

men under the shadow of a great oak-tree, and each ready to locate the boundaries agreeably to the interests of the party that had summoned him. I listened to the stories of each, and then asked the rancho, who had lifted his line, to show me his grant. He drew it from his pocket—a document signed, sealed, and delivered with all the formalities of law. I then drew out the original, and found their topographical lines as much alike as the here and there of an unresting squatter. The fact was, the man had two grants; but the last one being a palpable invasion of his neighbor's domain, as secured to him under the seal of the state, he must of course retreat within the limits of the first. A township of land being thus judicially and justly disposed of, I started on my return; fell in with a grizzly bear—levelled and fired—but without waiting to see if the ball took effect, dashed on. A loadless rifle, with an enraged bear at your heels, makes you value a fleet horse in California.

CHAPTER XIV.

A CONVICT WHO WOULD NOT WORK.—LAWYERS AT MONTEREY.—WHO CONQUERED CALIFORNIA.—RIDE TO A RANCHO.—LEOPALDO.—PARTY OF CALIFORNIANS.—A DASH INTO THE FORESTS.—CHASING A DEER.—KILLING A BEAR.—LADIES WITH FIREARMS.—A MOTHER AND VOLUNTEER.

FRIDAY, JUNE 18. One of the prisoners, who is an Englishman, ventured a criticism on the stonework of another prisoner, which revealed the fact of his being a stonecutter himself. I immediately sat him at work at his old trade. But he feigned utter ignorance of it, and spoiled several blocks in making his feint good. I then ordered him into a deep well, where the water had given out, to drill and blast rocks. He drove his drills here for several days, and finding that the well was to be sunk some twenty or thirty feet deeper, concluded it was better for him to work in the upper air, and requested that he might be permitted to try his chisel again. Permission was given, and he is now shaping stones fit to be laid in the walls of a cathedral. He was taken up for disorderly conduct, and he is now at work on a school-house, where the principles of good order are the first things to be taught.

SATURDAY, JUNE 19. We have at this time three young lawyers in Monterey, as full of legal acuteness

as the lancet cup of a phlebotomist. All want clients, and fees, and the privilege of a practice in this court. Mexican statutes, which prevail here, permit lawyers as counsel, but preclude their pleas. They may examine witnesses, sift evidence, but not build arguments. This spoils the whole business, and every effort has been made to have the impediment removed, and the floodgate of eloquence lifted. I should be glad to gratify their ambition, but it is impossible. I should never get through with the business pressing on my hands in every variety of shape which civil and criminal jurisprudence ever assumed. I tell them after the evidence has been submitted, the verdict or decision must follow, and then if any in the courtroom desire to hear the arguments, they can adjourn to another apartment, and plead as long as they like. In this way justice will go ahead, and eloquence too, and the great globe still turn on its axle.

SATURDAY, JULY 17. Com. Stockton has left us on his return home over the continent. His measures in California have been bold and vigorous, and have been followed by decisive results. He found the country in anarchy and confusion, and the greater part under the Mexican flag, and has left it in peace and quietness beneath the stars and stripes. His position in the march of the American forces from San Diego, and in the battle of San Gabriel, has not been changed by any subsequent information in the judgment of the candid and impartial. He tendered the

command of the expedition to Gen. Kearny, which that gallant officer deferred to the commodore, out of regard to his position at the head of the naval forces upon which the success of the enterprise must depend. The propriety of this arrangement is seen in the fact that the general had but sixty dragoons at his command, and those on foot, while the Pacific squadron poured six hundred seamen and marines upon the field. There was no confusion of orders or evolutions on the route; every general movement emanated from Com. Stockton, with the good understanding and harmonious action of Gen. Kearny.

It is deeply to be regretted that any thing subsequently occurred to disturb this spirit of mutual deference and generous devotion to the crisis which pressed upon our arms. It is not my purpose to comment on this feature in the affairs of California; but it is due to truth that history should be set right; that facts warped from their true position should be reinstated on their own pedestals. The army has covered itself with laurels on the plains of Mexico, and might have won honors here with an adequate force; but to rely on sixty dragoons in the face of a thousand Californians, armed with the rifle and lance, and accustomed to the saddle from their birth, is to trifle with the stern solemnities of war. It is requiring too much of us, who have lived here through the war, and are conversant with its history, to claim our assent to the allegation, that California has been conquered through the achievements of the army. *That*

unshrinking arm of the nation has done its work well and fast elsewhere, but only the vibrations of its blows have trembled across the confines of California. For matter of these the Mexican flag would still be flying over these hills and valleys. The seamen of the Pacific squadron, as reliable on land as faithful on the deck, and the emigrants, who have come here to find a home, have wrenched this land of wealth and promise from the grasp of Mexico, and unfurled the stars and stripes, where they will wave evermore. Let the laurel light where it belongs.

