

## SPANISH COURTESIES.

The courtesies characteristic of the Spanish linger in California, and seem, as you encounter them amid the less observant habits of the emigration, like golden-tinted leaves of Autumn, still trembling on their stems in the rushing verdure of Spring. They exhibit themselves in every phase of society and every walk of life. You encounter them in the church, in the fandango, at the bridal altar, and the hearse: they adorn youth, and take from age its chilling severity. They are trifles in themselves, but they refine social intercourse, and soften its alienations. They may seem to verge upon extremes, but even then they carry some sentiment with them, some sign of deference to humanity. I received a cluster of wild-flowers from a lady, with a note in pure Castilian, and bearing in the subscription the initials of the words, which rudely translated mean, "I kiss your hand." One might have felt tempted to write her back—

Thou need'st not, lady, stoop so low  
 To print the gentle kiss:  
 Can hands return what lips bestow,  
 Or blush to show their bliss?

## CHAPTER XXIX.

THE TRAGEDY AT SAN MIGUEL.—COURT AND CULPRITS.—AGE AND CIRCUMSTANCES OF THOSE WHO SHOULD COME TO CALIFORNIA.—CONDITION OF THE PROFESSIONS.—THE WRONGS OF CALIFORNIA.—CLAIMS ON THE CHRISTIAN COMMUNITY.—JOURNALISTS.

RETRIBUTION follows fast on the heels of crime in California. Two persons, a Hessian and Irishman, whom I had met in the Stanislaus, left the mines for the seaboard. On their way to Stockton, they fell in with two miners asleep under a tree, whom they murdered and robbed of their gold; with this booty they hastened across the valley of the San Joaquin, and skirting the mountains to avoid all frequented paths, held their course south to La Solidar. Here they fell in with three deserters from the Pacific squadron, who joined them, and the whole party proceeded south to San Miguel, where they quartered themselves for the night on the hospitality of Mr. Reade, an English ranchero of respectability and wealth. In the morning they took their departure, but had proceeded only a short distance, when it was agreed they should return and rob their host. During the ensuing night they rose on the household, consisting of Mr. Reade, his wife, and three children, a kinswoman with four children, and two Indian do-



mestics, and murdered the whole! Having rifled the money-chest of a large amount of gold dust, the blood-stained party renewed their flight south, and had reached a secluded cove in a bend of the sea, below Santa Barbara, where they were overtaken by a band of citizens, who had tracked them from the neighborhood of San Miguel. The fugitives were armed, and avowed their determination to shoot down any person who should attempt to apprehend them. The citizens, though few, and badly provided with weapons, were resolute and determined. A desperate conflict ensued, in which one of the felons was shot dead; another, having discharged the last barrel of his revolver, jumped into the sea and was drowned; the remaining three were at length disarmed and secured. Of the citizens several were wounded, and one—the father of a beloved family—lay a corpse! The next morning, as there was no alcalde in the vicinity, the three prisoners were brought before a temporary court organized for the purpose, wherein twelve good and lawful men took oath to render judgment according to conscience. Each person when brought to the bar told his own story, inextricably involving his associates in the guilt of deliberate murder, and who, in their turn, wove the same terrible web about him. Of their guilt, though convicted without the testimony of an impartial witness, no doubt remained to disturb the convictions of the court. They were sentenced to death, and before the sun went down were in their graves! The whole five were buried among the

stern rocks which frown on the sea, and which seem as if there to stay the tide of crime, as well as the storms of ocean. What a tragedy of depravity and despair! Thirteen innocent persons—men, women, and children—swept in an unsuspecting moment from life; and the five perpetrators of the crime, crushed into a hurried grave, under the avenging arm of justice! There is a spirit in California that will rightly dispose of the murderer; it may at times be hasty, and too little observant of the forms of law, but it reaches its object; it leaves the guilty no escape through the defects of an indictment, the ingenuity of counsel, or the clemency of the executive. It plants itself on the ground that the first duty society owes itself, is to protect its members; and to secure this object, it throws around the sanctity of life, the defenses found in the terrors of death. The grave is the prison which God has sunk in the path of the murderer. Let not man attempt to bridge it.

