

Scenes of life in California. by Friedrich Gerstäcker

SCENES OF LIFE IN CALIFORNIA

by Friedrich Gerstäcker

TRANSLATED FROM THE FRENCH BY GEORGE COSGRAVE

JOHN HOWELL: SAN FRANCISCO

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TO THE MEMORY OF MY FATHER AND MOTHER PIONEERS OF CALIFORNIA

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Note: *"The French Revolution"* was first published in the *Quarterly of the California Historical Society* and is reprinted here with their kind permission.

FOREWORD

A little less than a century has elapsed since the discovery of gold in California on January 24, 1848, but that scant century has clearly reflected that date to be one of the greatest in the annals of the world's history. In that day news was slowly disseminated, but in time it reached the remotest places of human settlement and activity. Intrepid and adventurous individuals from all countries and climes; of a diversity of language, creed and color, of varying degrees of morality and social

distinction, all turned their faces towards that modern Mecca, California and its gold. Lofty or lowly, in one respect they were all alike. Ambition, courage, love of adventure, and indomitable energy were the characteristics of all .

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Friedrich Wilhelm Christian Gerstäcker, a German man of letters and an eminent traveller was born in Hamburg May 16, 1816. His father was an actor and it was his purpose that Friedrich should engage in commercial life. He served an apprenticeship in the house of a merchant at Cassel. But this somewhat dull life was not to his taste for he was restless and adventurous. Presently, he decided to emigrate to America; and, to assure himself of resources in the new world, he studied rural economy from 1835 to 1837.

Leaving Bremen he arrived in New York in 1837. His experiences were unhappy and very soon he was reduced to poverty. In self preservation he accepted any occupation that chance might offer, and was, in turn, fireman on a steamboat, sailor, farmer, goldsmith, wood-cutter, ship-keeper, and inn-keeper. He went through thus many states of the Union. In 1843, after an absence of six years, he returned to Germany. He had undergone many hardships and experienced many difficulties, but Gerstäcker was versatile and resourceful. Two books recording his travels and observation, and two novels were published.

*In 1849 Gerstäcker undertook a new voyage ix with the double purpose of collecting information for the use of emigrants and for new material for his books. This time financial troubles were greatly lessened for he was subsidized by the “Reichsmenesterium zu Frankfurt.” He went to Rio de Janeiro, Buenos Aires, Valparaiso, and to California, returning to Germany in 1852 by way of the Sandwich and Society Islands, Australia and the Dutch Indies. His accounts of these new travels appeared in *Ausland* and in another journal published at Augsburg. Later they were collected into book form, some of which were translated into English. In 1860 he visited the German colonies in South American in the interests of further immigration. His last visit to North America was in 1867 and 1868 in which again he went to South America.*

Friedrich Gerstäcker was a most intelligent observer, and his writings are characterized by grace and elegance. His account of the bull-fight at the old mission in San Francisco is almost the only contemporary narration extant. The noble and spectacular national pastime of Spain and Mexico never found much favor in California, and the scenes of the arena were rare indeed

. x In his later years Gerstäcker lived at Dresden and Brunswick. His career had been one of extensive adventure, and his life had been active and useful. He died in Brunswick, May 31, 1872.

ROBERT E. COWAN

INTRODUCTION

Friedrich Gerstäcker embarked from the port of Bremen, California bound, on April 23, 1849. He touched at Rio de Janeiro and Buenos Aires, crossing over the Andes from the place last named in the Andean mid-winter. He re-embarked at Valparaiso and reached San Francisco on the 13th of September, 1849.

After a few weeks in San Francisco he set out for Feather River to engage in mining. The season proved to be one of excessive rainfall and he had hardly commenced his mining preparations when he was driven out by the high water. He returned to San Francisco, where he spent the winter.

In April 1850, he started for Murphy's New Diggings, travelling by way of the Calaveras River and Angel's Camp, from Stockton. Reaching xii Murphy's he decided to engage in a merchandising venture with some German associates, the result of which it seems was disappointing. He remained in the Murphy's neighborhood until August when he removed to the Moquelumne region, spending the greater part of his time at Mosquito Gulch. Concluding his mining experiences there, he returned to San Francisco and continued his voyage, sailing for Honolulu and the South Seas on November 22, 1850, after having spent a little more than a year in California .

Gerstäcker's Travels, in which he narrates his experiences in California as well as in South America on the voyage described, was first published in German, then translated and published in England

in 1854. It is one of the most entertaining and intelligent narratives of that period, and mentioned in it are many of the incidents described at length in this volume.

In 1856 he published Californische Skizzen (California Sketches) which was later translated into French by Gustave Revilleid and published in Geneva in 1859, under the title Scènes de la Vie Californienne, hitherto never translated into English.

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Sharing in common with all Californians, an intense interest in all that relates to the early days, particularly in the neighborhood of my own birthplace, I am unwilling that the highly interesting and often dramatic events so vividly described in Scènes de la Vie Californienne should remain locked up in a foreign tongue and, moved thereby, have made my own translation.

GEORGE COSGRAVE

SCENES OF LIFE IN CALIFORNIA

A BULL-FIGHT at them Mission Dolores

TODAY there was a festival at Dolores; hundreds and hundreds of people started from San Francisco, plodded through the yellow sand along the Mission Road to reach Dolores, three miles away. Everybody traveled the tiresome road, taking breath from time to time on the steep slopes of hills that were covered with dwarf oak and laurel.

It was an animated picture, the charm of which was not lessened by the bare mountains that bounded the horizon. On the left stretched the bay of San Francisco, bordered here and there by rather scrubby brushwood, but where the sea was shining like a mirror between the pale green of the hills; on the right unfolded a little valley, as yet uncultivated, washed on one side by the ocean that spread on the shore the foam of its surges, while in the center rose an unpretending group of old buildings to which Dolores owed its name, for they form on one side the ancient establishment of the fathers.

The Mission had been founded in the first place by the Jesuits; it attracted to itself the neighboring Indian tribes. They not only aided the fathers to build their abodes, but later were required to cultivate the fields and guard the herds, in consideration of which the fathers civilized them. Little by little, the other Californians of the south, especially the inhabitants of Yerba Buena (peppermint), original name of San Francisco, settled at Dolores; roads were laid out, roads over which the gray roofs of the missions rose, always with their gloomy air.

One fine day, gold was found in the bosom of the earth, and at the appearance of the precious metal, the entire country found itself transformed as by the touch of a fairy wand. They used a part of the buildings of the Mission as a public house. The Indians, led by some Californians, left their Christianity, mission and missionaries, and betook themselves to the mountains. An industrious population of Germans, Americans and Frenchmen established themselves in the abandoned buildings, now almost ruins. The vicar, it is true, still lived in his vicarage, but the Mission existed only in name. In the morning, when the silver-voiced bells summoned the band of faithful to prayer, only a very small number responded to the call. The 5 Indians themselves took little note of the familiar sound that of yore brought them captives to the feet of a new God; part of them were in the mountains, there to dig and wash gold; the others, and it was the smaller number, remained in their ancient domicile, frequented the public houses in the neighborhood, learning from the Europeans to gulp down alcohol and to assimilate their liquors and poisons.

It is none the less true of them, that in spite of the visits of the Indians, the numerous hostelries and gin shops of Dolores sought at the time some other new attraction that might draw customers. Their proprietors or tenants found that they were not gaining as much there as they would have been able to make working in the mountains, and they were asking themselves why, if that state of things lasted, they should not rather go to wash gold than remain to sell their adulterated brandy. The Indians had no money at all, the tenants of the Mission had but little more; only some poor visits were received from San Francisco. Consequently, in order to attract the crowd and the customers, a means of attraction was necessary, stronger than cognac or than the beauty of the surroundings. To that end, the saloon keepers arranged horse races, dances, wrestling, prize fights, and God knows

what other strange amusements, often even less agreeable, upon condition, however, that toppers and spectators would not thereafter fear to face the 6 sand or the mud of the road; nor to part with their gold dust.

On this day, it was a bullfight that they were giving. The arena had been established toward the center of the Mission; it was surrounded by a strong palisade, above which were erected benches overlooking the scene, as a sort of compensation in favor of the spectators who paid, to whom they offered but the most mediocre spectacle. The saloon keepers of Dolores gave proof of the perfect knowledge that they had of the people of the vicinity, always ready to throw their money out of the window. The flood of spectators was not slow to fill the wide streets of the small burgh, crowding around the palisade, disputing among themselves to obtain room, while the horses that had carried the privileged of the throng pawed the ground before the buildings of the Mission, under the veranda of which was gathered the *beau monde* . More than one beautiful girl with black eyes cast a secret glance at the cavaliers who were arriving. During this time, the turbulent crowd, composed of Americans, Mexicans, the whites and blacks all mixed together, had occupied such places as they had been able to obtain, and filled a small eminence from which whistles, stamping, and shouts never ceased to call bulls and fighters, of whom neither one more than the other made haste to appear.

Some wretches in motley costume, in appearance 7 rather silly and stupid, Mexicans from their appearance, plus a mixed blooded Indian, whose face was deeply marked by smallpox, undertook to dance in the arena and do some turns, the whole to induce the public to exercise patience. Perhaps this proceeding would have had some success before the Spaniards, who were laughing loudly at the sight of these grimaces of more than doubtful taste; but this interlude was not relished by the English and American public, who, not understanding Spanish, merely became more irritated when the others laughed, while they, who had willingly given their money, were not being amused in the least. The uproar became more and more violent; some half-drunken American sailors had jumped into the arena among the singers and dancers, to take part in the music and capers, when suddenly the door that closed the yard opened, and a brown bull, small, but full of fire, rushed suddenly into the middle of the sailors. The latter, surprised at this unexpected visit, remained a moment amazed

and immovable, gaping, before the arrival. The bull, if he had been willing to take advantage of his position to attack them, would have found in them an easy prey. The joy of the spectators then knew no bounds, and cannot be described. It burst forth from all points, and became the safety anchor of our improvised and dumfounded toreadors. The bull, greeted by this terrible uproar, stood startled, next tossed his horns at 8 random in the air; contenting himself with pawing up the sand under his hoofs.

The first instant of terror past, the sailors, completely recovered from their desire to combat, regained the fence as fast as they were able, in the midst of the laughter and leers of the onlookers. What covered and assured their retreat was that the bull was unable to make a choice, wanting to pursue every-body, and overtaking no one.

But at this moment the real combatants appeared; they entered by a door prepared for them, and irritated the bull; already furious, by means of banderillos, darts, and flags, as has been described hundreds and hundreds of times elsewhere. However, they never faced the animal, and the audience, irritated as well, showed its disappointment by a veritable uproar.

The bull, weakened by the loss of his blood, and by the drive that they had given him, did not respond further to the attacks. Sure that the band of his wretched assailants would never face him, he stood bellowing in the middle of the arena, and received immovable the hail of darts and banderillos that they showered on him. The noise, token of the anger of the public, increased every minute, upon which one of the fighters threw a lasso over the horns of the beast, which he pulled thus toward the door through which the bull and toreadors disappeared in the midst of the hooting of the spectators.

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Among the latter, we could distinguish above the rest an Indian, a large, fine-looking young man of slim figure; he was dressed in the picturesque Mexican costume. He wore the short jacket, pantaloons slit on the side, and on his head a large sombrero covered in oilcloth. An almost empty

bottle in his left hand, he remained standing up on a bench from which he shouted to the cowardly toreadors all the abuse imaginable.

“*Caramba, companero*,” at last replied one of the combatants who had come expressly that morning from San Francisco. “Come try a little, if you know how to perform better than we, or else cease bawling as you do; it seems that your brandy has burnt your brains. Talk is easy, anyone can do that.” Then, turning, “Go on, you damned red fool, I'd like to see you jump in here and fight with the first bull!”

“Go! Valentin,” said some of the residents of the Mission who knew him and knew that his skill and fearless daring justly earned for him, even among the Californians, the name of one of the most skilful handlers of the lasso. “See, show them how it is done!”

“Show them!” replied the Indian, with a scornful smile, and in rather pure Spanish, although poorly spoken. “Show them!—For what? The Mexicans, they to have the ounces, many ounces—Valentin, him to have nothing—him to tear his clothes, to break his bottle! Bah! And for what? For the white men to laugh at Valentin! Let the matadors fight.”

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“But they don't know anything about it!” five or six voices on different sides replied to him.

“Bah! They the men to fight the bull and here to pay for,” said the Indian, laughing, “and the whites come in bands and throw money into the hat; to fight the bull! Ha! ha! ha! *Caramba*, they have the heart to fight only a calf; Valentin is too good for them.”

The Indian, at these words, shook his head disdainfully, and his noble physiognomy appeared more handsome still under the sentiment of pride and personal strength that animated it. However, at this moment the eyes of Valentin fell on the bottle that he was still holding in his left hand, and which his contempt for the fighters had almost made him forget. With an exclamation of triumph and a savage laugh he lifted it to his lips, raising it so that the fiery liquor might run down his throat.

The shouts of the crowd abruptly interrupted him in his task and called his attention to the arena, where a bull, black as charcoal, of the wildest kind, was brought in; he was exposed to the thrusts of his persecutors.

This hero of the combat was very large and strong, of ferocious aspect, increased further by the mass of black hair that hung over his eyes. In truth, it must be said that the animal did not belie his appearance, for the sand was flying around him in thick swirls. He bellowed, he tore up the earth with his muzzle and 11 with his horns; he sought out an enemy on whom to satisfy his fury. He had not long to await an object to attack, for we were not long in seeing appear in the ring two Mexican toreadors, with their short jackets, highly variegated, and their tight breeches. They capered at the head of the animal, seeking to divert his wrath from one to the other alternately. The bull appeared to hesitate for about half a minute, to determine which of the two he would first attack; on which he plunged with extreme fury at the nearest one, whom he compelled to leap the fence amid the jeers of the public, leaving his companion, who, seeing himself alone exposed to the attacks of the animal, judged it prudent to draw near the entrance door so as to effect his retreat.

