by the July past return of Fort Humboldt, that Captain Judah has been transferred from company E to company F, 4th infantry, by a regimental order, No. 33, of June 10, 1854. As regimental commanders under the regulations have no power to make such transfers, you will please direct Lieutenant Colonel Bonneville to revoke his order. Captain Floyd Jones has succeeded by regular promotion to company F.

I am, sir, very respectfully, your obedient servant,  
S. COOPER, *Adjutant General.*

Brevet Major General J. E. WOOL,  
*Comd'g Dept. of the Pacific, Benicia, California.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
Benicia, September 26, 1854.

SIR: I have the honor to acknowledge the receipt of general orders 11 and 12, special orders from 133 to 141, letter of August 16, detailing company I, 1st artillery, as an escort to the boundary commission, letter of August 16, in relation to issue of provisions to the parties on Mexican boundary survey.

I am, sir, very respectfully, your obedient servant,  
JOHN E. WOOL, *Major General.*

Colonel S. COOPER,  
*Adjutant General U. S. Army, City of Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
Benicia, September 27, 1854.

SIR: I enclose herewith copies of a correspondence with the Hon. James Gadsden, our minister to Mexico, which I request may be forwarded to the War Department.

I also enclose, for the information of the general-in-chief, a copy of a letter from Brevet Colonel Wright, dated the 20th instant, in relation to Indian affairs.

I am, sir, very respectfully, your obedient servant,  
JOHN E. WOOL, *Major General.*

Lieutenant Colonel L. THOMAS,  
*Ass't Adj't Gen'l, Headquarters of the Army, New York City.*

[Endorsement.]

HEADQUARTERS OF THE ARMY,  
New York, October 28, 1854.

Respectfully referred to the Adjutant General.

L. THOMAS, *Ass't Adj't General.*

Respectfully submitted to the Secretary of War.

W. FREEMAN, *Ass't Adj't General.*

ADJUTANT GENERAL'S OFFICE, October 30, 1854.

LEGATION UNITED STATES,  
*Mexico, August 2, 1854.*

DEAR SIR: It appears from recent intelligence from Guayamas that Count de Raousset has succeeded in placing himself at the head of the French recruits whose embarkation from San Francisco you essayed without success to arrest, and threatens an emeute in Sonora, which has given much alarm to the high functionaries of this central power. The minister of relations informs me that he has advices of expeditions preparing at San Francisco to embark and aid in co-operation of the designs of the French fillibusteros, whose beginnings seem to be of higher promise than those under the lead of an unsuccessful predecessor. I place at your disposal, and as a stimulus to your vigilance, the information conveyed by the minister, that you may act in the premises as your instructions direct.

The conduct of both the French and Mexican consuls merit the severest reproof from their respective governments, and Mexico can have no just cause of complaint against the United States while she permits an accredited subordinate officer to connive at, if not to encourage, illegal enterprises from an American port, reserving at the same time the right of remonstrance.

These proceedings, however inexplicable, cannot deter you, however, from fulfilling the obligations which our government recognizes as binding in all the relations with other powers, illustrating in practice what our political institutions inculcate.

If the French and Mexican consuls at San Francisco are not dismissed, I have suggested to the State Department the obligation of the government of the United States withdrawing their exequaturs without delay.

Yours truly and respectfully,

JAMES GADSDEN.

Major General Wool,  
*San Francisco.*

A true copy: E. D. TOWNSEND, *Ass't Adj't General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*Benicia, September 27, 1854.*

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BENICIA, CALIFORNIA, *September 25, 1854.*

DEAR SIR: By the last steamer from Panama, the 20th instant, I received your communication, via New Orleans, dated the 2d instant, relating to advices to the Mexican minister of foreign relations, that an expedition is preparing at San Francisco to embark in aid and co-operation of the designs of the French fillibusteros, commanded by Count de Raousset, near Guayamas.

In reply, I would remark, that soon after I arrived at San Francisco I was called on to put in execution the following instructions from the Secretary of War and from the President of the United States:

“WAR DEPARTMENT,  
“Washington, January 12, 1854.

“SIR: In addition to the ordinary duties of the military command to which you have been assigned it is deemed proper to direct your attention to certain special duties which will devolve upon you.

“Among these will be the duty of maintaining our international obligations by preventing unlawful expeditions against the territories of foreign powers, Confidence is felt that you will, to the utmost of your ability, use all proper means to detect the fitting out of armed expeditions against countries with which the United States are at peace, and will zealously co-operate with the civil authorities in maintaining the neutrality laws.”

The President in his proclamation of the 18th January, 1854, having reference to all who might violate our neutral obligations with Mexico, “calls upon all officers of this government, civil and military, to use any efforts which may be in their power to arrest for trial and punishment every such offender.”

Under the positive and unequivocal instructions of the Secretary of War and President's proclamation, I was the cause of the arrest, trial, and conviction of Colonel Watkins and the Mexican consul, and the trial of the French consul, who was not convicted. The jury stood ten for conviction and two for acquittal. Had he been tried a second time, he would unquestionably have been convicted. (See my letter to Mr. Cripps, in your absence, dated July 27, 1854.)

After these arrests, trials, and convictions, I received from the Secretary of War the following interpretation of his instructions :

“WAR DEPARTMENT,  
“Washington, April 14, 1854.

“SIR: \* \* \* \* \*

“Your remarks in relation to unlawful expeditions sailing from the coast of California suggests the propriety of referring you to your instructions upon this subject. It was not expected or desired that the military commander should do more than belongs to the ordinary relations of the civil and military power; and in instructing you to aid the civil authorities it was not intended that you should originate arrests and prosecutions for civil misdemeanors. You will readily perceive that consequences injurious to the public service would probably follow from such interference by the military with the functions of the civil officers.”

By all which, you will perceive, I have been restricted in my powers and required to await the call of the civil officers to aid them in the execution of the neutral obligations of the country. Since the receipt of his interpretation I have waited the call of the civil officers, but no call has yet been made.

Several expeditions have been talked of, one to aid Count de Raousset, which has been checked by his recent defeat and imprisonment at Guayamas. Another is contemplated to the Sandwich Islands, to revolutionize the government and establish an independent republic.