TUESDAY, AUG. 10. An Indian galloped to my door this morning, having in lead a splendid pied horse, richly caparisoned, and with an invitation from a rancho, forty miles distant, that I would come and spend a few days with him at his country-seat; so I placed the office in the hands of Don Davido, well competent to its duties, and with my secretary, Mr. G—, mounted on another noble animal, started for the mansion of my old friend from the mountains of Spain, now in the winter of age, but with a heart warm as a sunbeam. The town, with its white dwellings, soon vanished behind the pine and evergreen oak, which crown the hills, that throw around it their arms of waving shade. The little lakes, navelled in the breaks of the forest, flashed on the eye; the water-fowl, in clouds, took wing; the quail whirled into the bushes; and the deer bounded off to their woodland retreats. A grizzly bear, with a storm

of darkness in his face, stood his ground, and never even blinked at the crack of our pistols.

We were now on the bank of the Salinas, through which we dashed, allowing our horses a taste of its yellow waters, then up the opposite bank, and away over the broad plain, which stretches in vernal beauty beyond. Our horses required no spur, were in fine condition, high spirits, never broke their gallop, and swept ahead, like a fawn to its covert. Mine belonged to the daughter of the Don, to whose hearth we were bound, and had often rattled about among these hills beneath his fair owner, whose equestrian graces and achievements might throw a fresh enchantment on the chase that had gathered to its rivalries the beauty and bravery of Old England. Another mountain stream—a dash through its foaming tide, and away again through a broad ravine, which bent its ample track to the steep hills, which threw the shadows of their waving trees over a thousand echoing caverns. Where the forests broke, the wild oats waved, like golden lakes, and mirrored the passing cloud; while the swaying pines rolled out their music on the wind, like the dirge of ocean. And now another luxuriant plain, where cattle, and horses, and sheep gambolled and grazed by thousands; and on the opposite side the white mansion of our host, crowning the headland, and glimmering through the waving shade, like the columns which consecrate Colonna. Here we alighted without weariness to ourselves or our spirited animals, though we had swept

through the forty miles in three hours and a half. The señorita, who had sent me her horse, vaulted into the saddle, which I had just relinquished, and patting the noble fellow, whom she called Leopaldo, induced him to exhibit a variety of his cunning evolutions. He knew his rider as well as a Newfoundlander his mistress, or an eagle his mountain mate.

It was a festive eve at the Don's; youth and beauty were there; and as the sable hues of night sunk on silent tree and tower, the harp and guitar woke into melodious action; the hour was late when the waltz and song resigned their votaries to the calmer claims of slumber. My apartment betrayed the rural diversions of some fairy, one whose floral trophies threw their fragrance from every variety of vase. The air was loaded with perfume, and could hardly be relieved by the visits of the night-wind through the lifted window. My dreams ran on tulips and roses. Morn blazed again in the east; the soaring lark sung from its cloud; the guests were up, glad voices were heard in the hall; light forms glanced through the corridors, and a *buenos dios* rolled in sweet accents from lips circled with smiles. Coffee and tortillas went round, mingled with salutations and those first fresh thoughts which spring from the heart like early birds from the tree, which the sunlight has touched, while the dew yet sparkles on its leaves. The horses of the Don were now driven to the door—a sprightly band—vieing in their hues with the flowers that sprinkled the meadows where they gambolled,

and the guests were invited to make their selection. My choice fell, of course, on Leopaldo, who had brought me from Monterey; but his fair owner would want him; no, he was delivered to me, as the señorita took another quite as full of fire.

The ladies were now tost into their saddles, and the gentlemen, belted and spurred, vaulted into theirs. We all struck at once into a hand gallop, and swept over the broad plain which stretches from the acropolis of the Don, to the broken line of a mountain range. Here we spurred into a broad shadowy ravine, overhung with toppling crags, and breaking through the bold ranges of rock, which threw their steep faces in wild fantastic forms on the eye. "A coyote!" shouted those in the van, and started in chase; but this prairie-wolf had his den near at hand, and soon vanished from sight. Another, and a third, but the chasm yielded its instant refuge. A fourth was started, who gave us a longer pursuit; but he soon doubled from sight around a bold bluff into a jungle. Here the horse of señorita S— dashed ahead of the whole caballada, with his dilated eye fastened on a noble buck, and swept up the sloping side of the ravine to gain the ridge, and cut off his escape in that direction, while the whole troop spurred hot and fast upon his retreat below. We were now in for a chase, brief though it might be. The buck seemed confused; and no wonder, with such a shouting bevy at his heels, and with the señorita streaming along the ridge, and dashing over chasm and cliff like

the storm-swept cloud where "leaps the live thunder." But the proud buck was not to be captured in this way; and as soon as the other side of the ravine began to slope from its steep line, up its bank he sprung, and bounded along its ridge as if in exulting rivalry at the rattling chase of the señorita. "Two *deers*," shouted one of the caballeros, "and neither of them to be caught."