Whether as a point of honor or for some other reason, the fact is that the movement of the toreador was carried on quite clumsily, so much so that when the maddened animal suddenly lowered his head to the level of the sand, gave a short bellow, and, raising his tail high in the air, rushed at the fugitive with a furious leap, the combatant had not even time to climb the fence, and was hardly able to leap to one side to avoid being impaled.

The first plunge of the body of the animal had been of such violence and the shock was so irresistible, that the planks of the fence were not able to sustain it; they broke to pieces under the head of the bull like 12 worm-eaten wood. Some minutes after, the animal rushed at liberty into the middle of a group of frightened spectators. They made it their most important business to scatter like straws before a gale of wind, and insured their safety by the celerity with which they fled in all directions.

A roar of laughter, loud and scornful, from the audience seated in security on the higher steps, greeted this event and this unexpected flight. Among the spectators there was perhaps but a single one who did not stamp the boards in impatience and shouted his *caramba* at the toreadors. They were standing alone in the arena, where, without their adversary, they made a truly sorry figure. This spectator was our Indian. His first impulse appeared to be to leap into the amphitheatre below, and take part, without himself knowing why, in the action; he even started to throw his bottle far away from him, when a secret instinct restrained him. Undecided still as to what he wanted to do, he raised it, held it between his eye and the light, then sought someone to whom he could confide it. He saw no one; all the faces were strange to him, or too well known. The gaze of Valentin turned from his bottle to the animal; he saw it, already beyond the Mission buildings, heading toward the hills. To carry the glass to his lips, to pour the last drop into his stomach, to throw the bottle far away, to leap in one bound over the scaffolding that separated him from the outside, was for the Indian but the work of the twinkling of an eye. In that sudden movement, he overturned, it is true, two or three people who found themselves in his way, and whose curses resounded in his ear, while he was running, his eye on fire, to find his horse. The latter he found tied in a corner, quiet as a lamb in the middle of the uproar; but the moment that the hand of his master had seized his mane, the noble beast pricked up his ears.

“*Vamos, chiquito !*” the Indian said to him, laughing; with his left hand he detached the halter that held the head of the horse; it would have taken too long and would have been too much trouble to untie the knot in the rope and take the bridle. “ *Vamos, mi bonito !*” And the animal, guided solely by the pressure of his rider's knees, sprang as a shaft from a well-bent bow. The dust, the stones, flew under his nimble feet. Those who had run before the bull scarcely had time to avoid him before he was far away.

The keen eye of the Indian had discovered the bull gaining, in his race, the plain that stretched between the Mission and the hills. Detaching with his right hand the lasso that was hanging on his saddle, he urged the foaming steed, by word and spur, on a pace more and more rapid. Five or six horsemen who found themselves in the vicinity had already tried to cut the course of the bull, but

the marshy soil over which he was effecting his retreat retarded them, and they 14 passed in the track of the Indian to go around the Mission, intending to go further and higher up to overtake the fugitive.

The Indian, with a savage cry, darted directly towards the wall of the cemetery.

“Here, *companero* !” one of the Americans shouted to him. “You cannot cross there!”

A hoarse laugh from Valentin was his sole reply, and with one bound the black steed leaped the thick wall, carrying with him his indomitable rider.

“Damn my soul!” exclaimed the American, who gave his horse the lash and the spur to make him turn speedily and circle the wall; but Valentin was on the other side, and his spirited horse, perceiving the bull a short distance before him, prepared himself for the chase that was to follow. Nose to the wind and neighing, there elapsed but a few seconds before the bull was overtaken; the horseman swung the lasso, whistling through the air, rapidly around his head two or three times. At the same moment, the horse, directed by the pressure of Valentin's leg, threw himself backward and opposed the whole of the weight of his body to the well-known pull of the captive. The bull, finally, made two bounds with greatest effort, for he felt the tightening of the terrible rawhide, but, to break the hold that had caught him, the animal prisoner suddenly threw his head backwards as if he wanted to snap his spine then fell heavily to the earth.

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At this moment the other riders arrived and one of the Californians, seizing his lasso, was about to throw it over the horns of the animal so that, held from both sides, the bull could not attack anyone, but Valentin, heated by all the brandy that he had drunk and excited by the success of his chase, made a sign with his arms not to loosen the rope. Patting the neck of his panting and trembling horse, Valentin waited, a smile of triumph on his lips, for the first movement of his enemy, who was imprisoned but by no means subdued.

The bull, recovered from the dizziness that his fall had caused him, rose quickly, and, seeing in his road this adversary bold enough to defy him, lowered his horns and plunged forward. This was the very thing that the Indian was expecting. Guiding the horse with his left hand, in which he held its mane, he galloped toward the side of the arena, keeping the lasso at full length and taking care not to be overtaken by the bull who followed him, growing more furious every instant.

Twice, seeing the uselessness of his efforts to overtake the horseman, the bull tried to turn aside, but always the lasso held him in his course, half forced, half voluntary. Each fruitless attempt of the animal served merely to increase his rage and to increase his ardor to pursue his tormentor, who continually escaped him.

It was thus that horse and rider, a truly fantastic 16 pair, approached the arena under the eyes of the crowd of spectators, who were all shouting cries of admiration at the sight of the unbelievable daring of the Indian. The door of the ring had been opened wide by the Mexicans. From a distance, Valentin already had made an excited sign that they leave the place free for him, and his fiery glance measured, with a sort of anxiety, the interior of the arena where he was taking his prisoner, now worked up to the last paroxysm of fury. The fence had been repaired, and the place appeared satisfactory to the Indian.

Before entering the great door, behind which two men were standing ready to close it as soon as the bull would be inside, he stopped his horse short and waited with apparent tranquillity for his adversary, who came with horns lowered, and whose first bound could be but deadly. His horse, so gallant in the face of peril, was trembling; it tossed its beautiful head backwards, but, although without bridle, made not a single movement to avoid the danger that menaced it.

A frightened cry arose from almost every mouth when the bull appeared, his horns lowered, ready to sink them into the horse's flanks; but at that instant, guided by the hand of Valentin, the horse leaped into the arena and crossed it in a few bounds. The furious bull, closely pursuing, was about to horn the horse, when, by an immense bound, the latter leaped the 17 entrance barricade. We saw the long and supple figure of the Indian, who was holding himself by his knees to the saddle of

his steed, fairly leap over the bull, who had been thrown several steps back when, under the strain of his disordered course, his head had struck the beams and planks of the fence. Then the Indian, leaping aside, shook the long, black hair that was hanging in disorder over his face and we saw his eyes glitter with an expression of the savage joy that the pride of his triumph gave him. Valentin held in his right hand a little open knife, and in his left hand the lasso that he had cut; he presented both of them, laughing, to the spectators, who were not able to believe their eyes.

It would be useless to attempt to describe the cries of joy and admiration that resounded from the benches. It was with terror that they had seen what they took to be the end of the audacious Indian. That action, which in the mind of the public must have been his death stroke, was nothing but the legerdemain of the incomparable horseman. The applause did not cease.

On such occasions in California, the audience does not content itself with clapping of the hands, but it gives to the performer who has successfully won the good graces of the public more substantial proofs of satisfaction. It is the custom, in bull fights or in the ballets, to throw money to the toreadors or to the 18 dancers. Dollars, indeed even ounces of gold, rain at times from all parts of the room. The belle who has been known, by her fandango, to conquer the hearts of the spectators, is bound to gather to herself a harvest of gold and silver. This is a kind of thanks for which she is accountable to her admirers.

It was in this manner that the satisfaction of the public was made known to the Indian. The dollars came from all parts of the arena; some of them fell on the head of the bull, who, recovered from his heavy fall, was presenting anew his horned front to his victorious enemy.

“Gracias, muchas gracias, caballeros ,” said the Indian, pleased when he saw that shower of gold. Recovering his hat, which at the moment of the leap of the horse had rolled on the ground, he began with the utmost coolness to gather the dollars, when the bull, full of wrath, recommenced the attack upon him.

“Look out! Look out! Valentin!” they cried to him from all sides; but the rash Indian deemed this scarcely worthy of his attention, and only turned his head from time to time to observe the

movements of his aggressor. At the moment of attack, he glided to one side like a snake, and must have already gathered not less than twenty dollars when the bull returned in a second fruitless attack. The enthusiasm of the public grew increasingly at each of the movements of the Indian. More and more excited by his success and by 19 the brandy, his eyes shone with an extraordinary brightness, and his whole person seemed to grow. The peril that all feared for him he had braved with a disdainful smile.

The bull himself seemed subdued before the tranquillity of the man. Convinced of his impotence, he contented himself with plowing up the dirt with his horns and feet. “*Mira aqui, companero*,” the Indian said to him, laughing as he walked toward the beast, who was backing up for a greater plunge forward. “*Mira aqui*, do you see the beautiful dollars?” and taking them in his hat, he amused himself by counting them and throwing them in the sand before the nose of the furious bull.

“One, two, three, four—stop, *amigo*; come, do not be so lively or you make me make a mistake—five, six, seven, eight—you see that I have generous sponsors—nine, ten, eleven, twelve, thirteen—oh, the devil!” and with that exclamation, which he made still laughing, Valentin was obliged to drop his hat, which the bull trampled under his feet, and to think of flight, for the sharp horns of the animal were menacing him closely.

Valentin, always rash, moved aside only enough to be out of reach, then, recovering his hat, he resumed his occupation, while the bull ran bellowing around the arena.

He recommenced to count, throwing the dollars at the nose of the furious animal, one here, one there, 20 making no attempt to avoid being horned other than by the light movements of his body, which gave the appearance of a dance. The enthusiasm of the audience was frantic; many and many a dollar rained into the arena. It was thus that our new toreador tired his enemy, and the monster allowed the feeble child of man to make sport of him with impunity. In the sand, the Indian, singing and dancing, counted his money. He shouted, he made the most unimaginable leaps which were interrupted even few seconds by an attack from the bull.

Meanwhile, the Mexican fighters, profoundly irritated and jealous of the triumphs of the redskin, remained mute witnesses. Suddenly, one of them leaped into the arena, and made a sign to the Indian to gather his silver and leave the place. The Mexican was going to renew the combat. His reception from the public was not very encouraging, for jeers and hisses greeted his entrance on the scene. Then the bull, seeing a new object against which to turn his fury, dropped his old enemy to precipitate himself upon the new arrival.

The latter, the most adroit of the hired fighters, waited tranquilly for the animal, and putting the point of his foot lightly on his head, he leaped nimbly over. This feat of daring gained some little sympathy from the unsettled crowd; the Mexicans, his countrymen, poured out their applause, which encouraged him to attempt something still more clever.

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“*Bueno, companero !*” Valentin cried. However, he was not willing to allow the Mexican to take away the laurels of the day so easily. “*Bueno !* But that is just a joke; see!” And saying this, behold! Valentin faced the beast. As the bull lowered his head, Valentin, with one bound, put himself astride, face forward, and stayed there for not less than a minute, despite all the efforts of the furious animal to rid himself of his burden. This happened amidst the greatest applause.

At this sight, the Mexican became pale with rage.

“Is that all?” he cried with a laugh full of spite, and when the bull, which did not deliver himself of his rider except when the latter voluntarily leaped down, rushed on him, the toreador tried to imitate the redskin in his feat. Anger, spite—have they deprived him of the coolness of which he had such great need in that struggle? In any case he missed the leap; he made too great a one or fell too far behind, and the bull no sooner felt his enemy slip than he turned on the unfortunate toreador. Before the latter had time to recover himself, the bull took him on his horns and threw him high in the air as he would have done to a little child.

“*Caramba !*” cried the Indian when he saw the animal, whose fury was increasing, take the body again on his horns, then trample it under his feet. “That is carrying the sport a little too far.” And before any of the other combatants, who leaped the fence to the aid of their comrade, had been able to reach the bull, Valentin threw himself right between the two horns, exactly as if he were seeking death.

But the savage child of the mountains well knew what he was doing, and as a terrified cry from the spectators filled the air, he stood a few steps in front of the beast revealing in his right hand a short steel blade with which, at a single stroke, he cut the spinal marrow of the bull. After that, in the middle of a thunder of applause, and under a rain of dollars, as you may well imagine the Indian danced a fandango around the dead bodies of the man and animal.

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JUSTICE at Stockton

STOCKTON, on the San Joaquin, is, after San Francisco and Sacramento, the largest town in old California; it even competes with Sacramento. Especially in late years its proportions have notably increased; the commerce has become flourishing and radiates from there to the mines of the south.

Stockton, for some time, had been the seat of the district court, where presided Judge Reynolds,* *sovereign arbiter of peace and of war* .

*Mentioned in Tinkham's *History of Stockton* , 129 et seq., also 395. (Translator's note.)

At this time (we were then in the summer of the year 1850), it happened that a German of the name of Kadisch had some merchandise to send to the mines while he remained in San Francisco, where he was detained by his business and where he was awaiting 24 other shipments. He made an agreement with a Spaniard who engaged himself to transport the merchandise to the mines on mules belonging to Kadisch, which mules he was to take back to San Francisco to receive a new load.

This is in reality what happened: Jose, the Spaniard, set out with the merchandise, but when he returned to obtain a new shipment, he returned no mules, under the pretext, when Kadisch demanded them, that someone had stolen them on the trip. It was an evident falsehood, for at

that very hour a part of the said mules were in Stockton, claimed as the property of Jose himself. Kadisch had some witnesses, more than were necessary, and also enough right on his side to be able to risk a suit and go before the judge to demand justice. While he did not feel well enough assured to win, that did not prevent him from proceeding before Judge Reynolds to explain his case.