An agent, as I am informed, has gone to Honolulu to ascertain whether such a movement would be successful. On his return, if he should report favorably, an expedition, no doubt, would be immediately fitted out for the Sandwich Islands. Whether or not the civil authorities have adopted any measures to defeat such a scheme I am not informed. Having been ordered to make my headquarters at Benicia, I am beyond the reach of news, or the means of ascertaining what is going on in San Francisco. Dillon, the French consul, and some of the filibustering community, assert that my removal to Benicia is condemnatory of my course towards them.

I have the honor to be, with considerations of the highest respect,  
truly yours;

JOHN E. WOOL,  
*Major General.*

His Excellency JAMES GADSDEN,  
*Minister Extraordinary and Plenipotentiary  
to the Government of Mexico.*

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HEADQUARTERS, FORT READING,  
*September 20, 1854.*

MAJOR: A few days since I received a deputation of the principal chiefs and headmen of the Indians residing on the lower Pitt and McCloud rivers, the same whom I visited in August. They appear to be very friendly disposed towards our people, and give every assurance of doing all in their power to prevent any depredations being committed by their young men. As an instance of their sincerity and determination to preserve peace and a good understanding, they related to me several times the punishment they had inflicted on one of their men who had stolen a sack of flour from a citizen residing at or near Pittsburg, a small mining town north of Pitt river. It appears that they traced out the thief, recovered the flour and returned it to its owner, and executed the Indian on the spot. I had previously received the same report from respectable white people in that vicinity. Some evil disposed person had circulated a report among these Indians that my design in getting them to visit the post was to put them all to death, and they were some days on the Pitt river before they approached this place, and it was only through the influence of the chief of the Cow Creek Indians (Nometeneman) that they were persuaded to do so. They were perfectly satisfied with the result of their visit, and everything is now perfectly quiet.

As we have no Indian agent in this district, I have been compelled to assume that duty myself, according to the regulations. At the councils I have held with them remote from this post, as well as the deputations I have received from different tribes, I have necessarily had to issue to them provisions. I have given them but a very small quantity, yet I know not how far I am authorized to issue them any articles of food from the commissary stores; but under the special circumstances of the case, I doubt not of approval.

I feel that the Indians in northern California have been much neg-

lected. The large appropriations made by Congress have been expended mostly in the southern portion of the State, save only *two* bales of red cloth sent to me, which I have given out.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brevet Colonel U. S. Army, Commanding.*

Major E. D. TOWNSEND,

*Assis't Adj't Gen., Headquarters Depart. of the Pacific,  
San Francisco, California.*

A true copy :

E. D. TOWNSEND,

*Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*Benicia, September 27, 1854.*

ADJUTANT GENERAL'S OFFICE,

*Washington, October 2, 1854.*

GENERAL: Second Lieutenant *J. G. Parke*, topographical engineers, has been directed to make an exploration of the country between Los Angelos, California, and Fort Fillmore, New Mexico, and the Secretary of War directs that a fort escort of an officer and (not to exceed) fifty rank and file be organized, and directed to report to that officer at Los Angelos, California, at such time as he may indicate to you. A suitable officer, (First Lieutenant *Stoneman*, 1st dragoons, if he is within reach) will be detailed to perform the duties of quartermaster and commissary to the expedition.

If Lieutenant *Parke* should consider a smaller number of men than that above indicated sufficient for his purposes, you will please reduce the strength of the escort in accordance with his wishes.

The escort will be organized from the companies of the 3d artillery serving in southern California.

You will please direct that the escort be provided with everything essential for efficient service; but as it will return to California when this duty is completed, only the camp and garrison equipage necessary for duty in the field should be taken. It is desired that the officer detailed for duty with the escort should be junior to Lieutenant *Stoneman*.

Very respectfully, your obedient servant,

S. COOPER,

*Adjutant General.*

Bvt. Maj. Gen. JOHN E. WOOL,

*Com. Dep't of the Pacific, Benicia, California.*

BENICIA, CALIFORNIA, *October 11, 1854.*

SIR: I have the honor to acknowledge the receipt of your letter of August 26. Also, of sixteen packages of blanks, and two of instructions for the muster of volunteers.

As I have received no orders in reference to these blanks, which appear to have in view the muster into service of volunteers, I presume they are to be distributed whenever volunteers accompany regular troops, upon any sudden emergency, against Indians, though my impression is, there is no authority for recognizing the service of such volunteers.

With great respect, your obedient servant,

E. D. TOWNSEND,  
*Ass't Adj't General.*

Colonel S. COOPER,  
*Adj't General U. S. Army, city of Washington.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*Benicia, October 13, 1854.*

SIR: I have received your communication of August 18, 1854, in answer of mine to you the 30th May, 1854.

Excepting the fourth and fifth paragraphs, I shall defer until some future period an answer to this communication.

In the fourth paragraph you remark: "My letter of the 14th April is explanatory of the instructions of the 12th January, so far as relates to unlawful expeditions against the territories of foreign powers. It is not necessary to argue whether your construction of them is sustained by the letter. It is sufficient for the department to *presume* that the interpretation you originally put on them was *sincere*, and that you acted in accordance with that interpretation; but when you received my letter of the 14th of April, stating to you the construction that the department designed you to place on your instructions, you should have been content to act in conformity thereto."

In reply, it is due to myself to say, that I have been content to act, since I received it, strictly in accordance with your interpretation of your instructions of January 12, as will be seen by examination of a correspondence with Collector Hammond, in August last, forwarded to you through General Scott, August 31; and the correspondence with Mr. Gadsden, our minister at Mexico, in September last; a copy of which was transmitted to you through the same channel, by the mail of the 1st instant. But whilst I was content with your interpretation, which, however, I think I will be able to convince even yourself was an erroneous one, and not the one intended by you when you drew up my instructions, I was not content to be represented as exceeding my instructions, and doing that which was neither expected or desired of me, namely, the interfering, which I did not do, but which you apprehended, with the duties of the civil officers of the government. Hence my letter to you of May 30. No officer of the government can entertain higher respect for the civil departments of the government than myself, and none can be more ready, and go further to sustain them, in all their rights and prerogatives.