We here wheeled into another mountain gorge, which opened into a long irregular vista of savage wildness. A gallop of two or three miles brought us to a spot where the rocky barriers retreated on either hand, shaping out a bowl, in the centre of which stood a cluster of oaks. On the lower limb of one, which threw its giant arm boldly from the rough trunk, a dark object was descried, half lost in the leaves. "A bear, a bear!" shouted our leader, and dashed up to the tree, which was instantly surrounded by the whole troop. "Give us pistols," exclaimed the señoritas, as bravely in for the sport as the rest. Click, crack! and a storm of balls went through the tree-top. Down came old bruin with one bound into the midst, full of wrath and revenge. The horses instinctively wheeled into a circle, and as bruin sprung for a death-grapple, the lasso of our baccaros, thrown with unerring aim, brought him up all standing. He now turned upon the horse of his new assailant; but that sagacious animal evaded each plunge, and seemed to play in transport about his antagonist. The pistols were out again, and a fresh volley fell thick as hail

around the bear. In the smoke and confusion no one could tell where his next spring might be; but the horse of the baccaro knew his duty and kept the lasso taught. Bruin was wounded, but resolute and undaunted; the fire rolled from his red eyes like a flash of lightning out of a forked cloud. Foiled in his plunges at the horse, he seized the lasso in his paws, and in a moment more would have been at his side, but the horse sprung and tripped him, rolling him over and over till he lost his desperate hold on the lasso. The pistols were reloaded, and señoritas and caballeros all dashed up for another shower of fire and lead. As the smoke cleared, bruin was found with the lasso slack, a sure evidence that the horse who managed it knew his antagonist was dead.

This was sport enough for one day; we galloped on through the defile, which wound round a mountain spur, till it struck a precipitous stream, which sent into the green nooks the wild echoes of its cascades. Following the ravine through which it poured its more tranquil tide, we debouched at length upon the plain, crowned with the hospitable mansion of our host. The feats of the morning astonished even the old Don, who offered his favorite roan to the one whose bullet had killed the bear. The meed was challenged by each and all, but no one could make good and exclusive claim. The gentlemen relinquished their claim, but that only made the matter worse, as it narrowed the contest to the circle of the señoritas. Dinner was announced; then came the siesta, fol-

lowed by the soft twilight, with the harp, guitar, and song, which melted away into sweet sleep. In the morning Mr. G. and myself, with the glorious Leopaldo, waved our adieu, and returned to Monterey.

MONDAY, SEPT. 6. A mother, who lives with a man out of wedlock, applied to me this morning to take her two daughters from an aunt, with whom they were living, and place them in another family. When asked for her reasons, she stated that this aunt had not a good reputation, and though bad herself, she did not want to see her daughters so. I told her she could hardly expect me to make her daughters better than their mother; that parental example was stronger than law; that if she wanted to keep her daughters pure, she must be so herself. She shed tears: I said no more; but ordered her daughters into the family where she desired.

TUESDAY, SEPT. 7. One of the volunteers broke into my coral last night, with the intention of reaching the hen-roost, but was frightened nearly to death by a discharge of mustard-seed from an old fowling-piece, with which my servant had armed himself for the protection of his poultry. Some of the volunteers, and I hope much the larger portion, are upright, honest men, but there are others who will steal any thing and every thing, from a horse to a hen. One of the evils of a soldier's lot is, that the good are often

confounded with the bad. But every profession suffers in the same way.

TUESDAY, SEPT. 10. Our bay is full of sardines; an Indian jumped into the surf and scooped up for me, with his blanket, half a peck in a few minutes. The pelican follows these small fish, and pounces down upon them with a savage ferocity. There is something in such a sudden destruction of life, even in a minnow, which you don't like. I have often wished the bird just shot again on the wing.

We are looking every moment for the return of the Cyane, under Commander Du Pont, from the Sandwich Islands, where she has been on important service. She is the water-witch of the Pacific—if ceaseless motion can claim that honor. Her commander enjoys so thoroughly the confidence and affection of his officers and crew, they go with him through all this exhausting service without a murmur. It is a happy tact that can maintain discipline and wield at any moment the whole moral and physical power of such a ship.