He found Reynolds in quite a happy state of mind; the good man was stretched on a sofa, one of his legs passed over the back, the other reposing on a chair before him. He was for the moment abandoning himself to soft, agreeable, and innocent reveries he was turning over and over in his mouth a small quid of tobacco, now gazing at the corner of the room, now shooting some five steps before him with an unbelievable accuracy, and better than a syringe, a jet of saliva which, after having described a parabola, fell into a cuspidor.

25

“Good day, judge,” said the complainant, on entering the room and closing the door behind him.

“How-d'y do,”* replied the other to him, and after simply turning his head slightly to see who was entering, quickly resumed the position that he had quitted.

*In English in the text.

“Judge, I come to make a complaint against the Spaniard, Jose Tonguras; he is keeping my mules from me, and I can prove that all, or at least nearly all, are, at the time that I speak, in his stable.”

The judge turned himself slightly; before speaking, he looked at the cuspidor, toward which he shot a yellow stream which went by the side of Kadisch, and passed so close to his knees that the frightened German could not avoid a slight leap to the side. Un-necessary effort! There was not the least danger, the spittoon was not missed in the least; the judge took otherwise not the slightest notice of the lively apprehension that he had caused; on the contrary, he took advantage of the fact that he had not quite a mouthful to interrogate the complainant.

“Has Jose-what the devil do they call the man?”

“Jose Tonguras.”

“An! An! Has he money?” “Yes, he is worth ten thousand dollars,” was the response.

The judge thereupon rested a moment without asking another question; he was on his sofa, abandoned to his profound reflections, aiming from time to time at the cuspidor; the prudent German had taken the precaution to place himself outside of the direct line of fire, and even beyond reach; the idea that one of the discharges might easily, at some time or other, fall to reach the goal seemed to impress him in a painful manner; the judge finished by pulling the bell, and said to the constable who entered:

“Mr. Brown, I wish you would go find me the sheriff, and bring him.”

The constable off, the judge had recounted to him in detail the story of the mules; the plaintiff explained the affair to him as briefly and as clearly as he was able.

“Well! Well!” replied the judge, who appeared perfectly satisfied with what he had heard. “Very good! We will catch him, the rascal. He is a Mexican, isn't he?”

“I believe so; at least he wears the costume.”

“So much the better. Ah, Jenkins!” said the judge to the sheriff, who was entering, “come here a minute. Kadisch, sit down, we are going to adjust this business; it happens that I have just the time this morning.”

The judge spoke a few moments in a low voice with the sheriff, upon which the latter left the room, and the two men remained about a whole hour face to face with each other without exchanging a word; the silence was interrupted only by the sound of the little jets setting out for the cuspidor; as we have said, Kadisch had placed himself in such position as to be relieved of all uneasiness on this score.

Finally, someone knocked on the door.

“Come in,” said the judge.

The door opened, and the Mexican, Jose Tonguras, entered, while the constable, who was standing behind him, announced him by name with great ceremony.

“That is good,” said the judge, without even raising himself. “Take a seat, Jose.”

Jose, the Mexican, was a little, lean man of short stature, with a face tanned yellow by the sun; his hair, black as jet, was falling in curls around his head; he had, held in his hand, a large sombrero covered with oilcloth; his trousers of brown velvet, open at the side, showed drawers white as snow; he was fitted in half boots. On entering the room, he made a slight inclination of his head toward the judge, the same to his accuser; then, turning in his hands his well-oiled hat, that he had taken off:

“*Buenas dias, senores* ,” he said to them.

Kadisch, in his turn, replied to him with a light salutation; as for the judge, he seemed to take notice of nothing, and as the Mexican had doubtless not understood, had, perhaps, not even heard the invitation to sit down that they had addressed to him, the German repeated it in Spanish.

Jose declined with a shake of his head, without adding more, then moved forward a cane armchair, on 28 which he took a seat, but without any hurry. During this time, his black, crafty eyes wandered incessantly around the room, from one object to the other, without resting on any. Only, from time to time, when the judge turned his head for one of his expectorations, the Mexican tried to engage his attention.

With respect to the judge he appeared to have completely forgotten that there was a stranger in the room; at least, he was not paying the least attention to the plaintiff nor to the accused.

It is thus that several quarters of an hour passed; Kadisch, who had other business, stood up one time, and asked the judge to excuse him, saying that he preferred to return later, at a more convenient time, but for the present he had, I know not what of importance, that would not wait.

“Never mind, Kadisch,” said the judge to him, making a sign of his hand to him to be seated, “the sheriff will be here in a minute, and we will settle our business on the spot; not many suits, I assure you, promise in such a favorable way.”

The German saw the judge in a vein of good humor; he had the sagacity to be willing to profit by it, and remained. As for the Mexican, who had understood nothing of any of the words which were exchanged, he looked with defiance first at one then another of the interlocutors, and appeared inwardly, and with reason, to divine nothing of good from the tone of affability that existed between his judge and the accuser. He commenced to fear grievous consequences to himself.

It was thus that a second quarter of an hour passed, on which the door opened again, and the sheriff entered.

“All is ready, Jenkins?” the judge asked him.

“Everything,” laconically replied he who wielded the sword of justice in Stockton.

“Everything has been taken care of?” again inquired the judge, who appeared to have good reasons not to desire to proceed with the case before being fully informed.

“Everything,” the voice of his Mercury repeated a second time, like an echo.

“Good! In that case, the court can begin its session,” replied the judge, who quitted the position that he had maintained up to this time, arose, and took his place before the table, where he arranged some volumes.

“Bring in the interpreter.”

Jenkins opened the door, made a sign to someone who was outside, and immediately they saw one of the most original figures one could imagine; a man with large shoulders, strongly but ungainly built; he had crisp, red hair, his face was pitted with smallpox, and his hands were covered with summer freckles; he held in his hand an old felt hat, which aspired to a form not easy to describe. It had neither rim nor 30 crown. The proprietor of the hat had over his shoulders a little, blue, Chilean *poncho*, striped on the edges in green and red; his legs were clothed in a style of Mexican trousers, from which were showing drawers, unsuitable and of doubtful color; his shoes, of large size, appeared never to have made the acquaintance, even the most ephemeral with blacking of any kind. This man, certainly, in his whole person, had nothing attractive; his line, green eyes glittered incessantly under the impression of a somewhat savage gaiety. At his entrance, he shot a glance, rapid and very determined, over all the spectators, which, with his deliberate manner, showed that it was not the first time that he had filled the office to which he had been called, and that, before entering into the functions of it, he wished to know for himself with what sort of people he was going to deal. Since then, notwithstanding his assumed indifference, the unconcern with which he addressed himself first to one then the other of them showed with what impartial hand he was intending to hold the balance of justice, and how he was unwilling to give to the judge any but the interrogatives, word for word.

Reynolds had the appearance of being on terms of the greatest intimacy with his interpreter; at the moment when the latter entered, and when he had finally closed the door, the judge set out a chair for him, then he took the Bible, and first, after the usual greeting, he recited the form of the oath.

31

“How are you, Patrick? Do you solemnly swear that you will translate to us, word for word, and in all truth, the questions and the answers that the two parties make to us, so help you God?”

“Many thanks, sir,” said Patrick, and with an Irish accent, sonorously, in a tone particularly solemn, he took the oath and gave his salutation to the judge at the same time; on this, with the appearance of the greatest devotion, he betook himself to kiss the Bible that they presented to him, then having

adjusted his little *poncho* , not that this was at all necessary, he seated himself on the chair that they had provided for him, pressing and crushing his hat between his knees.

The judge had taken a sheet of paper, where he wrote very briefly the complaint of the German, less for the accuser, to whom he did not show it, than for the accused, to whom he communicated it through the medium of the interpreter.

The Mexican, who must have known more English than he wished to admit, had listened with great attention to the oath that was taken. Even at that moment a light smile, scarcely concealed, strayed about the corners of his mouth, a smile which had not completely vanished when the judge read to the interpreter the subject of the complaint. The shrewd Mexican knew enough that his cause, if it followed the ordinary rules of law, need not be regarded by him as lost, nor nearly so; he was not prepared, however, for the summary proceedings that were to follow.

The interpreter, after having listened to the reading to the end, his eyes fixed always on the page of paper, turned toward the accused, who, looking most serious, and with the appearance of greatest attention, remained seated in his chair; he translated to him the substance of the charge and asked him if he admitted the truth of the allegation.

The Mexican remained some seconds with fixed gaze, as though plunged in profound reflection; then, in that singing manner of speech characteristic of the Spanish, he replied:

“*Si, senor !* I received the mules from that man with the goods, and I delivered the goods at the place on which we agreed; is not that the way of it?”

The question was translated to the plaintiff, who replied that it was true, but added that he had not brought his complaint on account of the merchandise, but because of the mules that had been taken from him.

The German translated this reply into Spanish, and Don Jose was going to reply, when the judge interrupted him:

“Stop!” Reynolds said to him.

“I would like very much to know what business you had together. God damn it! You don't ask of me, I hope, to understand your blasted Spanish? Patrick, tell us the story.”

33

Patrick translated to the judge what the two parties had said, and the judge continued his interrogatory.

“Where are the mules at the present time? Have you returned them to their lawful owner? In a word, what became of them?”

The Mexican, having had the question translated, said, shrugging his shoulders:

“*Quien sabe* ? When I returned to Stockton, this man had not yet returned there. It was necessary for me to put the beasts in the care of another, whom I paid out of my pocket; this other fell sick, and during the time some Americans or my own countrymen have stolen the mules. But my brother went to try to get them back again, and if he rescues them, this man lose nothing.”

Patrick translated; on which the judge made haste to ask:

“So, since they delivered the mules to him he does not deny having lost them?”

“*No, no, es verdad* ,” said Jose, “*pero* —”

“Well, well, everything then is strictly regular,” the judge said brusquely, when he saw that the Mexican was getting ready to make further objections. “Pat, stop him, and don't let him interrupt me further. Now that I know all that I want to know, Kadisch, tell me how many of the mules you delivered to him.”

“Fourteen, Mr. Judge, all saddled.”

“Jenkins, what are mules worth on an average these 34 days; pack saddles do not make a great difference.”

The sheriff reflected a moment, then, stroking his chin, he said, “Hm! I don't know exactly. I think, on an average, something like eighty or ninety dollars each. Maybe more.”

“Good! We will take an average of ninety dollars. Are you satisfied with the price, Kadisch?”

The latter, somewhat astounded at the proceeding, made, however, a sign of assent.

The judge continued, “That makes, then, fourteen times ninety; four times nine makes thirty-six, nine and three make twelve in all, exactly twelve hundred and sixty dollars; besides, for the court, fifty dollars; for the summons and for the examination, fifty dollars; thirteen hundred sixty; for the sheriff, fifty; fourteen hundred ten;—and for you, Patrick, how much do they give you as interpreter?”

“Eh? Why, I don't know,” said Patrick, with an air of feigned embarrassment, “I imagine something like two ounces.”

“Bah, say three,” replied the judge to him in a low voice, giving him a slight wink of his right eye.

“Make it three ounces,” murmured Patrick, upon which the man of the law resumed his accounting.

“We said fourteen hundred ten doe plus fifty for the expense of interpreting—altogether, fourteen hundred and sixty. Patrick, say to this Jose Tonsuras or Tonjuras—whatever in the devil he calls himself— 35 that the court has adjudged that he pay fourteen hundred sixty dollars damages, twelve hundred aid sixty in favor of the plaintiff, one hundred for the costs of court, fifty for the sheriff, fifty for the interpreting-altogether sixteen hundred sixty.”

“Fourteen hundred sixty,” said Patrick.

“Fourteen hundred sixty? You are right—fourteen hundred sixty—however, we don't count trifles. That money must be paid within the space of three hours.”

Here Jose became deathly pale, and could but scarcely wait until the terms of the judgment had been translated to him to rise and protest; but Judge Reynolds was not the man, once a judgment was rendered, to allow any relaxation of it.

Patrick, explain to this man that however dear his purse be to him, he will do better to keep his mouth shut. We have argued enough as it is; I have, however, never believed that a long discussion could do him any good. Make him understand. Besides that, the sheriff, in his capacity as sheriff, has all his mules here behind the building, and if in three hours the money is not here, before evening the sheriff will have sold the mules to the highest bidder. Does he understand?”

At this rate, Jose well knew who would laugh last—“To wink at Justice is but little better than to make a sign to a blind horse.” Jose abandoned himself to the most violent despair, for lie readily saw that lie was 36 caught completely in his own net; he offered to deliver the greater part of the mules in eight hours at the place where he had taken them; at that Judge Reynolds contented himself with saying to Patrick:

“Have you Spanishized to that man what he should know?”

“All, your honor.”

“Everything then is in order; in three hours the money, or else the auction.” Thereupon, Judge Reynolds arose, and addressing a gracious salute to the plaintiff and to the defendant, “The session is adjourned. Come, Jenkins, let us go across the way, where we will take a small glass, seeing that I have a devilish dry throat.”

Three hours afterwards, Jose Tonguras, purse full and with an air of chagrin, was before the table of the judge to pay the damages that they had imposed upon him. He well knew that there was no other way for him to get out of it; the judge would have sold his last mule at auction, and mules, at

that particular time, had not a great value. The judge had no need at all of an interpreter to receive the money and count it; after having locked it in his desk, he contented himself by addressing to the losing party- who was going away with an air noticeably contrite, these two Spanish words, probably the only two of all the Castilian language that Judge Reynolds knew, “ *Muchas gracias .*”

37

The FRENCH Revolution

THE new mines at Murphys, or Murphys New Diggings, as they are called by the Americans, Germans, French and Spanish, are situated on Angels Creek, which in its lower course empties into the Stanislaus River. These mines are due to streamlets which pour down from the neighboring hills and by their juncture form a flat or bar, an auriferous terrain of whose richness rumors have been spread that are truly fabulous. When this story begins, it was the middle of May. At that time there was an abundance of water in both the springs and streams, so much, in fact, that digging to any depth was impossible. All that could be done was to make preparations for the favorable season at the end of the summer, so that when the time came, work could begin in earnest. 38 Pumps were being put in place to lower the water, and drainage canals were being dug.