To convince you, however, that I was right and correct in my construction of your instructions, to say nothing of the interviews and conversations I had with you and the President on the subject, which were emphatic, and could not be misunderstood, I would simply refer you



to an extract of my communication to you dated January 7, 1854, which reads as follows :

“WASHINGTON, *January 7, 1854.*

“SIR: Agreeably to the conversation we had yesterday, and your expressed wishes, I have the honor to present my views in regard to some of the duties which may devolve on me as commander of the Pacific department.

“If I understand the object of my assignment, it is to preserve, as far as may be practicable, the peace and quietness of the inhabitants within and without, and to restrain those of our citizens from violating treaties on the neutrality of the country, by fitting out expeditions against nations with whom we were at peace. If I comprehend the law on the subject, in order to act efficiently in all such cases, it will be necessary for the President to delegate the power to me by special instructions.” \* \* \* \* \*

In conformity to these suggestions, and affirming my views, you transmitted to me your instructions of January 12, which, in connexion with this subject, are as follows :

“WAR DEPARTMENT,

“*Washington, January 12, 1854.*

“SIR: In addition to the ordinary duties of the military command to which you have been assigned, it is deemed proper to direct your attention to certain special duties which will devolve upon you.

“Among these will be the duty of maintaining our international obligations by preventing unlawful expeditions against the territories of foreign powers. Confidence is felt that you will, to the utmost of your ability, use all proper means to detect the fitting out of armed expeditions against countries with which the United States are at peace, and will zealously co-operate with the civil authorities in maintaining the neutrality laws.” \* \* \* \* \*

These instructions are strictly in accordance with the conversation I had with you and the President on the 17th December, 1853, when, according to the memoranda before me, made at the time, you asserted that it was a “question of peace or war,” referring to the importance of putting down the illegal expeditions forming against the territory of Mexico. So anxious was the President on the subject, that he wished me to reach California as soon as possible, and fixed as early a day as the 5th of January for the time of my departure from New York—this in order that these expeditions might be prevented if possible, as important negotiations being then pending with Mexico, it was necessary that prompt and decided measures should be taken at the earliest moment, lest there might be produced a rupture in our relations with that republic. It was also stated in that conversation that you wanted an officer of my discretion and judgment on whom to confer a command of such grave and delicate responsibility and necessary discretionary power, as it was too remote for you to exercise immediate control.

It was under these circumstances that I said that whatever might be the sacrifice, I would go and with pleasure, and that neither you nor

the President should have cause to regret that you had selected me for so important a command. At the same time I remarked that no officer should be entrusted with a mission of such importance and responsibility without possessing the most implicit confidence of the President, as well as the Secretary of War, which both assured me I possessed.

It was with my views of duty thus formed that I entered upon the command of the department in February, with a determination to carry out faithfully and to the fullest extent your views and those of the President, having no other object before me but the good of the country and the service. And what has been the result? In accordance with the expressed wishes of the President and your positive and unequivocal instructions, I prevented expeditions being fitted out against Mexico, was the cause of the arrest, trial, and conviction of Watkins, of the arrest, trial, and conviction of the Mexican consul, the arrest and trial of the French consul, who ought to have been convicted, and who would have been convicted had he been tried a second time, and compelled the surrender of Walker and his party. Through the vigilance of the officers stationed throughout the department I have preserved peace and quiet in the Indian country, erected batteries at a small expense for the protection of the harbor of San Francisco, and ordered an arsenal building to be erected at Benicia for the protection of the ordnance stores, and the establishment of a new post on the Indian reservation at the Tejon Pass.

Being confident that I was promoting the interests of the country, and that, in accordance with the wishes of the Secretary of War, I had anticipated his approval, but so far from realizing my anticipations, no act of mine seems to have met his approbation. His letter of April 14 is, from beginning to end, a rebuke, if not a direct censure. This was followed by an order removing me to Benicia, and ordering the troops away from the Presidio, which, had it been carried out, would have caused the loss of a million of dollars of public property. Censured because I had not fulfilled a voluntary desire to inspect my command, which I was unable to carry out owing to injuries received by a fall of a horse upon me, and two severe attacks of sickness; and if I had been able, would have been prevented by paramount duties, as I conceived them, and by being detained by civil process to attend the trials of Watkins, Del Vallé, and the French consul. In the meantime, Colonel Mansfield, an inspector general, arrived, who, as I conceived, had been sent to relieve me of so arduous a duty as that of traversing the vast regions of the department of the Pacific.

In conclusion, I would remark that I have thus honestly, sincerely, and frankly, and without intending the slightest disrespect to you or any one else, presented a vindication of my views and acts in regard to my instructions and the duties I was to execute in the Pacific department, and with the assurance that, according to my understanding of them, I have been "faithful in all things to the last degree," as I assured both you and the President I would be, at our last interview, on taking leave for my distant command.

I am, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Hon. JEFFERSON DAVIS, *Secretary of War.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
Benicia, October 14, 1854.

SIR: I have the honor to acknowledge the receipt of general orders, 13, and special orders from 142 to 149.

I am, sir, very respectfully, your obedient servant,  
JOHN E. WOOL,  
Major General.

Colonel S. COOPER, *Adj't Gen., U. S. Army,*  
*City of Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
Benicia, October 19, 1854.

SIR: I have the honor to acknowledge the receipt of your letter of September 15, in relation to the transfer of Captain Judah. Though the terms of your letter do not convey the authority of the honorable Secretary of War, I presume it was written under his directions.

In reply, I have to say, that under the provisions of the third paragraph of general orders, No. 33, of August 15, 1852, Lieutenant Colonel Bonneville submitted the mutual application of Captains Grant and Judah for a transfer, for my approval, which was given before the order was issued. On a similar application, Captains Russell and Floyd Jones have since been transferred. Conceiving that the general orders referred to is sufficient authority for Lieutenant Colonel Bonneville, with my approval, and that while the wishes of these officers concerned will be gratified, the service will be benefitted, I shall wait until I receive further instructions from the Secretary of War, before causing the orders to be revoked.

I am, sir, very respectfully, your obedient servant,  
JOHN E. WOOL,  
Major General.

Colonel S. COOPER, *Adj't Gen., U. S. Army,*  
*Washington city, D. C.*

ADJUTANT GENERAL'S OFFICE.  
Washington, October 21, 1854.