WHO SHOULD STAY AND WHO COME.

The indiscretion with which so many thousands are rushing to California will be a source of regret to them, and of sorrow to their friends. Not one in twenty will bring back a fortune, and not more than one in ten secure the means of defraying the expenses of his return. I speak now of those whose plans and efforts are confined to the mines, and who rely on the proceeds of their manual labor: when they have defrayed the expenses incident to their position, liqui-



dated all demands for food, clothing, and implements for the year, their yellow heap will dwindle to a point. This might serve as the nucleus of operations which are to extend through a series of years; but as the result of the enterprise, involving privation and hardship, is a failure, no man should come to California under the impression that he can in a few months pick a fortune out of its mines. He may here and there light on a more productive deposit, but the chances are a hundred to one that his gains will be slenderly and laboriously acquired. He is made giddy with the reports of sudden wealth; these are the rare *prizes*, while the silence of the grave hangs over the multitudinous *blanks*.

A young man endowed with a vigorous constitution, and who possesses sterling habits of sobriety and application, and who has no dependencies at home, can do well in California. But he should come with the resolute purpose of remaining here eight or ten years, and with a spirit that can throw its unrelaxed energies into any enterprise which the progress of the country may develop. He must identify himself for the time being with all the great interests which absorb attention, and quicken labor. If he has not the enterprise and force of purpose which this requires, he should remain at home. There is another class of persons whom domestic obligations and motives of prudence should dissuade from a California adventure. It is blind folly in a man, who has a family dependent on him for a support, to exhaust

the little means, which previous industry and frugality have left, in defraying the expenses of a passage here, with the vague hope that in a year or two he can return with an ample competence. I respect his feelings and motives, but honorable intentions cannot save him from disappointment. When the expenses which the most rigid economy could not avoid have been paid, and the obligations connected with the support of his family at home have been discharged, the results of his enterprise will leave him poor. He may never tell you of broken hopes and a shattered constitution, but his hearth-stone is strewn with their pale, admonitory fragments. Let me persuade those whom God has blessed with a faithful wife and interesting family, not to abandon these objects of affection for the gold mines of California. Do not come out here under the delusive belief that you can in a few months, or a brief year, on the proceeds of the mattock and bowl, accumulate a fortune. This has rarely if ever been done, even where the deposits were first disturbed by the more fortunate adventurer. If it could not be done in the green tree, what are you to expect in the dry? If when the *placers* were fresh, many gathered but little more than sufficient to meet their current wants, what can you anticipate when they are measurably exhausted? They who inflame your imagination with tales of inexhaustible deposits which only wait your spade and wash-bowl, abuse your credulity, and dishonor their own claims to truth.



## THE PROFESSIONS AND PURSUITS.

All the secular professions and more privileged or prescribed pursuits in California are crowded to overflowing. Physicians are without patients; lawyers without clients; surveyors without lands; hydrographers without harbors; actors without audiences; painters without pupils; financiers without funds; minters without metals; printers without presses; hunters without hounds, and fiddlers without fools. And all these must take to the plough, the pickaxe, and spade. Even California, with all her treasured hills and streams, fell under that primal malediction which threw its death-shade on the infant world. It is as true here as among the granite rocks of New England—in the sweat of thy face shalt thou eat bread. Let none think to escape this labor-destiny here; it environs the globe, and binds every nation and tribe in its inexorable folds.