While the miners or gold washers were busy with these various tasks, there was in the town of Murphys another category of men who endeavored no less actively to serve their own interest. These are known in the mines as storekeepers—dealers who go about, planting their tents near mines and miners, and selling the gold washers provisions of all kinds Thus they spend their summer with the prospect of realizing big profits. Some far-seeing Yankees, in the town of which we are speaking, had set up a skittles game. About it, drinking places started up, and gamblers, those California vultures, gathered there from everywhere to try their luck in plucking their victims.

A great number of French, Basques for the most part, made Murphys their headquarters, and French shops were not slow in springing up side by side with those of the Americans. In the former, grisettes were to be found, women of middle age, one of whom, and it must be admitted the youngest, took pleasure in walking about in a short jacket and pantaloons and sporting a felt

hat clapped jauntily on the side of her head, in order to attract the attention of the western pioneers who, newly arrived from their forests, could not understand why a woman could have the notion to garb herself in men's clothes.

We have said that at Murphys there were Germans, 39 Spanish and English, but the French were most numerous, without doubt, for they alone made up three-quarters of the population of this small town. It was at this season, the last of April or the first of May, that the California Legislature passed a law by which all foreign gold diggers were made to pay a tax of twenty dollars a month; in default of which, if they did not or would not pay, they were to leave the diggings without other process of law and at once. If they were found digging elsewhere, it would be held to be a crime and punishable as such.

One may well imagine the effect that this law had upon the foreign miners. Even among the Americans there was a shaking of heads by the better class, who said that such a law could result only in riots and give rise to useless discontent. The French were the first to make an outcry, and called attention to themselves as much by their vituperations as by their lack of sound reasoning. They declared flatly that the law was infamous and resolved not to pay a single cent of tax.

Among the Germans were some Alsatians who joined forces with the French. The Basques armed themselves at once and decided that the best thing to do was to oppose the Americans. On their side, the Americans took not the least notice of these goings-on. The law was too recent for anyone to have recourse to an order of coercion. Collectors had been appointed to make a tour of the mines. Until they 40 reached Murphys all that could be done was to wait.

It was an evening of great beauty in the latter half of May; the sun was about to set behind the gigantic pines which at that date crowned the hills near Murphys.

People were returning from work, and here and there white smoke came from the tents, rising from fires over which their miners were preparing their frugal evening meal.

From different sections of the town (the grouping of tents had been baptised with the name of Stoutenbourg), discordant and strange sounds reached the ear; the boom of a Chinese gong mingled with the sharp notes of a child's trumpet—such were the means the different restaurants took to announce to the public that supper was being served and that the proprietors awaited their customers. In this improvised and raucous concert the donkeys of the miners joined, to which must be added the chopping of wood and the refrains of French songs coming from nearby tents or brush. Groups came and went from shop to shop, that is to say from tent to tent, laughing and gesticulating; twilight settled down; a few light clouds, gilded by the setting sun, floated in the sky; it was a scene to make even such poor devils forget the fatigues of the day and their worries for the morrow.

Nearly everywhere supper had long since begun. ...But why have all these people remained motionless 41 on the thresholds of their tents, talking and gesturing with so much animation?

“The French are doing a lot of jabbering together today,” said a tall Texan to a Down Easter as tall as himself (Down Easter is the sobriquet given to true Yankees or to inhabitants of the northeast section of the Union). “Do you understand what they're saying?”

“What, me?” the Yankee replied, surprised that his companion could even imagine that he spoke French or any other language in the world but American. “Me? Do I understand their jabber? What they've got to say can't be very important.”

“And how they go on with their arms and hands,” added the Texan, returning to look at the group that they had just passed. “They'd have no fun without doing that. Tie a Frenchman's arms behind his back and you cut off his tongue.”

Whereupon our two men entered an American gambling joint where they found none but compatriots, for whom the game had such a lively interest that it did not leave them time to do anything else.

The picture presented at the same time before one of the French tents, the dwelling of a certain Louis and a grisette to whom by courtesy all gave the title of Madame Louis, was quite different. The French, who were nearly all Basques, and the Germans, were talking with great animation; there were flare-ups of anger, and cries of "Scalawags! Help! Down with the Americans!" disclosed at once and without mistake what the subject was which agitated them. The conversation, in which the most diverse accents and dialects could be recognized, was carried on entirely in French, mixed, however, with a bit of Spanish. In the midst of the principal group there was a German named Fuchs (fox) sporting a long red beard; a little Basque slightly marked by smallpox with pronounced features and a combative eye; also a tall Swiss draped in an Argentine poncho, a cutlass in his belt. Another Basque joined them, seizing M. Louis, the worthy host of the establishment, by the shoulders, so that he himself might confirm the news he had put into circulation.

"Come on, Louis," he cried excitedly. "Come on! Show them the letter we got today. They won't believe me."

"Yes, it's true," replied the other, who saw at once what was going on. "My wife has the letter."

"And what's in this letter?" the Swiss demanded.

"It's frightful! It's awful! It's terrible," cried Fuchs.

"Quiet," cautioned the Swiss "Come on, be quiet a bit, so we may hear. Who knows whether, after all, this story is not an exaggeration"

"An exaggeration," cried the Basque. "Madame Louis, be good enough to show us that letter for a moment."

43

"I am furious about it, Monsieur," replied Madame Louis, a rather feminine figure of about twenty-six years, with black eyes, tall and slim; and with these words she came out from behind the gaming

table where she was serving her customers, to approach the group. "I am furious about it, but the two men who read me that letter had orders to keep it to take it to Angels Camp."

"And the contents?"

"The contents, in two words, was the following: 'The Americans in Sonora have laid violent hands on the French who are refusing to pay the tax. Two of them and a German are in prison; it is expected that, contrary to the law of nations, lynch law will be applied to them. They say even, that the sheriff at Sonora, who is an American, has been killed with a knife by a Spaniard. The French of Sonora are calling to their aid all their countrymen in the mines; they are asking them to come without delay if they do not want the most abominable of outrages committed under their eyes.'

"That is what was in the letter, signed by a very honorable Frenchman, a certain Leroy, who is in business there. So now," continued the young woman with spirit, "hurry and get ready, for it is late and in an hour we are all leaving."

"And are you going, too, with the others?" the Swiss asked her.

44

"Certainly—my life for my countrymen."

"Who'll stay behind?" cried Fuchs, red as his hair. "Why, this is a horrible outrage that cries for vengeance—that can only be washed out in blood."

"One must see before believing," replied the Swiss, less easily led astray, "For some time past, so many false reports have been circulated which have found ready credence that we have become skeptical here. Cool-headedness is what is needed above all, and here especially."

"Cool-headedness! [French: *sang froid* , literally "cold blood."] Fish's blood!" exclaimed Fuchs, who, becoming more and more heated at this one idea, emptied a large glass of Bordeaux to relieve his parched throat. "Who now, on receipt of such news, can dream of thinking it over? Is Sonora at the other end of the world that false reports can reach us so easily? Sonora is twenty-five miles from

here; and those two men who mounted their horses only to bring us this news are our guarantee that it is only too true.”

“What do you think of this?” said another German, using Spanish because he did not speak French. “By starting out this evening to go there, I can be here tomorrow and I will report to you exactly what the truth is. If things are as the letter says, in twenty-four hours you will have confirmation of it, then we shall all go, and we shall see then if a handful of Americans, without faith or law, can act as they please with these 45 foreigners that they look down upon. Yes, we will all be there.”

Fuchs, with the best of motives, was going to make an objection to this proposition when Madame Louis cut him short with a graceful motion of her hand. This was but an excuse; it really meant, “Let me speak first, then you can talk as much as you please.” She interposed herself between the speakers.

“Monsieur Fischer,” said she in fairly good Spanish, “we have no need of further information. The letter that nearly all of us have read and the testimony of those who brought it are the best evidence of the facts. Let all who feel a courageous heart beating in their breast fall in under our flag. *Let us go, countrymen, the day of glory is here !*”

Fuchs and one or two of the men who were there, on hearing the refrain of the celebrated song, joined Madame Louis; there was a sort of tumult about the liquor table; the conversation became general, and in an instant afterward the report became widespread that all the French were preparing to set out that same evening with the idea of arriving before the town of Sonora at daybreak the next morning.

Fischer, seized by the warlike enthusiasm that was animating all the others, had also made his preparations. He had hurriedly bought himself, for forty dollars, a double-barreled gun and a powder flask which a countryman gave up in his favor, purely to oblige him. He provided himself in addition with powder and shot, enough for a three weeks' siege; our man, thus

completely and gallantly equipped, found himself at the precise hour of the rendezvous before the tent of M. Louis, ready to go.

Great confusion prevailed at the moment; the greater part of the combatants, to give themselves courage without doubt, had consumed more copious libations of wine and brandy than usual. Germans, Spaniards, French were in the crowd, each talking his own language, without too clearly understanding his neighbor, for from time to time some phrases in English, singularly mutilated, became necessary to serve as a means of interpretation.

Among the Germans the most prominent was Fuchs, who in the half hour since it had been decided to undertake the march, had lost a great degree of his enthusiasm. A barber named Frey, his countryman, had come to his aid so that he could use the last resources of a badly shaken credit, and poor Fuchs, in borrowed shoes, with a gun, a cutlass and borrowed hat, was ready to set out for the war. "Brothers," cried he, in a more or less intoxicated voice, "brothers and friends—if I remain with—with you; rest assured, it is that—it is that—I'm going to stand up for the Germans. My blood, I—I wish to shed it—for the Germans—and he is only one—that one who is not—for the Germans."

47

It must be understood that we attempt to defend neither the logic nor the elegance of the discourse of Fuchs; no one, however, dreamed of being disturbed by it; he, seeing that everyone was busy with his own preparations, drained successively all the wine left in the glasses by the others, after which he shook hands with a little negro boy who had come to find out what was going on, with such fervor that the brat let forth a cry. This did not prevent him from slipping into his pocket a small loaf that he found and making his escape. And as for Fuchs, the warlike troop saw no more of him. And when the customers asked the hosts what had become of him, the knowing pair replied, "Mister Fuchs—he died for the Germans."

The plan of the leaders was not to have the column depart en masse from the tent of M. Louis, for whom such a movement might later bring disagreeable consequences. The gathering place was in

the open air about a half mile distant, near a trail that they had designated, whither they were to go alone or in small parties to begin the march.

Most of the men had already taken their departure; the tent of M. Louis was entirely deserted, only M. and Madame Louis and our old friend Fuchs remained; these three held a council of war with all ceremony. Madame Louis had dressed herself up in a complete Amazon costume; she wore dark colored pantaloons, a red woolen shirt, a large felt sombrero 48 over one ear, decorated with an ostrich plume; she had a double-barreled shotgun slung over her shoulder, two pistols and a hunting-knife in her sash, together with a haversack, and in her hand a bag of provisions. M. Louis in his turn had the air rather of belonging to the department of strong drinks; he had only one gun, but three gourds which had the appearance of being by no means empty, and he was overseeing the packing of a small keg of brandy containing about a dozen gallons, that two Frenchmen in front of the tent were occupied in getting ready.

The council of war gathered in the tent was bent on nothing less than obtaining from Fuchs the abandonment of his belligerent humor and of the heroic death to which he aspired, so he might replace M. and Madame Louis during their absence; it was necessary to persuade him, that instead of firing at Americans, he should be contented with drawing the corks from the bottles. It can be seen that if the anger of M. Louis made him desire the complete annihilation of the inhabitants of the Union, it did not go so far as to want to make them die of thirst. The couple had therefore cast their eyes upon Fuchs.

“Besides,” said Madame Louis in her husband's ear, “we must pay someone, and this fellow, anyway, will always be in debt to us.”

The argument appeared to be enlightening to M. Louis, who for his part would have preferred to remain 49 than to go, but how was he to trust his wife in the hands of strangers? Neither did Fuchs urge other action; he stood his gun in a corner and began to roll up his sleeves to be ready to serve the customers and rinse the glasses when the tread of a horse was heard outside; soon the horse

itself appeared and upon it was a woman, her head covered by a felt hat, set off with a large red ribbon; and a silvery voice, strong with resolution, cried out:

“Let us cross the creek, my dear, let us cross the creek! Ah! *Parbleu* ! We are the last—And M. Fuchs? -What are you doing there?-And your gun?—We have not a minute to lose.”

“A moment, my dear. I'll be with you in an instant,” replied the other Amazon “You see, M. Fuchs has agreed to guard our house, while we are not here.”

“An, what gallantry,” replied the woman on the horse, laughing. “But mount! Mount! Really it is already very late, and we ought not travel the highways all alone.” Madame Louis only took time to slip a bit of cologne, a plaster, and some strips of linen in her haversack. She took a glance in her mirror, another at her substitute behind the counter, then set out so precipitately to run to her horse that she struck the nose of her friend's horse in passing with the butt of her gun. The horse reared in fright and with little ceremony threw off the woman on his back. Madame Louis took not the least notice of this, but, aided by 50 her husband, she leaped briskly into the saddle, and here were our two Amazons galloping, laughing, and singing as they went.

M. Louis, during this time, had untied his horse, replaced his glasses upon his nose, and after calling a last “Good night, M. Fuchs,” to which the latter responded with a sort of grumble, he set out to rejoin the women, a task that he found was not the easiest for him; for, being only a fair horseman, he had also to watch out for his gun and his bottles.

“Well, I never!” said a little American at this moment, who silently until then had been watching the scene from a neighboring tent. “What the devil is the matter with the French? Are they, in fact, possessed of the devil? They're going to take California by storm.”