SIR: The application of First Lieutenant *L. C. Hunt*, 4th infantry, for extension of his leave of absence for the benefit of his health, and for permission to visit the Sandwich islands, or to return home by sea, if necessary, has been duly submitted to the Secretary of War, who authorizes Lieutenant Hunt to visit the Sandwich islands for the purposes indicated in his letter, if it should be found necessary. During his absence from his company, on account of ill health, he will be governed by the regulations published in general orders, No. 15, of 1853, and No. 18. of 1854.

Very respectfully, your obedient servant,  
S. COOPER,  
*Adj't General.*

Bvt. Maj. Gen. J. E. WOOL,  
*Com. Dep. of the Pacific, Benicia, California.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
Benicia, October 23, 1854.

COLONEL: I perceive by general orders, No. , the 6th regiment of infantry is to be ordered to the Pacific department. Presuming that the regiment will arrive in the course of three months from this time, I have deemed it proper to call the attention of the general-in-chief to the circumstances under which it would be placed if it should arrive during the winter months. The rainy season commences in November and continues until April. During this period it rains almost incessantly. It would not do, therefore, to place the men in tents, which I should be compelled to do unless I was authorized to place them on the seaboard, at posts where we have barracks, in which they could be quartered. To place them in tents, or, as the Secretary of War might order, "in the field," would place a large number on the sick report, whilst many, no doubt, would desert. To send them in the field, which I suppose means the Indian country, where their services would be required, could only be done in the winter season at an enormous expense, on account of the badness of the roads.

The troops not sick might march through the mud, but to transport the sick—and there would be many—and the necessary supplies, would cost some three or four times as much as it would after the rainy season is over. It would be much better in all respects for the regiment to arrive here in April, unless some ulterior object is intended to be accomplished, for instance, as has been conjectured, the annexation of the Sandwich Islands.

If any part of the regiment is intended for Utah, the troops ought to be sent by the land route, instead of the Isthmus and San Francisco. It would cost much less, and perhaps no loss of time. I presume the expense by the land route would not be half as much as by San Francisco or San Diego. The expense of transporting supplies from the Pacific to Utah would be enormous.

Emigration to California, as well as Oregon, will soon render several posts which have been established at a very heavy expense unnecessary. If it was left to my discretion to manage the affairs of California and Oregon, I would, in the course of the coming year, break up Forts Reading and Miller, and establish a temporary post in the Pitt river country, which will require heavy expenditures to furnish it with supplies, and also break up one or two posts in northern California and Oregon, and establish another post on Puget sound, and another, if it could be furnished at anything like a reasonable expense, at or near Fort Boise, on Snake river, to give protection to emigrants going to Oregon and Washington territories. A post, however, at this place, some three hundred miles east of the Dalles, would subject the government to a very heavy expense to keep it properly supplied. I would prefer a company of dragoons to traverse the country in the neighborhood of Fort Boise, during the summer, and at the approach of winter to return to the Dalles and remain until spring. I have now three companies of dragoons, but with broken down horses which are wholly unfit for distant service. To supply these companies with effective horses, such as the service requires, would cost in this country a very large sum.

Each horse fit for the service would cost from three to five hundred dollars.

When Colonel Steptoe arrives with his command, horses, perhaps, may be obtained for these companies. He, however, is not expected until next summer, as he winters at Salt lake. In such a case his horses will be much reduced, and will require some months to recruit them for effective service.

To break up posts, and to establish new ones, requires a large expenditure of money. Although troops might live in tents during the summer, they require barracks during the winter, and as much so as in any other part of the United States. Under these circumstances, before breaking up old posts, and establishing others, I would ask for special and explicit instructions on the subject. I would also leave the position of Steilacoom for another five miles distant, where the post gardens are located, and erect barracks for the troops. The buildings now occupied are miserable log huts, unfit for the habitation of troops, and for the most of which a high rent is paid.

All which is respectfully submitted, with the hope that the instructions asked for will be furnished in due season, and before the time arrives for operations in the spring. I ask for special instructions, because of the large amount which will be required to meet the expenses should the changes as suggested be approved, and to build barracks for the 6th regiment, which is expected. It will require at least one hundred and fifty thousand dollars extra.

I am, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Lieutenant Colonel L. THOMAS,

*Ass't Adj't Gen., Headquarters of the Army, New York.*

Approved and respectfully forwarded.

By command of General Scott.

IRVIN McDOWELL,

*Ass't Adj't General.*

HEADQUARTERS OF THE ARMY,

November 14, 1854.

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ADJUTANT GENERAL'S OFFICE,  
*Washington, October 28, 1854.*

GENERAL: Your letter of September 14 has been duly submitted to the Secretary of War, who instructs me to make the following reply to so much thereof as relates to the Tejon Indian reservation. On the 13th of April, 1853, instructions (of which the following is an extract) were sent to the commander of the Pacific division, to wit: "These reservations will be made, subject to your approval, by an officer whom you are hereby directed to detail for the purpose, in conjunction with the superintendent of Indian affairs in California, who will receive the necessary instructions from the Department of the Interior, and will report to you. You will please give such orders as will cause the selection to be promptly made."

The following is also an extract of instructions of the same date from the Department of the Interior to the superintendent, to wit: "The selection of the military reservations are to be made by you in conjunction with the military commandant in California, or such officer as may be detailed for that purpose, in which case they must be sanctioned by the commandant. It is likewise the President's desire, that in all other matters connected with the execution of this 'plan,' you will, as far as may be practicable, act in concert with the commanding officer of that military department."

In accordance with the foregoing instructions, the commanding officer of the Pacific division, in June following, caused an officer with a detachment of men to be detailed to proceed to Walker's Pass, with a view to meet the superintendent of Indian affairs, and communicate with him as the officer designated under those instructions. After visiting the Tejon and Walker's passes and waiting a reasonable time at each, the officer returned with his party without obtaining an interview with the superintendent.

Since then it does not appear that any steps have been taken to carry out the instructions of April 13, so far as relates to the co-operation of the military in determining upon the reservations. On the contrary, it would seem that the reservation referred to in your letter has been made wholly by the superintendent of Indian affairs, without any such co-operation, and, so far as the department is informed, without the previous approval of the military commandant. The Secretary of War considers that some explanation is necessary in regard to this matter, as well as a statement of all the circumstances which may have led to a reduction of the limits of the reserve which prevented the post from being placed within its limits and caused it to be established a distance of fifteen miles from the reserve, as mentioned in your letter. Posts designed to protect and control the Indians collected on the reserves, to be most effective, should be on those reserves; and you are desired to state whether suitable sites for such posts may not be found within the limits of the Tejon reservation.