The merchant, whose shrewdness avails him everywhere else, will often be wrecked here. The markets of a single month have all the phases of its fickle moon. The slender crescent waxes into the circle; and the full orb passes under a total eclipse. The man that figured on its front is gone, and with him the hopes of the millionaire. The bullfrog in his croaking pond, and the owl in his hooting tree, remain; but the speculator, like a ghost at the glimmer of day, hath fled. You can only dimly remember the phantom's shape and where he walked, and half doubt

the dream in which he denized and dissolved from sight. But still the gulf of vision swarms with realities—with beings where the play of life and death, joy and grief, wealth and want, are the portion of the living and the legacy of the dead. California is a continent swelling between the hopes of the future and the wrecks of the past; but like all other continents, will be visited with the alternation of day and night. The cloud will travel where the sunbeam hath been.

## WRONGS OF CALIFORNIA.

The neglect and wrongs of California will yet find a tongue. From the day the United States flag was raised in this country, she has been the victim of the most unrelenting oppression. Her farmers were robbed of their stock to meet the exigences of war; and her emigrants forced into the field to maintain the conquest. Through the exactions of the custom-house the comforts and necessaries of life were oppressively taxed. No article of food or raiment could escape this forced contribution; it reached the plough of the farmer, the anvil of the smith; the blanket that protected your person, the salt that seasoned your food, the shingle that roofed your cabin, and the nail that bound your coffin. Even the light of heaven paid its contribution in its windowed tariff. And who were the persons on whom these extortions fell? Citizens whom the government had promised to relieve of taxation, and emigrants who had exhaust-



ed their last means in reaching their new abode! There was treachery and tyranny combined in the treatment which they received. A less provocation sunk the dutied tea in the harbor of Boston, and severed the indignant colonies from the British crown.

Nor does this gross injustice stop here: this oppressive tax was enforced at a time when there was but little specie in the country; the whole circulating medium was absorbed in its unrighteous demands. Nor was the case materially relieved by the discovery of gold; this precious ore was extorted at ten dollars the ounce, and forfeited at that arbitrary valuation if not redeemed within a given time. There was no specie by which it could be redeemed, and it went to the clutches of the government at ten dollars, when its real value at our mints is eighteen dollars. If this be not robbery, will some one define what that word means? It was worse than robbery—it was swindling under the color of law. All this has been carried on against a community without a representation in our national legislature, and without any civil benefits in return. Not even a light-house rose to relieve its onerous injustice. Hundreds of thousands, not to say millions thus extorted, are now locked up in the sub-treasury chest at San Francisco. Every doubloon, dollar, and dime that reaches the country is forced under that inexorable key. In this absorption of the circulating medium, commercial loans can be effected only on ruinous rates of interest, and the civil government itself is bankrupt.

Every dollar of these ill-gotten gains should be placed forthwith at the disposal of the state of California. It belongs to her; it never was the property of the United States under any law of Congress. It has been exacted under executive circulars, under the naked dictates of arbitrary power. I blame not the revenue functionaries of the general government in California; they were bound by the orders and instructions which they received; the responsibility rests nearer home: it rests with those who have usurped and exercised powers not conferred by the Constitution, or the consent of the American people. Nor do these aggressions and wrongs stop here. Who has authorized a captain of U. S. dragoons to drive, at the point of his flashing glaive, peaceful citizens from their gardens and dwellings on the bay of San Francisco, under the pretext of a government reservation, and then to farm out those grounds under a ten years' lease? Who has conferred this impudent stretch of authority, and this private monopoly of the public domain? Let the citizens thus trampled upon maintain their right, even with their rifles, till they can be made the proper subjects of judicial investigation or legislative action.

#### CLAIMS ON THE CHRISTIAN.

With the Christian community California has higher claims than those which glitter in her mines. The moral elements which now drift over her streams and treasured rocks will ere long settle down into abiding