“Not California, but Sonora,” said another voice at his side. It was a big American named Fletcher who was working in the mines for a Texas company. “Sonora! Where the devil,” the small man replied, “did you find that out?” “Oh, it was Kurnel, the Canadian, who told me. He speaks French.”

“But what is going on over there?” asked the small American with some little anxiety. “Perhaps it would be best to call a meeting immediately to offset...”

“Oh, bah!” said the Texan, in a most phlegmatic tone. “This whole affair is going to end in a rat tail. 51 If the thing becomes serious and if they need us in Sonora, they will know enough to tell us.”

“Hello, Fletcher, what do you know?” cried several young men of nineteen or twenty standing in front of a butcher shop, two of whom as partners never failed to take a daily shot at each other.

“What do you know?” said one of the two who wore a Mexican costume and had a six-shooter in his belt. “The French have gone to take Sonora by storm; let them beat the recall and all of us young people will muster; we'll follow them and take them between two fires.”

“Nonsense,” to this replied a big American with very red and well-fed cheeks and large blue eyes. “Our young men over there will settle it by themselves without help; we, meanwhile, will form a camp here of Americans; we will raise entrenchments and we will not let a single one of the damned Frenchmen come back.”

“Nonsense,” replied his companion, angrily; “that would indeed be nonsense; it is quite apparent that you are too cowardly to go, and you would rather entrench yourself behind a dozen tree-trunks.”

“Too cowardly?” cried the boy with the blue eyes. “Listen, you damned——.”

“Quiet, men, quiet!” said Fletcher, who had disdained until then to take part in the conversation, but who, seeing that it was assuming a threatening stage, 52 believed he ought to say something. “Come, let us be reasonable, let us be calm. By tomorrow the affair will look altogether different. God knows on what ill-founded rumor they started out; they will come back looking as silly as spaniels that have been thrown into the river.”

The other bystanders tried to raise new objections to this system of temporization; they spoke of raising the American flag and of dying in its shadow; they wanted to make an example of someone; they talked especially of punishing the ingratitude of the foreigners, who should be driven out of the country as soon as possible. However, the sober-minded people succeeded shortly in resuming the lead in the debate and got all to go peacefully home to await there what the next day would bring forth. The Frenchmen during this time, without heed to the consequences which might result from their actions, assembled at the place appointed for their rendezvous and there our two Amazons arrived just in time to take the head of the column.

On the other hand, the two emissaries sent from Sonora had not remained idle; they had spread or caused to be spread as far as Calaveras, Angels, Carsons and Douglas Flat, the news of which they had been made the messengers.

From all sides during the night the French arrived, carrying their blankets and their guns with some 53 scanty provisions, all rolled in a pack and carried on their backs; they wanted confirmation of what they had heard, then hastened to expose themselves to a danger of which they could not measure the extent.

Although the outcome of the expedition hardly measured up to its commencement, the French nevertheless did not fail to give a good and salutary lesson to the Americans in showing them that in a common danger they would all be united; and many Americans admitted later that they never would have believed that there were so many Frenchmen in the mines; during two days they had come out from all their hiding places.

This first column which set out from Murphys had an original and picturesque aspect in the highest degree. It was almost entirely made up of tall and large individuals of more or less forbidding appearance, fairly uniformly clothed in red shirts and caps of the same color, or else hats of black or grey felt. Everyone had seized the first weapon that fell to his hand; the greater part had double-barreled shotguns, some carbines, or simply muskets; many carried swords, daggers or pistols as side arms.

A good many of these weapons were not in condition; regardless of rust covering them, they had been dragged forth for the occasion from the most obscure or dusty corners; time pressed so that no thought could be given to cleaning them; their owners, without 54 taking time to examine the old irons, to find out whether they were already loaded, had rammed in a new load, for they were in a hurry to engage in the fight.

Our old acquaintance, the baker, whose face had been so cruelly marked by the smallpox, was one of those to whom his equipment gave the most constant employment. He was on foot like nearly all his comrades, and he stopped at every step to examine his old musket, to try to put it in order, after which our man would set off again at top speed to rejoin the others. In these stops, irregular but frequent, he changed the powder in the fire-pan two, if not three times, tried to clear the touchhole with a borrowed pin which was invariably too short, blew into it, then started to run again so that he became purple in the face; giving vent to a tremendous oath our straggler would wind up by overtaking the end of the column.

The plan of our adventurers had been at the outset to proceed without halting as far as the town of Sonora; but, wearied by the exertion of the march, bereft of provisions of which they had so scantily provided themselves, reduced to brandy, those who composed the column made their first halt at eleven o'clock, bivouacking under the vault of heaven around large fires they had lighted. Confusion was not lacking, we may well believe, in this improvised camp; bottles were passed around, and 55 songs and gay refrains served to drive any gloomy thoughts that the perils of war might give birth to. In the midst of this jollity the baker alone was the grumbler, he was exasperated at his stubborn musket. He wound up, however, after much trouble, by getting it in condition to fire. It is true that the weapon upon going off gave to its owner such a prodigious kick that the fire pan of the lock fell into the dust, where, on account of the darkness, it was impossible to find it.

The lot of M. Louis, on the other hand, was not much happier. Madame, his wife, without his being aware, had stolen away from him, and the unhappy husband, in the midst of all the red shirts, experienced not a little difficulty in recognizing his gentle better-half; he approached each face, bearded or not, surveyed it closely, until at last he discovered Madame, stretched under a tree at the

side of her friend. M. Louis, without regard for the rights of the first occupants, chose as his place of repose the space between the two fair ladies.

On the following morning, at daybreak, the column again took up the march, without having breakfasted; they were sustained only by the brandy; during the night several Frenchmen from the neighboring mines came to swell the ranks, and our people had not been an hour on the march when they met a troop of Mexicans.

56

“*Donde vais, amigos ?*” cried the first of the French to them. “Where are you going? Where do you come from? Don't you know that we are going to your relief against the Americans? We will see if they are going to run you out.”

The Mexicans appeared to be somewhat surprised at this announcement, of which they did not wholly comprehend the purport, for it was quite evident that no one had in any way pursued them, and that they were leaving of their own free will.

The French earnestly urged them to retrace their steps and not thus to abandon their own [the Mexicans'] cause. These arguments were not approved except by a very small number; nearly all replied that they had set out not as a result of troubles, but because of the mines, which in Sonora were commencing to be exhausted and hardly yielded more than dally wages.

It was under loads of imprecations and maledictions of the French that the Mexicans continued on their way, setting off through the woods bound for Murphys; the small number among them who joined the defenders of their jeopardized rights did not appear to travel with much heart; they found means here and there to disappear into the bushes, and hardly more than one or two were left on the arrival before Sonora.

The column saw other mall troops of Spaniards, Mexicans, and Chileans, which they passed, but these did not come near enough to begin a conversation; 57 they withdrew immediately to one side and soon contrived to disappear behind the first declivity or the first thicket in the neighborhood.

Our adventurers reached the Stanislaus River about ten o'clock, where an elderly American was located to point out the ford, and one can imagine the surprise of this good man at the sight of this numerous armed troop bound for Sonora.

“But, in the name of Heaven, my lads,” he said to them, “don't do anything foolish. Give it a lot of thought; think what you're getting into. You don't even know whether what you have been told about Sonora is really true; and if it is true, reflect that it may be only an individual here and there who has suffered. But if you advance as you are as far as Sonora, the affair will not stop without bloodshed, and when blood has once flowed, which of you will answer for the consequences? Believe me, do not act thus thoughtlessly but rather test yourselves out first; above all keep your own consciences clear, so that later you will not have bitter reproaches to make against yourselves for an ill-considered step.”

The evening before, the kindly man would have been able to address his prudent words only to the four winds of heaven; but at this time the hot blood was already considerably cooled; it is true that the diet to which all these stomachs had been submitted had contributed not a little to this. The French told 58 the old man that they would follow his advice and that before entering Sonora and committing any violence they would send someone under a flag of truce to make inquiries concerning events down to the smallest details. The old American would really have liked to detain them all, but it was not possible, for they all wanted to be within reach in case there should be need of their help.

As the band was crossing the river they saw the two Frenchmen of the evening before who had brought the letter and the news to Murphys coming back. When they learned the intention of their companions they offered to go in advance and ascertain without delay the exact information concerning what was taking place, so that the band might be informed how matters stood. There was some opposition to the acceptance of this offer, especially on the part of the Germans, who claimed that it would be better to send somebody other than those two men, whose opinion on the subject of the events at Sonora was already known, but the French were of the opposite opinion and they carried the day. The two messengers then set spurs to their mounts and took off. The column

advanced to within half a league of Sonora, to a place which had been named as a rendezvous for the emissaries; there, awaiting their return, they established their camp. There were possibly four or five hundred armed men, of whom three-fourths were natives of France.

59

The two emissaries should have returned; however, they did not appear. Several individuals moved forward on their own account half way to the town to meet them. Useless trouble! They had to retrace their steps without having seen anyone. What had become of the emissaries? Volunteers offered to reconnoitre the ground, and among them Fischer, who that morning had bought from a Spaniard a horse all saddled and bridled. To leap into the saddle, to gallop to the outskirts of Sonora, was for them a matter of but a few instants; they were expecting nothing less than to find the town in a complete state of defense, protected at all points by barricades with American carbineers ambushed behind.

Their astonishment commenced when they were allowed to approach without the slightest obstacle blocking their march; but their surprise was greater when, from the summit of the last hill, they saw the town, where nothing unusual seemed to be taking place. They saw here and there a few groups assembling, for it was no longer a mystery to Sonora that there was a band of armed men marching against it; however, they did not seem to be troubled by it; thus our scouts, not a little abashed, entered the main street of the town to look there for their two messengers and obtain from their compatriots information of the real state of the public feeling.

The news that they gathered was of such a nature 60 as not to make them regret the peaceful manner in which they had come. The story of the Frenchmen thrown into prison and in danger of death was a pure invention. It is true that on the day before they had arrested and imprisoned a German, but he had been released almost immediately, several persons having recognized him and having testified that he was drunk when he had approached an American to try to pull him off his horse. The injured party, on learning the condition of the man and who he was, had himself withdrawn his complaint. Not one of the Frenchmen, of whom there were a goodly number in Sonora, had heard of the two messengers, or of the news of which they were the bearers. Our

company were left confounded. They were never able to find the emissaries and it was fully proved that all the excitement was the result of a monstrous canard conceived in malevolence and spread with culpable imprudence.

It may well be added that two days before this there had been a demonstration by Mexicans against the Americans, in which the former, after having hoisted their flag, had declared to the Americans, greatly inferior in numbers, that they would drive them from the mines if they attempted to enforce the law that imposed the tax.

But, following the custom of the Mexicans, who liked to hear themselves talk, they indulged in eloquent speech, and when it came to performance nobody could be found who was willing to act; it must be said that no one knows precisely who were right and who were wrong. The Americans with flag and music at their head marched against the Mexicans, who dispersed without resistance. Their flag was seized and the American flag was hoisted in its place. Not a shot was fired, and the sheriff had not been assassinated, as the report had been spread, nor had anyone even threatened him. The whole affair was merely an extravagant story that had had as its consequences the embroiling of the Americans with the foreigners.

The men sent as scouts by the column resolved, since the first messengers had prudently vanished, to bring away with them the unlucky author of the letter, who would be required to render an account of his conduct. The latter, one may conceive, showed at first only the mildest alacrity to obey the summons, but there were evasions, excuses more or less good or bad; nothing happened. His countrymen and a large number of Americans, learning the cause of the tumult, assembled in front of the tent, and threatened if the recalcitrant did not come of his own accord, to bind him and bring him by force. The poor devil, little comforted by such a prospect, still tried to defend himself, but willing or unwilling, he was forced to follow his escort, which arrived, accompanied by a crowd of Sonorans, at the stopping place where we have left our band.

One can picture to himself the reception that was given the man there. During the first half hour it was impossible to understand what anybody wanted to say; everyone shouted, everyone gesticulated, without taking any more notice of the prisoner than if he had not been there, and if he had had presence of mind, he would have been able to profit by the furor and decamp. However, little by little the tumult subsided; individual voices commenced to make themselves heard, and as a result of these addresses they ended by the forming of a jury that should decide the fate of the accused.

While the affair thus far had had rather grotesque incidents, from this moment on it took a serious turn; yet an instant and they were to decide on nothing less than the life of a human being. They reproached the accused for his offense; pointing out how, by means of a false letter the secret motive for which they would not further try to discover, he had put the whole country in a ferment; how he had succeeded in making his countrymen ridiculous as well as those who had been willing to join with them and come to their aid; how, furthermore, he had erred in causing them to engage in a movement to sow distrust between the Americans and foreigners. It was in vain that the accused tried to defend himself, pleading that they were looking at the affair in entirely too grave a light; it had been an excess of zeal for his countrymen that had made him act with this regrettable precipitation; someone had given him the news that two Frenchmen had been arrested and imprisoned; hence his indignation and the letter that he had sent. It availed nothing; the jury remained inexorable; it voted him guilty and the man was sentenced to be hanged; the sentence was to be executed on the spot without the least delay.

Men, silent and still, their faces fixed and determined, surrounded the condemned man. In vain the terrified eyes of the victim searched among them for a sign of compassion in any of the bearded faces. A deathly silence reigned; the baker alone on the outside of the funereal circle was busy untying a lasso from the neck of a horse.

“And you will let them murder me in cold blood?” at last said the condemned man in a hollow voice to those surrounding him. “I have a wife and children down below.”

No one replied to him; more than one heart bled for him, we would like to believe, but they realized how much this man was to blame and they were not willing to interfere with the sentence.

“There, that will be a good tree,” said the baker, approaching a young oak. “It is no trouble to throw the rope over that limb.”

The two men at the side of the condemned man, in whose charge he had been placed, then took his two hands and tied his elbows behind his back.