Very respectfully, sir, your obedient servant,

S. COOPER,  
*Adjutant General.*

Bvt. Major General J. E. WOOL,  
*Commanding Department of the Pacific, Benicia, Cal.*

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HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*Benicia, October 30, 1854.*

SIR: I have the honor to acknowledge the receipt of general orders No. 14, special orders Nos. 150 to 157, copy of letter appointing ordnance sergeant William Gorham.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL,  
*Major General.*

Colonel S. COOPER,  
*Adjutant General U. S. Army, City of Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
Benicia, October 31, 1854.

SIR: I have the honor to forward herewith a copy of a field return, to which is annexed the operations of Brevet Major G. O. Haller against the Win-nass Indians.

I am, sir, very respectfully, your obedient servant,  
JOHN E. WOOL,  
Major General.

Lieut. Col. L. THOMAS,  
Ass't Adj't Gen., Headquarters Army, New York.

—  
HEADQUARTERS OF THE ARMY,  
New York, December 7, 1854.

As a copy of this field return may not have been sent to the adjutant general, this is respectfully forwarded for his information.

IRVIN McDOWELL,  
Assistant Adjutant General.

Respectfully submitted to the Secretary of War.  
S. COOPER,  
Adjutant General.

ADJUTANT GENERAL'S OFFICE, December 8, 1854.

The within detailed operations exhibit much zeal and activity, and receive the special commendation of the department.

JEFFERSON DAVIS,  
Secretary of War.

WAR DEPARTMENT, December 10, 1854.

*Field Return of a battalion under the command of Brevet Major Granville O. Haller, 4th infantry, scouting in the Win-nass country, on and near Boise river, Oregon Territory, during the month of September, 1854,*

	PRESENT.											ABSENT.				REMARKS.										
	For duty.							Sick.	Extra or day duty.			In arrest or confinement.	Total.	With leave.			Without leave,		PRESENT AND ABSENT.							
	Major.	Assistant surgeon.	Captain.	First lieutenant.	Second lieutenant.	Sergeants.	Corporals.	Musicians.	Privates.	Company officers.	Non-commissioned officers, musicians and privates.		Company officers.	Non-commissioned officers.	Privates.		Non-commissioned officers.	Commisio'd officers.		Non-commissioned officers, musicians, and privates.	Commisio'd officers.	Non-commissioned officers, musicians, and privates.	Commisio'd officers.	Non-commissioned officers, musicians, and privates.	Total.	Aggregate.
Field and staff.....	1														1							1				
Third artillery.....				1	1	1		12							1	14						14	15			Detachment of company L joined September 29th at Fort Boise.
Fourth infantry.....	1					2	1	18		2	1	1	1	2	2	27		1			1	27	29			Detachment of co.'s I and K. Capt. Olney's joined Sept. 3, at Butter creek.
Independent volunteers.....		1	1	1	4	2		28							3	34						36	37			
	1	1	1	2	5	5	1	58		2	1	1	1	2	7	75		1			1	77	84			

G. O. HALLER,  
*Captain and Brevet Major 4th Infantry, Commanding Battalion.*

CAMP AT FORT BOISE, Snake county, O. T., September 30, 1854.



*Commissioned officers, present and absent, accounted for by name.*

No.	Names.	Rank.	Regiment or corps.	Remarks.
1	Granville O. Haller.....	Brevet major...	Co. I, 4th inf'y.	Commanding battalion.
2	George Suckley.....	Assist. surgeon..	U. S. army.....	
3	Nathan Olney.....	Captain.....	Independ't vol's.	
4	Orlando Neal.....	First lieutenant.	.....do.....	
5	Edward H. Day.....	Second lieut'ant	Co. L, 3d art'y..	
6	Robert Macfeely.....	.....do.....	Co. K, 4th inf'y	
7	J. A. Steley.....	.....do.....	Independ't vol's.	

#### HISTORY.

The battalion was organized on the 29th of August. On the 30th, the infantry left Fort Dalles; on the 3d September, Captain Olney joined with his company and reported for duty. On the 9th, Brevet Major Haller, with an escort consisting of Lieutenant Neal and 13 volunteers, advanced to and reached Fort Boise on the 11th. On the 12th, Lieutenant Neal and six volunteers, while conducting four Indians (unarmed prisoners) to camp, shot down three and wounded the fourth while attempting their escape. On the 13th, the column arrived at Fort Boise, having marched a distance variously estimated at from 320 to 350 miles. On the 15th, the column marched over to Payettes river. On the 16th, scouted up the river and came across five lodges of the Win-nass murderers, who, seeing the dust the day before had abandoned everything, leaving their salmon and packs undisturbed. The Indian allies here recovered several packs of the clothing, bed-covers, &c., taken from the massacre of the 20th of August; continued the march, and, while encamping, the scouts brought news of Indians, whereupon, a volunteer party consisting of volunteers and regulars, led by Captain Olney, dashed off in pursuit and captured a family, consisting of the father, mother, and three children. This Indian proved to be a principal man or chief among the Win-nass Indians—also captured horses. On the 17th, the regulars, in scouting, surprised a lodge, killed two Win-nass Indians, captured three women and horses, and several packs of provisions. The volunteers, this day, scouted to the eastward. On the 18th, crossed the mountain towards Boise river—at midnight advanced to attack, and at daylight reached a large camp of murderers on the Boise, who, having heard of our presence in the country, had fled. On the 19th, established camp Mansfield, 35 miles above Fort Boise, and allowed the animals and troops rest. On the 21st, Lieutenant Macfeely, Assistant Surgeon Suckley, and a small party of regulars, reconnoitred the river above for a site for a permanent camp, and met Mr. John T. Jeffreys, a trader, who was bringing up the rear of the emigration, followed by Indians, of whom he complained. Lieutenant Macfeely gave them chase, capturing a horse, several blankets and saddles. Lieutenant Neal, and a party of volunteers, sent out to support Lieutenant Macfeely, captured a squaw. On the 23d, the provisions were exhausted, and the camp subsisted on the flesh of the captured horses. On the 25th, the available force reconnoitred the big cañon of Boise river, 15 miles above. On the 26th,

commenced a retreat, and on the 27th, encamped at "Depot Spring," six miles from Fort Boise. On the 29th, proceeded to Fort Boise, and encamped on the west side of Snake river. Lieutenant Day, 3d artillery, with provision train and escort, joined, bringing orders to return with the whole command on the close of emigration. Accordingly, on the 30th, the troops continued the march and encamped on Malheur river.