forms. The impalpable will become the real, and the unsubstantial assume a local habitation and a name. Shall these permanent shapes, into which society is to be cast, take their plastic features from the impress of blind accident and skeptical apathy, or the moulding hand of religion? These primal forms must remain and wear for ages the traces of their deformity or beauty, their guilty insignificance or moral grandeur. Through them circulates your own life-blood; in them is bound up the hopes of an empire. Not only the destiny of California is suspended on the issue, but the fate of all the republics which cheer the shores of the Pacific. The same treason to religion which wrecks the institutions of this country, will sap the foundations of a thousand other glorified shrines. It is for you, Christian brethren, to prevent such a disaster; it is for you to pour into California an unremitted tide of holy light. The Bible must throw its sacred radiance around every hearth, over every stream, through every mountain glen. The voice of the heralds of heavenly love must be echoed from every cliff and chasm and forest sanctuary. On you devolves this mission of Christian fidelity. It is for your faith and philanthropy to say what California shall be when her swelling population shall burst the bounds of her domain. You can write her hopes in ashes, or stars that shall never set. Every school-book and Bible you throw among her hills will be a source of penetrating and pervading light, when the torch of the caverned miner has gone out.

The images which you impress on her gold, age will efface; but the insignia of truth, stamped into her ardent heart, will survive the touch of time, and gleam bright in the night of the grave.

PROPHETIC SHADOWS AND JOURNALISTS.

Coming events cast their shadows before. When Com. Jones, several years since, captured Monterey, no political seer discovered in the event the precursor of an actual, permanent possession. No flag waved on the horoscope save the Mexican; no thunder broke on the ear of the augur, except what disturbed the wrong quarter of the heaven; and even the birds, which carried the fate of nations in their sounding beaks, flew in a wrong direction. But the first occupation, though it came and went as a shadow, was an omen, which has now become a reality—a great eventful *fact* in the history of the age. The commodore, who struck this first uncertain blow, is now here entrusted with the defence of the new acquisition. His spirit of intelligence and enterprise is making itself felt in every department, that justly falls within the prerogatives of a commander-in-chief.

There are a multitude of topics connected with the wild life and new condition of affairs in California, which must escape the pen of any one journalist. Some of them are touched with vivid force in the graphic pictures of "El Dorado," others are sketched with lively effect in the pages of "Los Gringos," while California as she was, before gold had cankered



her barbaric bliss, is thrown wildly on our vision, by the author of "Two Years Before the Mast." Her geography, the habits of her citizens, and her resources, when little known beyond the furtive glances of the coaster, are faithfully delineated in the pioneer pages of Col. Fremont, Capt. Wilkes, and Mr. Robinson. Every traveller can find in California some new untouched feature for a sketch. They unroll themselves on the eye at every glance. With the reader they are rather sources of wonder and amusement, than solid advantage. Our globe was invested with no claims to utility till it had emerged from chaos; then verdure clothed its hills and vales; then flowing streams made vocal the forest aisles; then rolled the anthem of the morning star.

## CHAPTER XXX.

THE GOLD-BEARING QUARTZ.—THEIR LOCALITY.—RICHNESS AND EXTENT.—SPECIMENS AND DOUBTFUL CONCLUSIONS.—THE SUITABLE MACHINERY TO BE USED IN THE MOUNTAINS.—THE COURT OF ADMIRALTY AT MONTEREY.—ITS ORGANIZATION AND JURISDICTION.—THE CASES DETERMINED.—SALE OF THE PRIZES.—CONVENTION AND CONSTITUTION OF CALIFORNIA.—DIFFICULTIES AND COMPROMISES.—SPIRIT OF THE INSTRUMENT.

THE surface gold in California will in a few years be measurably exhausted; the occasional discovery of new deposits cannot long postpone such a result; nor will it be delayed for any great number of years, by any more scientific and thorough method of securing the treasure. California will prove no exception in these respects to other sections of the globe where surface gold has been found. The great question is, will her mountains be exhausted with her streams and valleys? Will her rock gold give out with her alluvial deposits? The gold-bearing quartz is the sheet-anchor at which the whole argosy rides; if this parts, your golden craft goes to fragments.

When an old Sonoranian told me in the mines that the quartz *swetted* out the gold, all the young savans around laughed at the old man's stupidity; and I must say the *perspiration* part of the business rather