64

“My countrymen, my friends,” cried the unfortunate man in a hoarse voice, “you would not murder me.”

His face was pale as death and all his limbs were trembling in deadly fear.

The circle opened on the side toward the tree; the diligent baker, mounted on the troop's little brandy keg, stood upright under the main branch from which the rope hung, swinging gently in the breeze, and made a running knot in it.

“O Lord,” piteously murmured the culprit, and for the first time a tear fell from his eye. Then from the midst of the crowd stepped a Frenchman, a large, fine looking young man with a black beard. He stretched his left hand toward the prisoner, and said in a voice full of emotion: “My friends, let this man go; the poor devil has had a sufficient scare as it is; after all he did not, I believe, have any intention evil enough to deserve death. So let him go; in the future he will be more prudent; besides, his death will not help matters at all.”

“It will make amends for everything,” cried many voices. “The consequences of his thoughtlessness might have been dreadful; that is why he deserves punishment.”

“Yes,” calmly replied the volunteer defender, “but whom do you punish in executing him? You punish his innocent wife and children far more than him.”

“And have not we, likewise, wives and children?” cried the same voices, “and has he not done something that might have put our lives in danger?”

The prisoner said not a single word, but his eye, which was recovering confidence, searched anew the circle of the assemblage; the victim scarcely breathed. They still made vigorous objections to a full and complete pardon; however, the first heat of their anger was over; they had already up to a certain point satisfied their vengeance; kindness, hastily stifled, must, in those ardent natures, soon reappear, and in the end win the victory.

The guardians of the prisoner themselves cut the cords that bound his arms; as soon as he felt himself fully released, in his ecstasy, he immediately seized the hands of those around him and clasped them effusively; he even pressed to his bosom some of the fierce faces; in his joy at having his life preserved he went to the length of kissing them.

It was here that the revolution ended. Some individuals belonging to the column proposed to go singly into Sonora to visit the town with objects more pacific than one would have believed possible the day before. Others went there, urged by an appetite that had been by no means satisfied; however, it must be said, the majority were ashamed thus to run about a town where they had proclaimed themselves as so many desperadoes and they preferred to return to Murphys on an empty stomach.

The rumor that all this adventure was based on nothing but a falsehood told as a joke had already spread through Sonora; also was it not better to beat a retreat at once and, above all, to regain their firesides with the least possible fuss? This is what they did, and the same evening after a long day's march the column re-entered Murphys. The French, some time after, sent to the Americans some sort of apology in writing, on the subject of their armed expedition contrary to the laws and regulations of the United States; the Americans, on their part, held several meetings where

a number of motions were made but not one was adopted. The matter rested there and all this escapade received thereafter the name of "The French Revolution."

67

NIGHT in a Gambling House

ON the plaza of San Francisco, one sees go and come a multitude of half-busy people passing each other in all directions; merchants and brokers endeavoring to locate or to retail their goods; new arrivals who, only a few hours after they left their vessels, their eyes widening, expressed by mute surprise or by the most noisy exclamations the effect produced on them by the El Dorado that they without doubt thought very different. One recognizes by their bronzed tint, by their strong frames as by their worn and neglected clothes, the gold washers, but recently returned from the mines; they carry in their belt a small buckskin purse, which appears heavy and well filled, and they are wandering about the place with a gait very easy but dignified. One saw them mingling with the Spanish Californians who were walking around wrapped in their bright colored serapes, jingling their heavy spurs at every step; then the Chinese with his long slender queue and his blue jacket, from which his bare neck emerged without the necessary accompaniment of a shirt. Around and about them press a motley crowd composed of sailors from the United States, of French, Germans, English, inhabitants of the Argentine Republic, Spaniards, Indians of the South Sea, negroes, mulattos, and this multicolored throng pass and repass, full of business or unemployed, hurried or listless, in all directions. Gold, that lodestone towards which converged such incongruous elements, gold was the motive and the chimera that all these adventurers were pursuing, of whatever color, whatever might be their shade, whatever place might be the country that they had left.

Past, however, was that first and foolish intoxication that had driven so many of the senseless to the mountains to dig in the earth and learn by experience the way that the gold is gathered. Most had seen the elephant* and they returned satiated with that sight, for not only had they not found gold, but too often they had left the little of it that they had brought. They returned with the conviction that even in California 69 it was necessary to have other means than this to make a fortune.

*In English; in effect, a phrase much used in the United States to mean that one has made a trial of great difficulties and who remains without success.

Those disappointed by fate gathered in the towns, where they became merchants, if possible, or brokers of merchandise; or else workmen, boatmen, street sweepers, pit-sawyers, confectioners, restaurateurs, waiters, clerks, in a word, anything by which they could earn ready money and return—to their homes? Gentle reader, perhaps you believe it? No: to return to the mines, where, the first time, according to them, they would have succeeded if they had not had bad luck.

Among the new arrivals there were, however, some who intended neither to work, nor to trade, nor to buy, nor to sell.

Debarking with pockets filled with prepared playing cards, for which the United States possesses complete manufactories, these rogues, from the moment when they set foot in California, and in sight of the vessels that had brought them, engaged in no other occupation than to shuffle these bits of cardboard, dealing always in gold.

The licensed players had their headquarters in the city of San Francisco, from which they sent, as rays going out from one center, their emissaries into the different mines. This class of men do not come to California except with craft knavery for their stock in trade; they are resolved to make money, following 70 their expression, at any price, to enrich themselves by *fair* or *foul*, adding thereto murder and pillage if necessary. One can confidently say that the English deportees in Australia are little saints in comparison with these rascals, the riff-raff of the population of the whole of America, among whom one could at that time count (a thing to remark, for it is worthy of it) hardly an Englishman nor an Irishman. The most perverted of all these players, the only ones in position in gambling to face the cold-bloodedness of the Spaniards, are the American boys, a name that they give to the youths of the cities of the United States.

From the splendid saloons of San Francisco, with their licentious pictures, their gilt and their hundreds of tables weighted with heaps of gold, to the depth of the mountains under a poor tent where a serape, thrown over two boards, serves as a gambling table, you find them everywhere and ready, early or late, to take away from the poor miner the reward of his arduous labor. For them the

Spanish mantle concealed the fruit of their guilty plunder and the six-shooter or the long cutlass formed their means of defense or attack according to the requirement of the circumstances and of their desire to obtain the illicit gain.

But we leave the mines for the moment. We are in San Francisco; darkness has already come, and we have scarcely seen the sun disappear behind the hills 71 that border the sea to carry a new day to the empire of the Indies. What life suddenly appears in those huge buildings that separate Kearny Street from the Plaza! The great double doors open and a multitude of astral lamps throw a flood of light on the crowd that enters.

On the right and left rise buildings of the same kind, built of brick, provided with balconies and iron shutters. Three times fire has reduced this row of houses to ashes, which nonetheless are today rearing their proud fronts to the sky. From every direction comes a flood of light, everywhere there is noisy music that re-echoes, everywhere the multitude crowds equally in all directions; a selection would be difficult to one wanting to choose. The most splendid, however, the grandest of these temples of fortune, is that above which we read in large letters of gold “El Dorado” and, undecided to know if we will enter into the lion's den, once we put our foot on the threshold, curiosity does not allow us to turn backwards— Alas! a few moments suffice to throw the newcomer into the current, where, seduced, fascinated as beside himself by the view of all that surrounds him, in a measure he loses his senses.

A room of colossal dimensions, the ceiling supported by two rows of columns varnished in white, opens before us. Everywhere the lamps which change night into day, everywhere the walls adorned with 72 paintings calculated to arouse the instincts, at the same time a full band orchestra attracts the curious from the outside. A stranger once within, the tables loaded with gold do not suffice to captivate and keep him. At the outset, it is necessary to say, their sight alone does not hold the throng, for no sooner here and there than a single spectator stops a few moments to contemplate them, they go, they come, they gaze; many new objects offer themselves still to the sight.

On the right of the room, behind a long bench, stands a young and very beautiful girl; she is coquettishly dressed in a gown of black silk; with her slender white hands, fitted with rings, she serves to some tea, to others coffee, and chocolate with cake or jam, while in the opposite corner of the room a man sells wine and liquors.

Before the tea table two or three tall figures, rough and little refined, stand as in ecstasy before the young girl; in order to have a pretext to stay where they are, these persons make a purchase of tea at 1 fr. 25 a cup.

A few steps behind them, a crowd of pioneers, standing obstinately and immovable, bar the road to all coming, and delight themselves with the same spectacle, cheaper for them it is true. Natures strong and rude, all these men are dressed in materials that they have made themselves and their eyes feast in silence on scenes that they have never hitherto contemplated. They come directly from the backwoods. Reared in 73 the extreme west of the United States, the fame of California has made them traverse the vast deserts and the uninhabited mountains; it is thus that they have reached the mines, where they find, excepting gold, nothing but what they knew in their youth; trees and mountains, valleys and streams, a brush cabin in which to sleep, and some game to shoot. It is not until after they have gained some money that they have come down into the valley to visit the celebrated city of San Francisco. Arrived, they are astonished at what they see. Can you blame them for it? The European, accustomed to the life of the capitals, and who hardly expects to find here anything that was not known to him, is he not astonished himself, too, before a spectacle such as the most lively imagination would scarcely be able to offer a parallel?

So it is around the young girl that all the interest of the spectators is centered for that quarter of an hour; those who had seen her return to behold again, and few leave the place without having exchanged the quarter of a dollar in their hands for a substance whether eatable or not; a couple of words exchanged with her satisfies them.

And why not? This young girl has a pleasing face and a beautiful figure; she is not a beauty, and in every other city than the capital of California, one would not have had need to go through more

than one street to find three or four young girls as beautiful, more 74 beautiful than she; but this is a woman, properly, elegantly dressed, such as those who behold her have never seen at their native place. At this period the vessels were bringing scarcely a female. From the prairies came but very few of them. San Francisco was a place almost exclusively of men, and men rude and uncultivated, who went about but little except with loaded pistols in their pocket or belt. After having passed entire months in the solitude of the forests or the mountains, where they had seen only pioneers like themselves, they saw that evening for the first time a beautiful feminine face in a room richly furnished, brilliantly lighted, behind a table abundantly served. Why then is it to be wondered if they paused a moment to gaze at those black eyes, and if in withdrawing they allowed perhaps a sigh to escape, which was directed less to the young stranger than to the memory of the native land forsaken! It is to drive out of their minds this sad memory that they turn toward the pictures or more probably to the gaming tables.

But what is taking place? Here are the players or the curious crowding around one of the tables; it must be that someone commences to play for a large stake. Let us try to penetrate, for everyone pushes forward and even those who are at the rear row stand on their toes to get at least a glance above the shoulders of the others— A youth is standing before a table between 75 the players and his companions; he shuffles the cards slowly to give the appearance of having something to do while waiting for the play to commence, and during which his small gray eyes watch the cards dealt, his hands, almost involuntarily, continue the motion of shuffling.

The game is unknown to us; on the other hand, it is not so to this Spaniard in front of us, who, an almost imperceptible smile on his lips, does not cease to follow the course of it, and not leave out of view the hands of the dealer, without at any time himself putting down a single stake. The game that they play is *monte*, originating in Spain, and for which they use Spanish cards. Their bizarre figures, the crossed swords, the gilded balls, the knights instead of queens, first and foremost attract the eyes of the stranger and give to the little sacks of gold and silver displayed before him I know not what mysterious attraction.

The game itself has a certain similarity to our *lansquenet* ; the card that they deal to the left is for the banker, that which they deal to the right for the player, and if there are two upwards and downwards, it is redoubled, a rule which secures to the banker only, the opportunity to draw two cards at a time.

The young man who concerns us can be not more than sixteen years; he is tall and slim; his features have something of the feminine, but excitement gleams in the black and sunken eye with which he follows the 76 cards; added to which dishonesty is read on his lips, pale and contracted as by a nervous movement. His right hand, which he holds tightly, rests on the green baize of the table, in the middle of which the piled up dollars form a kind of silver wall around the little heaps of gold pieces, little tied sacks full of gold dust, and three or four large nuggets of gold, which are rather for ornament and a bait than for early use. The young man has his left hand hidden in his vest, his felt hat placed on the back of his head, leaving curls of blond hair to fall over his large forehead, bare and wet with perspiration. He had laid down his gold, twenty or twenty-five half eagles (five dollar pieces) on the knight, and his glistening eyes followed with feverish gaze the hands of the one that plays. The latter is an American, who remains seated, calm and impassive. He holds the card that he is going to play. Once again he directs his gaze over the green baize to see if everything there is in order and according to rule. The ace and the queen^{**} are the leading cards, the youth has won, a smile of triumph spreads over his lips.

*An apparent confusion in the text. (Translator's note.)

“Robertson,” said he, between his teeth, and in a hoarse voice, “I pay you back in your own coin for the other day.”

“We must hope,” replied the banker, in the calmest tone but with a knowing smile, “you have a run of luck, Lovell; make the most of it, force it.”

77

“The remainder on the queen and what is over there on the three.”

Elsewhere around the table they pay and withdraw the stakes of lesser amounts; the cards are shuffled and dealt again, the two bets are lost.

“God—” murmured the young man, in a low tone. Meanwhile his hand brings to light a little sack of gold dust on which the banker did not deign to cast even a glance. The little sack might have contained two pounds of gold, and the Spaniard who was opposite on the other side of the table decided to put a couple of ounces (200 francs) on the opposite card.

“Señor,” the banker said to him, laughing, “you mistrust the luck of that gentleman?” And during the time he held the cards grasped in his left hand; he followed with a searching look the eyes of the Californian.

“*Quien sabe* (who knows),” replied the latter, with an air of indifference.

But behold! The card on which he has bet has won.

“Hell,” says the young player, whistling with an air of humor, his hand searching with feverish eagerness in his pockets for the gold that should remain, but in the one, as in the other, there is nothing more.