A true copy :

E. D. TOWNSEND,

*Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*Benicia, October 30, 1854.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*Benicia, November 10, 1853.*

SIR: I have the honor to acknowledge the receipt of—

General orders, Nos. 15 and 16; special orders, from 158 to 166; letter of September 28, to Rev. J. Reynolds; and letter of October 2, in relation to an escort for Lieutenant J. G. Parke, topographical engineers.

I am, sir, very respectfully, your obedient servant,

JOHN E. WOOL, *Major General.*

Colonel S. COOPER,

*Adj. Gen. U. S. Army, City of Washington, D. C.*

ADJUTANT GENERAL'S OFFICE,

*Washington, December 11, 1854.*

SIR: Your letter of October 19, in reply to the communication from this office of September 15, concerning the transfer of certain captains of the 4th infantry, has, agreeably to your request, been submitted to the Secretary of War, and the following is his decision thereon:

"The general order cited by General Wool being from an authority inferior to that by which the general regulations were established, must be construed to confirm and provide for, not to annul, the regulation. The construction given in General Wool's letter is in conflict with paragraph 105, and the general policy which renders the connexion of the captain and the company permanent. It is, therefore, necessarily to be understood as relating to subalterns only.

"The transfer was not reported, and appeared to be the act of the regimental commander; but had it been otherwise, the Adjutant General had a standing instruction from the Secretary of War, in the regulation published for the government of all concerned."

You are respectfully requested, in accordance with the foregoing decision, to cause Captains Judah, Russell, and Floyd Jones, to join the companies of their regiment to which they have been promoted by the orders of the War Department.

I have the honor to be, sir, your obedient servant,

S. COOPER, *Adjutant General.*

Brevet Major General J. E. WOOL,

*Com'ding Dep't of the Pacific, Benicia, Cal.*

WAR DEPARTMENT,  
*Washington, December 13, 1854.*

SIR: Your letter of the 13th of October reached me when I was too much engaged in preparations for the meeting of Congress to reply. I was surprised at its contents, although I had previously seen in a San Francisco newspaper the same topics discussed in much the same language which is used in your letter. In both the object is to make it appear that you have been exposed to undeserved censure, and that approval has been withheld for the faithful performance of duties imposed upon you by instructions. Approval or disapproval is a matter of judgment, not of volition. That no proneness to censure exists, is shown by the reserve with which the department received the announcement of various proceedings which it could not commend. Among the most prominent of these is the postponement of military duties to which you were expected to give your personal attention.

This was not satisfactorily explained by the statement of your constant occupation in preventing unlawful expeditions against foreign territories—a service to which your attention was specially called, as being in addition to the ordinary duties of the department commander. You claim that under your instructions this duty was “paramount.” A recurrence to those instructions and the circumstances under which they were given, will aid in understanding the questions involved.

It is always a delicate matter to attempt to quote conversations from memory, and it is unnecessary to do so when, as in this case, the conversations resulted in a correspondence which covered the whole subject. I shall not, therefore, follow your example in this, but rely on what was written, and refer to the correspondence in which you made known your views, and the department defined your duties.

On the 7th of January the order was given for your assignment to the command, and on that day you addressed to this department a written communication stating your views in regard to the duties you were about to assume. In that letter you state that you understand the object of your assignment to be, to protect the inhabitants and “to restrain our citizens from violating treaties or the neutrality of the country, by fitting out expeditions against nations with whom we are at peace.” You add: “If I comprehend the law on this subject, in order to act efficiently in all cases, it will be necessary for the President to delegate the power to me by special instructions.” The brief sentences quoted are all that occur on this subject in a letter of more than four pages. The remainder is occupied principally by a consideration of the relations between the whites and the Indians, and urging the necessity of being invested by the President with certain powers (which this department could not confer) in relation to the Indians, and also with authority to call out the militia. If at this time you had been informed that the duty of preventing illegal expeditions was one of paramount importance, it is inexplicable that you did not devote more space to it. You would certainly have been warranted in discussing at some length the considerations connected with the exercise of a power to be specially delegated by the President. If this letter is to be taken as indicating fully your views of the duties to devolve upon

you, that of preventing illegal expeditions, then occupied a very subordinate position in the scale of their relative importance.

On the 10th of January you wrote that a recent arrival from California reported that an illegal expedition had been recently fitted out at San Francisco, and others were preparing to follow. You added, "I am not in possession of all your views in relation to the course that ought to be pursued towards such expeditions, and yet, if a decided and efficient course is to be adopted and followed on my arrival in California to prevent similar expeditions against Lower California, I would suggest that the two companies at Fort Hamilton, New York, or two other companies from some other post, be ordered to accompany me on the 20th instant, by way of the Isthmus."

By this it is shown that, as late as the 10th of January, the views of the department, in relation to unlawful military expeditions, had not been made fully known to you. No interviews were had on the subject after that date; whatever was subsequently communicated to you was contained in the instructions of January 12th, issued after you had left Washington.

Before citing those instructions, it may be well to remark that the intention of the department might be gathered as well from what was declined as from what was done.

Special powers, such as you asked, had been given to several high military officers by commission, under the hand of the President, countersigned by the Secretary of State. Such a commission had been given to your predecessor, General Hitchcock, and must be on record at your headquarters, but no such commission was given you, and the two companies you thought it necessary should accompany you, if a certain course was to be adopted, were not sent forward.

You claim that the instructions of January 12th were in conformity to your suggestions, and affirmed your views; nothing can be further from the fact. The only suggestion you made in that letter was not adopted, nor was that made on the 10th of January. No measures specially in view of that subject were taken, and no special authority or instructions from the President were given at all. The President was not alluded to in the instructions, because it was determined, after full consideration, that the department should confine itself, in all those matters, to its well-defined and ordinary powers. Had it been any part of the object of the instructions of January 12th to adopt your views, or to confirm a verbal understanding which, for any reason, it was deemed proper not to put in writing, there would necessarily have been some reference to it. But such is not the case. The instructions stand alone, and contain all the authority that the department, after conference with you, desired to grant. I am, therefore, unable to perceive how you reach the conclusion that the instructions of January 12th conformed to your suggestions and affirmed your views when not one of them was adopted, or even referred to.

In the instructions of January 12th, after stating that it is deemed proper to direct your attention to certain special duties that will devolve upon you, this passage occurs: "Among these will be the duty of maintaining our international obligations, by preventing unlawful expeditions against the territories of foreign powers. Confidence is felt

that you will, to the utmost of your ability, use all proper means to detect the fitting out of armed expeditions against countries with which the United States are at peace, and will zealously co-operate with the civil authorities in maintaining the neutrality laws."

Then follow in succession instructions with regard to the protection of the Mexican frontier from Indian incursions, in fulfilment of the treaty of Guadalupe Hidalgo, to the protection of our own citizens from hostile Indians, to the removal of Indians to the reservations provided for them, and the establishment of posts in their vicinity, to the supervision of expenditures, and to the collection of topographical information. As the question is as to the relative importance of these duties, it is to be remarked that very nearly the same space is devoted to each, and all are enforced in about equally strong language.

Upon a view of these facts, my judgment is much at fault if there can be found any ground for giving more importance to the duty of preventing illegal expeditions against Mexico than to the protection of our own citizens.

It is true those instructions left much to your discretion, but not to the extent you claim. In the general proposition, that it was your duty to prevent unlawful expeditions against the territories of foreign powers, there was attached a clause prescribing how you were to proceed for that purpose: it was by detecting preparations for such expeditions, and by co-operating with the civil officers whose duty it was to arrest them. It was obvious that your official relations with numerous officers stationed in every part of California and Oregon, would give you opportunity which no other public officer possessed of gaining early information of any such movement. It was not intended or supposed that an officer holding the highest grade in our army, and intrusted with the duty of preserving order among numerous Indian tribes and guarding the lives and property of our citizens within the limits of an extensive command, would confine himself month after month to a single city, for the purpose of aiding the civil authorities in watching the movements of secret associations, and preventing the commission of civil misdemeanors—a pursuit in which his high military rank and experience gave him little if any advantage, while it lent to the prosecutions, especially when directed against foreigners, a character which they would not have possessed if conducted like others, proceeding only from the action of the judiciary.

That your devotion to this service has been attended with disadvantage to your military duties, is an opinion in which I am sustained by yourself. Your letters of April 14th and May 15th show that you were aware of the consequences to which your exclusive devotion to a single pursuit was leading. In the former, indeed, you state in terms that since your arrival in San Francisco most of your time had been occupied in ferretting out and defeating the schemes of fillibusters, and you had not been able to devote that attention to your professional duties which the public interest demanded. One of these duties, the first which you proposed to undertake, and from which beneficial results were expected, was the personal inspection of your command, and the exploration of the country, with a view to make such a disposition of the troops as would tend to check Indian depredations. At present

you speak of that intended inspection as a voluntary desire to inspect your command, to be carried into effect or abandoned at will; but such was not the light in which you originally placed it before the department.

In your letter of January 7, you spoke of that inspection as necessary before posts could be established to restrain the roving bands of Indians from depredations upon the whites. This was surely an object second to none in importance. That it occupied a prominent place in your mind, is shown by your letter of February 28, written but two weeks after your arrival, in which you deem it necessary to state why you had not at once entered on the inspection; incessant rain had prevented you, but, as soon as the weather should permit, you would commence the duty and continue it until completed. The same subject is renewed in your letters of March 1, March 14, and April 10, showing the importance you attached to it, but it was soon lost sight of in a more absorbing pursuit. You now account for your failure to perform this duty by disability, by paramount duties, (understood to be the preventing of unlawful expeditions,) and, in fine, by the removal of all necessity for it by the inspection tour of Colonel Mansfield. With regard to the disability, which, of course, would constitute a valid excuse for the non-performance of any duty, I can only say, it is here for the first time offered in our correspondence. In your earlier letters the delay was attributed to the rains. On the subject of paramount duties, I have already expressed an opinion, and with regard to the inspection by Colonel Mansfield, I do not see that it had any bearing on the subject. Colonel Mansfield was not sent to aid you in the performance of your duties, but to inspect your command and report the condition of it to the commanding general and this department.

In relation to the troops required for your department, and the disposition to be made of them, your reports evince such fluctuations of opinion as could not have been anticipated, and necessarily embarrass my efforts to co-operate with you. In my letter of January 12, I stated that the force assigned to your department was known to be inadequate to the duties required of it. In your report of February 28, you stated that an increase of force, to guard against difficulties with the Indians in California, Utah, Oregon, and Washington, was indispensable. Your letter of March 14, forwards reports of Indian difficulties in Oregon, and urges the necessity of an increase of force to protect the Indians as well as the whites from mutual aggressions. In your letter of March 31, to the commanding general, you say, "The difficulty of preserving the peace of the country is daily increasing, owing to the increase of emigrants, who are constantly encroaching upon the Indians and depriving them of their improvements. This produces collisions between the two races, white and red, which too frequently end in bloodshed. To keep them quiet and to preserve peace, a large military force is indispensable. We have now less than 1,000 men to guard and defend California, Oregon, Washington, and Utah, altogether in size an empire in itself. To guard this department and to defend it, with almost an innumerable number of Indian tribes, requires at least one regiment of artillery, two of dragoons, and three of infantry; a force certainly small to preserve and keep quiet so

extended a country. Allow me to request, general, that you will urge upon the War Department to send another regiment as soon as practicable."