“My gold is gone!! Robbed! I am robbed!” he cried, and his wild eye turned a look of defiance over all those around him; everywhere he met only faces indifferent or derisive. 78 “Come, stranger,” said a bearded man to him, whose shirt was torn and dusty, and who had a dirty old felt hat crushed down over his uncombed hair. “Go if you have finished playing; leave the place for someone else. It appears to me that for the present you are plucked.”

“I will stay, and as long as I please.”

“If you are not playing any more, I beg you to leave the place for someone else,” added a new player in a very mild tone. “We are terribly crowded around this table.”

“They have robbed me,” repeated the young man, who cast, with these words, a look of fury on his companion of the dusty shirt. “Yes, yes, robbed in a most shameful fashion, most infamous.”

“At any rate, my boy,” the other replied to him, “you don't need to look at me in that way.”

“I will look at whomever I please,” replied the young man insolently, “and for those who cannot bear my look, so much the worse for them; they have only to get out of the way.”

“Room there,” said the miner in the blue shirt to those who were behind him, and seizing the young player with an iron grasp he lifted him from his place and threw him back. “Make room, make room. Take care,” several of the spectators cry at the time; at the same instant two or three hands are raised to restrain the arms of the frenzied man, who, armed with a revolver ⁷⁹ and caring very little the results of his act, aimed at the head of his antagonist. Two times the fingers of the young bandit tried the trigger before they were able to take away the weapon; it went off in the struggle; one of the balls shattered the globe of a lamp and a shower of glass fell on the spectators, who fell back swearing and laughing; the other lodged in the ceiling, from which it loosened some pieces of plaster.

“Thanks,” said the man in the blue shirt in the calmest tone to those around him; then without concerning himself with the furious man who, foaming with rage, was struggling in the hands of those who were holding him, he calmly drew out from underneath his blouse a little package of gold and laid it on the first card he found.

As they feared that the young player had on him other concealed weapons of which he would have been able to make use, some able-bodied Irishmen, taking the matter in hand, dragged the delinquent as far as the door, where two policemen, attracted by the shots, took charge of him and led him away.

During this time, the bystanders in the room crowded to the place from which the shot was fired, hoping to see a fight. The players who immediately surrounded the nearest table had for a moment

to hold back the crowd; the cake counter, loaded with cakes, remained some minutes without customers; all this, however, lasted but a short while.

80

From all parts of the room too many new things were being offered to the public for the attention of the spectators to be held over any single episode, although the last incident had been crowned by the discharge of a revolver. Here is indeed a tumult in the other end of the room; they shout, they laugh; let us see what is going on there.

“Bravo,” yelled the crowd “That is well done. Hurrah!” And the clamorous voice of a man who was striving to protest was drowned out each time by these cries of approval.

An incident took place in which the spectators believed it necessary to take part as judge and to decide.

A man in a dark coat, in pantaloons of deeper color, quite neatly but suitably dressed, came every evening (this was the seventh) to visit the gambling house. He arrived at the same hour, took a place at the same table, watched the play for a moment, then took out of his coat pocket a little wool sack that he put on one card. The first evening the card won; he emptied the sack to count the money; it contained twenty-eight Spanish dollars, which the banker doubled with the greatest composure in the world; the gentleman left the table and departed with his gains without tempting the fickle goddess a second time. This perhaps was a little contrary to the expectation and also to the displeasure of the banker. On the next day our man returned, resumed the 81 same place and lost. With the greatest indifference, without a gesture, without the least grimace, he opened the sack, took from it the coins, emptied it; it contained exactly the same sum as the day before; he rolled it up, put it back in his pocket, and left the room.

On the third, the fourth, and the fifth evenings the same was repeated; the players had noticed this man, whose strange proceeding amused them; he lost constantly, and every time he rolled up his sack exactly as he had done the evening before and took it away.

On the sixth evening—and he was playing his role so exactly that the dealers were saying to one another, “It must not yet be eight o'clock, our man is not there with his twenty-eight dollars”—it was the same; he lost, and behind him the bartender laughed on seeing this strange character empty his silver on the table with the same indifference as though he were acting for someone other than himself.

The seventh evening, as the hands of the clock marked eight and one minute, one of the dealers said to his confrere, “We have treated him without mercy, we have scared him away,” but the other dealer made a sign to look to the side; indeed, the man in the black coat, without paying the least attention to the whispering that his arrival excited, again took his accustomed place at the table; the crowd opened before him, and he deposited on the table that famous little 82 woolen sack, so well known, by the side of a deuce that he turned up.

Some cards passed without the deuce reappearing, when on the right a three turned up, and on the left—here a smile spread over the lips of the dealer—we saw the deuce appear. The stranger became pale as death, then without saying a word, without making the least gesture, he put his hand toward the woolen sack and got ready to untie the strings of it to count the dollars in the same manner that he had done on the preceding evenings.

“No need,” the dealer said to him, laughing, “I know how many of them there are—twenty eight. Am I not right?”

“No,” tranquilly replied the man; he shook the sack forcibly, the silver tumbled out, and after the silver, a pack of bank notes rolled together, then a small paper very compactly folded.

“What is that?” cried the dealers in dismay. The spectators crowded around, curious about the affair.

“That is my stake,” replied the man in the coat, in a tone of apparent indifference, and he untied the string that held the bank notes. “Stop!” cried the dealer. “That is not the game,” and he threw

down his cards. "That is cheating; you have never counted more than twenty-eight dollars all the evenings."

"Cheating," the man in the coat said to him, and his 83 brow knitted in a threatening manner; "prove to me that I have cheated, gambler that you are! Have I not bet the sack as it is here on that card? And did you not accept it without opening it?"

"No, no, that is fair, everything is in order," say the bystanders, always ready to take the part of the player against the dealer. "You believe that he does not play fairly, and you allow him to use his silver that you take, all right."

"He made the bet," cried other voices, "he won, they must pay him."

"Count your silver-how much have you?" said the dealer, after he had passed a few words with a partner seated opposite him.

"First, twenty-eight dollars in silver," calmly replied the man. The spectators laughed. "Next, here are some bank notes, one, two, three, four, five, six, seven, eight hundred dollars, and next—"

"And next what?"

"And next a little order on Messrs. Dollsmith and Pennekin that is as good as gold; it is endorsed and you have only to go get the money—three thousand dollars."

"Three thousand dollars," cried the appalled dealer, and he leaped out of his chair. "It is then four thousand dollars; are you crazy? I don't have to pay!"

"You don't have to pay?" replied the stranger, in a surprised tone. "Perhaps you would not have *taken* it if I had *lost*?"

“He would have taken it! He would have taken it! He would have taken it! Would you doubt that he would have taken it?” cried a chorus of voices around the table. “They take all they can get, and if possible something more with it. He must pay.”

“Gentlemen,” said the dealer, protesting, and he turned toward the onlookers, whom he hoped to turn in his favor, “gentlemen, this gentleman has bet regularly each evening the past week—” “And every evening he has lost,” said a voice of one, interrupting; “I have been here myself many times, and I have heard others tell about it; he never allowed the least word to escape.”

“But there was only twenty-eight dollars!”

“And if there had been some thousands of them?”

“Now, let me finish,” cried the dealer, and a deathly paleness came over his face, while his eyes seemed to flame; “he never emptied on the table but twenty- eight dollars; he held back the paper then with his fingers; there were three times that I have won that sum.”

“Prove to me,” replied the player to him, in a contemptuous tone, “that I had in that sack more than twenty-eight dollars; that is a poor excuse and counts nothing with me.”

“Compaero,” said a Spaniard, laughing, to the dealer, “why did you not take the sack with it? We keep everything that anyone puts on our cards.”

85

“If he had lost again,” replied the other with an oath, “he would always shake out of this rag of a sack only these miserable silver dollars.”

“That is possible,” said the players, “but that is not easy to prove, so you must pay him.”

“The devil take me if I pay!” cried the dealer, striking his fist on the table. “This is a new way to cheat that he wants to try on me—but he hasn't found his man—I will not pay.”

“Half an hour ago,” said a tall Kentuckian, making room for himself before the table, “half an hour ago I lost with you a hundred dollars, and I had to pay to the last cent; if you refuse to pay that man, have the goodness to give me back my money.”

“And me, too,” cried a chorus of voices, instantly; “I also, I have lost—I six dollars—I fifty—I an ounce of gold—come on! our money, if he doesn't want to pay!”

During this time, one of the partners at the adjoining table approached his colleague, with whom he exchanged some words in a low voice; the loser protested also in a low voice, but finished by agreeing and sat down to count the money; after which the two dealers examined the validity of the bank notes and of the draft on one of the best houses of the city; nothing was wrong. During this time the stranger, as though the uproar had involved anybody but himself, maintained his attitude, calm and indifferent. The 86 dealer counted out the amount; it required all the cash so ostentatiously displayed on the table; it was even necessary to add many sacks of gold dust, which the stranger, before accepting, opened, examined, took to the bar, where he weighed them all, while taking a glass of brandy; the quantity was correct; he slipped the gold into his different pockets, put what he had left into his famous cloth sack, slipped the bank notes and the order into his vest, and left the room, addressing to the audience of spectators a most gracious salute, to which the latter responded with a deafening hurrah.

The crowd continued to chatter and laugh for some minutes over the occurrence. Among all the spectators, one would not have been able to find three, perhaps, but were of the opinion of the dealer; that all the previous nights the player had his banknotes and his order, which were never to see the light except in case that he won; for them such a trick was not fraud, it was nothing but cleverness; moreover, the dealer has his advantages also; he must be alive to what is taking place.

At one end of the room, on a stand high enough for everyone to see, there was an orchestra of stringed instruments and of brass, so little in tune as to make, following the expression of the Americans, but an “agreeable din,” the musicians playing dance tunes, marches, fragments of French and German operas, 67 negro melodies, English ballads, in a word, the first thing that came

to their mind. The purpose of the music was less for the amusement of the public than to keep them in the warm and well-lighted room, for among the persons present, a large number, even though they resolved to the contrary, allowed themselves to place a bet, and the pay of the musicians thus was recovered in the exorbitant profits of the gaming tables.

The public went and came, indifferent to the music; the single pioneers of the west, after having stood before the cake counter long enough to allow their shadow to show on the wall, stopped directly in front of the musicians, and there contemplated with mute astonishment the trumpets and the trombones; then, when the discordant music commenced, they held their sides with laughing, especially at the sight of that funny man with a trumpet, which seemed for them made of very bright rubber.

The brass instruments cased; the musicians nearest the center of the orchestra drew back a little to make room for a young and beautiful girl, who appeared holding a lutrin in her right hand and a violin under her left arm.

“There she is again,” said the nearest spectators, and hundreds of eyes were immediately directed to this charming apparition. The tea was for the time neglected; there was no one but a tall Yankee, his two 88 elbows resting on the table, and his cup full (it was the seventeenth for the evening), remaining sole master of the place.

The violin player began a solo-adagio, the soft and melodious tones of which were lost in the midst of the noise of the spectators. We could easily hear, here and there, “sh-sh” coming from some mouths, but what did the music of the violin mean to the gamblers; and at that time an angel might descend from heaven and modulate his sublime notes, but against the cards and the dice he would have lost his time and his effort; oaths were the only response to those who implored silence.

“Confounded music,” one heard with the accompaniment of a coarse word, “what the devil does it do for me? These violin players will not bring me back the gold that I have lost—to hell with all of them.”

The young girl was disturbed but little by the noise, and continued calmly to play; the tones of her instrument, now high, now low, now strong, now faint, carried melodiously as far as the end of the room; the musicians listened with silence and with delight to the young virtuoso. She might be seventeen years of age, and was a native of the South; at least her jet black hair and her eyes indicated it; her complexion was one of deathly paleness, and her delicate features, under the impression of her feelings, were colored by a fleeting tint of rose. How had this poor child come 89 into that hell of vice? How had the nightingale been able to lend her voice to entice the birds into the lure? Who had brought her, the unfortunate, to this inhospitable verge where the thirst for gold extinguished every noble sentiment? What hand had thrown her as a bait into a gambling house? Alas, the necessity to gain her miserable bread, that she sprinkled, perhaps, with her tears. Has her heart already been corrupted by the tainted air of the *El Dorado*? Do not think it; her innocent eyes, at least the tones so sweet and so melancholy that she drew from her instrument, seem to say the contrary.

At this moment, a little beyond the liquor bar, there appeared to be taking place something that attracted the crowd. A youth of thirteen years, standing behind a small table, was playing twenty-one with some young people from the State of Vermont, "Green Mountain Boys." Their appearance was that of sons of farmers; pupils of the mountains, they seemed, however, little acquainted with the ways of life of the world. They were holding in their hands French cards, which were better known to them than the Spanish, and which they had already seen played in New York; they hoped to gain by gambling more quickly and more easily than by hard labor in the mountains.

The first four or five times they won, indeed, some small sums. One of them, feeling conscience stricken 90 thus to fleece a child, said in a low tone to his brother, for the resemblance between the two raw-boned figures could not be denied, "The devil take me, Bill, it is really a shame that we who are grownup and experienced will play with such a greenhorn. Better let us go somewhere else." "Nonsense, I don't see it that way at all," replied the other, also in a low tone; "if that little fellow is silly enough to put up and ask to play, I don't see why we should not fleece him as well as

another. But what amuses me is that he thinks he has trapped two pigeons. Go on, little fellow. How he cuts.”

The boy, during this dialogue, never winced, only his lips contracted, and if the Yankees had not been absorbed in their conversation they would not have failed to see the boy exchange a rapid glance with a confederate, standing behind with a large shaker to throw dice. Decidedly, that boy did not have the air of a greenhorn.

“Here, my heart, is a dollar that I put on these two cards,” said the eldest, taking up his card, which he looked at, “and I pass.”