In your letter of May 30, you explain at large your reasons for calling for more troops and represent the peace of the country as almost daily threatened by whites and Indians. On the 15th of June, you received an order to remove from the Presidio the troops which were believed to be greatly needed elsewhere, and to establish your headquarters at Benicia. This order was given in an endorsement upon letters from yourself and staff, representing the insufficiency of the allowance made you to rent quarters for yourselves at San Francisco, and applying for an increase of commutation. About the same time there were, according to a report from the quartermaster general, 48 assignable rooms in the public quarters at Benicia, worth, at the rates you asked to be allowed, \$28,800 per annum. The order was intended to relieve at once the officers from a tax, and the government from unnecessary expense. It was, however, received with great dissatisfaction, and numerous objections to leaving San Francisco were stated in a letter written the day you received the order. Among them was the singular statement that you found yourself embarrassed as to what to do with the companies which were to be removed from the Presidio. One of them you could find a place for, but not for the other; all the quarters at the various posts were occupied, and there were no quarters or barracks for either officers or men, except at Monterey. You judged correctly that some explanation was necessary to reconcile this with your recent calls for troops, and explain it in these words: "That these remarks may not seem inconsistent, with the representations I have heretofore made of the want of troops in this department, and especially in my letter to Major General Scott, of March 31, I must say that my instructions from the Hon. Secretary of War extend my command over Utah; that when I left the east it was supposed a law would be passed increasing the number of regiments in service, and, in view of that increase, I hoped to receive one or more regiments, to be posted in Utah. The late communications of the Secretary of War to me make me hesitate to assume the responsibility of erecting new quarters at any of the posts, and by the disposition already made of the troops in this State, Oregon and Washington Territories, all the quarters are fully occupied. Of course, I cannot send two or three companies to Utah. Hence my present embarrassment in relation to stationing the two companies now at the Presidio and the two under Lieutenant Colonel Steptoe."

I must remark upon this, that the purpose for which you here declare you desired the troops you had so urgently called for, viz: to take post in Utah, is first put forth in this letter, and is irreconcilable with the objects declared in earlier letters which represented the most pressing necessity for them in Oregon, Washington, and the northern part of California. As for your hoping "to receive one or more regiments to be posted in Utah," I can only regard it as a momentary error. The entire addition to the army asked for was but three regiments, and how could you have expected one or more of these to be sent to that remote portion of the department when troops were so much wanted

in other parts of your command? That this idea could not have been seriously entertained is made manifest by your letter of October 23, in which you very satisfactorily show (what the department well knew) that troops intended for Utah should not be sent to the Pacific at all, but go overland. Those you asked to be sent to you, therefore, could not have been intended for Utah. Your allusion to a late communication from the Secretary of War which causes you to hesitate to erect barracks for the troops, can only apply to that of April 13, declining to pay drafts, drawn by your order, for funds to erect an ordnance storehouse at Benicia. There was no appropriation legally applicable to the erection of such a building, and this was stated to you as the reason for the non-payment of your draft, while it was admitted, at the same time, that the accommodation was necessary, and you were informed that an appropriation had been asked for it. The barracks, on the contrary, could have been built from the ordinary appropriation, which has never failed to be made annually, to provide shelter for the troops, and which was then available. Having shown, on the 15th June, that you had no means of disposing of a single company advantageously, on the 14th September you report that you have not a company available to establish a new post, represented to be much needed in the northern part of Washington; and again, on the 23d of October, you earnestly remonstrate against the 6th infantry being sent to your department before next spring.

On the whole, it appears to me that your correspondence on this subject manifests a want of definite purpose and system in the disposal of the troops, which I can only attribute to the devotion of an undue portion of your time and attention to other than the proper duties of your command.

In the conclusion of your letter, you present a group of services for which you claim credit: the preservation of peace in the Indian country; the erection at small expense of temporary batteries for the protection of San Francisco harbor; the erection of an arsenal building at Benicia; the establishment of a new post on the Indian reservation at the Tejon Pass, and preventing the loss of a million dollars' worth of public property at the Presidio. Upon these points, since you urge them upon my attention, I will briefly remark.

It would surely be very gratifying to me, could I acknowledge your claim for having preserved peace in the Indian country; but to do this, I should have to forget not only the outrages you yourself have reported, but others equal in atrocity to any that took place during the time of your predecessors.

The propriety of erecting the temporary batteries to which you refer depends upon the necessity. This has not been fully shown to the department, and, in the meantime, rests on the presumption that you have exercised a sound discretion. An armament was sent to San Francisco, as to other places similarly situated, to meet any emergency which might arise, before the completion of the fortifications under construction. Your order to the engineer officers to mount twenty guns was readily complied with, to the extent that guns and carriages had been sent to them; and it is not a matter of surprise that, with earthen epaulments, this could be done at a very small expense. But these



temporary works will have to be levelled when the forts are completed, and the guns placed in their proper permanent positions. The double expenditure, therefore, is to be justified only by an emergency requiring more prompt preparation for defence than was consistent with the plan of the permanent works which had been approved, and for which the appropriation had been made.

The necessity for additional store room at Benicia, was known before you took command, and an appropriation had been asked in the annual estimates for the construction of an arsenal there. You had a building erected before the appropriation was made, and without taking those measures respecting title to the site which the law requires; you certainly anticipated the action of Congress, but to do so, you raised money by drawing drafts which could not be paid, and the protest of which threw loss upon a subordinate officer. The establishment of a new post at the Tejon reservation, if in fact it had been done, would have been in accordance with the instructions of this department. The post, however, is reported to be not on the reserve, but fifteen miles distant, and I am now awaiting explanations which have been required from you on the subject. The danger which threatened public property to the amount of a million dollars, was the seizure by trespassers of the Presidio reservation and the sites of the fortifications, upon the withdrawal of the troops. The occupation of the land by intruders, whom the department has power, under an act of Congress to remove, at any moment, by an order to the United States marshal, would hardly have involved its entire loss to the government. Still it was proper to leave a guard to protect it from intrusion, and as the department gave an order to that effect upon your representations, this may be considered as a sufficient acknowledgement of the correctness of your views.

In conclusion, I will take occasion to say, that in the offer of the very important command you now hold you had the best evidence of the estimation in which you were held. If in this field of duty, which you forcibly describe as equal in extent to an empire, you have failed to sustain the confidence reposed in you, it would seem to be cause for regret rather than for complaint.

Very respectfully, your obedient servant,

JEFFERSON DAVIS.

*Secretary of War.*

Bvt. Maj. Gen. JOHN E. WOOL,  
*Com. Dep. of the Pacific, Benicia, California,*