“That is enough, sir, and you?”

“I hold still.”

“What about a four?”

“No—another one.”

“That enough for you?”

“Twenty-three,” said the youngest, and he passed 91 his money to the dealer, who returned his cards laughing; he had fifteen.

The play recommenced; to their surprise, the two brothers lost; they became more and more reckless; they put at first two dollars on one card, then three, and without their notice, already the group of spectators crowded around the two to have the pleasure of seeing them fleeced.

The two young men, irritated at their loss, and without listening to the warnings that the people gave them, became the more eager. One of the two threw down a handful of silver with some pieces of gold, perhaps all that he owned; this was for the last throw, the decisive stroke; it was necessary

this time that he win; he had twenty and one; his brother had put two pieces of gold on one card; he had in his hand two queens; his luck had turned.

The little dealer threw down his cards; he had an ace and a three; he could not continue on such a hand; he held for ten, which made fourteen; he held one time again for six; twenty; to hold longer would have been folly; but his look went from one stake to the other; he sought, as a prey to profound reflections, to guess the cards that one of them held before him in his hand, like a fan. "I stand," he cried, as yielding to a desperate resolution, and the only card that could win, the ace, turned up; he took all the money, smiling.

92

"Don't give up, gentlemen, don't give up," said he to the others. "The next time it will be your turn. Luck! that's all you need; don't give up; very well! your bet! What is your bet!"

But the two *Green Mountain Boys* had enough of it for the time being. Perhaps even, they had not enough left to make a bet; they elbowed their way and left the table, where others replaced them.

The table on the side was not doing so good a business, at least not on so grand a scale; the dollars, however, came little by little, but the bets were hardly more than quarters of a dollar. It was a table where they were throwing dice; a piece of woolen cloth, on which they had painted in capital letters, A, B, C, D, E, covered it. They played with three dice, carrying each the aforesaid letters with one side blank. A young man, standing behind the table, held in his hand a large leather cup. He who was disposed to tempt fortune placed his bet on some one of the letters; if it came out, they paid him his bet, doubled or tripled when good fortune ordained that the three dice showed the chosen letter; if the letters were different, the bet was lost.

Close by is found a roulette wheel; a little farther on, a faro table, where a dealer, three cards in his hand, was curving them under his fingers, throwing them on the table and picking them up, in turn, to induce the spectators to place a bet; the latter did not dare to 93 take the risk, so simple did the thing appear to them; they suspected some concealed fraud.

A man in a black frock coat, who remained standing at the side of the table, was observing the cards attentively, and the maneuvers that they were going through; around and behind him, a large group of frontiersmen and miners were whispering between them; slowly, the dealer dealt the cards, and in such a way that one was able to observe each card, and to ascertain when the ace, the queen, and the ten were dealt, for these three cards were on the table.

“Come on, gentlemen, come on!” cried the dealer, showing the cards to the spectators; “you see, here is the ace that I put here, there the ten, there the queen. See, I change the cards; here is the ace here, then there—I change again; pay attention, close attention—it is here that it is necessary to have good eyes! Now where is the ace?”

“Here,” replied one of the miners, in a tone of confidence, and he pointed to the card in the middle; the dealer turned it up, it was actually the ace. “Gentlemen, it is necessary, apparently, that I shuffle my cards a little quicker; otherwise I couldn't make a living with you. Now where is the ace? Here, here and here.”

Then he shuffled the cards a little more rapidly, but not one, however, was able to follow with the eye; he stopped.

94

“Boys,” said the man in the black coat, turning towards the miners, “it must be that that individual must be crazy, or that he has found his gold in a horse track. The chance to win something is too beautiful to miss—I hold.”

During this time, the dealer had gathered up and shuffled the cards again. He showed them to the spectators, who were coming up in a crowd.

“Two dollars on the ace,” cried the man in the black coat, and he put down two pieces of gold on one card half turned up.

“I am sorry,” replied the dealer. “I don't accept any bets under twenty-five dollars.”

“Twenty-five dollars!” cried the man in the black coat; “that is a great deal—but wait, don't take up the card yet. I hold. Hell,” he added, turning toward those around him, “I know very well where the right card is; I am bound to win.”

“We know it very well, we also, we have seen it, replied the miners; “that man must be crazy.”

“Wait,” said the man, “only see to it that he does not change the cards—here is the money—twenty dollars, twenty-one, twenty-three, and then? What, not a dollar more? By all the devils, I was sure, however.” In his hurry, the man rummaged in the depths of his pockets, emptied them all; twenty-three dollars was all that he possessed; then he begged one of his neighbors to loan him, for a few seconds, a couple of 95 dollars. “Good,” was the reply, “with great pleasure. I never have placed money more surely than that.”

“Hold, here is your twenty-five dollars, always on the ace.”

“Thanks for the bet, we will see,” replied the banker, “for if you tell the truth, I do not know myself where my cards are—it is then this one?”

“That very one.”

“Yes, certainly,” said the dealer, stroking his chin with a faint air of embarrassment, “it is the ace; you have put up twenty-five dollars?”

“Twenty-five, there it is.” “That is right,” replied the dealer calmly, “there is no question about it; the next time, perhaps, you will not guess so well. Gentlemen, the game is fair. Here is the ace; I put it here. Who wants to make a bet?” “Me! Me!” cried several voices.

“Nothing under twenty-five dollars.”

“Here it is—here is twenty-five of it; always on the same card,” cried a third person, during which the man in the black coat returned the two dollars that he had borrowed. “Here is the ace, and I would bet my ears with that fifty dollars, if necessary.”

“Thanks, thanks,” replied the dealer, laughing. “Well, not mine. Then seventy-five dollars on this card, not one more?”

“No, to the devil, turn it up!—We'll play that way all night.”

96

“It is then this card?”

“Yes, go.”

“This is the queen, this time, gentlemen; you are mistaken,” said the dealer, with a laugh half affected, half sympathetic. “I have, however, shuffled very slowly.”

“What the devil,” cried the players, in a tone of surprise, for they had not thought of anything but winning, “and the confounded ace is there, then?”

“Another time, gentlemen,” replied the dealer to them, “you will have more of a chance; here it is, the play is made—the ace is here, it goes back, here it is again. Come on, gentlemen, who puts a bet? Give attention; do you know where the ace is now? Not one of you believe it, in that corner.”

“I know it—and, by God, me, too,” cried several voices. “What a pity, then, gentlemen, that you did not put anything up,” the dealer replied to them, laughing. “It is singular how quickly men are ready to swear to the truth of a thing when they have nothing to risk. Gentlemen, the play is on, going, going, going. The ace is here, then there, and here—who will put up?”

“Me—here—here is twenty-five dollars—here the bets—that card there is the ace or the devil himself is in the game.”

“Gentlemen, he would be a poor partner; then, the 97 fifty dollars that I just won; will it go up in smoke? You say this card?”

“Yes, that one, the one in the middle.”

“I am sorry for you, gentlemen,” replied the dealer. “I had told you beforehand; this is the ten, there is where the ace is.” “What the devil,” exclaimed the nonplussed players, crowding around, while those who had not made any bet greeted them with a roar of laughter.

As for the man in the black coat, he had left the gaming table without tempting fortune again; later he repaid to his companion the money borrowed, and divided with him the total of his gains.

However, the dealers were not everywhere so happy. There is close to one table a Spaniard; he is wrapped in an old, ragged serape, his sombrero pulled down over his eyes; he follows the play with close attention.

“Well, sir,” said the American, in an engaging tone, “why don't you try your luck this evening? What are you standing idle for?”

“Why?” replied the Spaniard. “Because I want to learn something.”

The equivocal smile which, at these words, passed over the lips of the Californian, little pleased the Yankee who was keeping the bank. The Spaniards are for the greater part shrewd gamblers, altogether familiar with the rogueries and secret tricks in use at 98 monte. The dealer dealt the cards with care because the man with the black eyes never lost sight of his fingers.

“Have you any money, sir?” said he, finally, in a slightly embarrassed tone.

“*Si, poquito* (yes, a little),” replied the Californian, who, without taking his gaze from the American, drew from beneath his serape an old, embroidered purse, which he laid down on the card before him.

The dealer at a glance estimated the purse; at first glance it must contain from sixty to seventy dollars; he cast an uneasy glance, at the same time, on the cards that he was holding in his hand, which did not escape the Californian.

“*Sta bueno* (very good),” the latter said to him, with a malicious smile. The dealer hesitated, but he did not dare to resort to his accustomed ruse in the presence of so seasoned an adversary; the danger to which he would expose himself would have been too great; he dealt the cards; that of the Californian won.

“What is in the sack, *senor*?” asked the American, with apparent coolness.

“*No se* (I don't know),” replied the winner, shrugging his shoulders. “Count.”

The American took the purse, opened it. He was unable to repress a cry of amazement. It was full of doubloons (the doubloon is worth about a hundred francs), and the hand that spread them on the table counted one hundred thirteen of them. The face of the Californian remained impassive, as if he had been carved in marble; he knew that this money was going to return to him, and he waited with the most perfect calm until they had counted and doubled it, which took nearly all that was on the table. He gathered up the corner of his wretched old serape, put his gold there, replaced the purse under his arm, and disappeared among the spectators with as little confusion as he had come.

All this, however, had not taken place without two men in brown vests having been witnesses of the lucky stroke. Their eyes met instantly; they turned, seemingly to examine the pictures, and each, in a different direction, left the table and went away, without anyone's taking notice of their departure. All the while, they did not lose sight of the sombrero of the Spaniard, and when the latter set foot in the plaza, all plunged in darkness, these two rascals left the gambling room.

Let us follow them. The Spaniard crossed the plaza, humming a little Castilian song, for he enjoyed the success that he had won over the detested Americans. Although his arm had to support quite a heavy burden, his pace was not at all slow; on the contrary, it was lively and rapid. From time

to time, he laughed to himself; he thought of the appearance of the American when he opened the purse and had seen the gold instead of the silver.

100

“Ha! ha! ha!” he said to himself, in a low tone, “how pale he turned” (at this thought his eyes glistened) “as his fingers were burning to cut that miserable card that the rascal knew well came on top— *caramba* , he knew that my eye was watching it; he didn't dare. That—” Here, without turning his head, the Spaniard listens; he hears footsteps that stop every time that he stops himself. On Kearny Street there were still people who were going and coming, but California Street was deserted, especially in the part that leads to the Mission. The paved streets and flag-stones went as far as California Street; there they terminated, and whoever was not imperatively called by his business avoided going there, especially at this time of night, in this lonely way, difficult of access and fatiguing.

It is there that his road was leading the Spaniard, who, walking along, had taken his gold by handfuls, which he had not had the time to do in the gambling house, and had slipped it into the large pockets of the leather belt that he wore around his body, following the custom of the inhabitants of the Argentine Republic. His serape emptied of what it contained, he took the sack of doubloons under his arm, quickened his steps, but this time without singing. The noise made by those who were following him had not escaped his delicate hearing; he had hoped, moreover, to find at this hour, which was not too late in this part 101 of the city, where there was a circus, more people in the streets; for on entering into the deserted way, he paused an instant, as though uncertain as to what he was going to do, and looked around, before, behind; he perceived nothing but the sinister figures of the two men, who were approaching at a rapid pace.

“*Caramba* ,” said the Spaniard, in a low voice, realizing for the first time the danger in which he was. At this time, before the organization of the Vigilance Committee, attacks by armed men were not rare in the streets of San Francisco, especially in this district. Already the Spaniard, obeying an instinct of precaution, had grasped his long knife that he carried in his belt, but he was not unmindful that the two rogues, if they really had evil designs against him, must be provided with

bludgeons and pistols, of which, in case of need, they would not fail to make prompt use. They counted, with reason, on the fear of the people of the neighborhood, who well knew what awaited them if they took upon themselves to interfere in matters of this kind.

The Spaniard passed the corner very tranquilly, and at his accustomed pace; but once in California Street, as if fear had given him wings, he took a rapid course for fifty steps to where a framework of planks had been erected in view of some new construction, perhaps to shelter the tools while they were paving the street. When our comrade arrived there, the 102 others were hurriedly turning the corner of the street.

“Where in the devil did he go?” said one of the two in a low voice; “he must have run, we were on his heels.”

“He will be behind the planks” replied the other; “he will believe that we have passed, and that we allow him the road free.”

“Ha, ha, ha! Caught, my cunning sir; the father of the doubloons is in the trap.”

“Take to the right. I am going to the left,” said the first; “but don't fire your pistols except to defend ourselves; we are still too near the city, and here the devil himself could interfere in our business.”

Then, without saying another word, the two bandits ran to place themselves in ambush at their posts; each taking in his hand that deadly weapon in use among people of their kind, that is to say, a cord a foot in length, to the end of which is attached a Biscayan ball. There was not a living soul to be perceived on the sand of the street, and the Spaniard must necessarily be behind the planks. But before they had time to reach the corner of the stall, that extended a little beyond the pavement, they were both appalled by an apparition which they little expected. From the middle of the planks, by the opening that was left to enter it, they saw dash forward a horse bearing a rider, who, in a jeering voice, cried to them, “*Buenos noches, señores .*”

“The devil take him,” muttered one of the bandits, and he drew his revolver. Useless trouble; the horse started out in a triple gallop, taking away from the rogues the prey that they believed already theirs.

It was now ten o'clock. In proportion as the shops in the city were closing, the gambling rooms were being filled by idlers who had nothing to do with their evening, and who came to end it there.

The hours were spent in pursuing madly fortune and gold. What base passions were roused in one of these foul temples! Despair struggled there with hatred, envy and cupidity. No soul but which was an agitated sea tossed by the tempest; dominated by hope, it was reeking with shameless dishonesty, and protected by law; it was an abnormal condition, as was that of the entire country. They seemed privateers, plying their trade in full peace, furnished with letters of marque to despoil the peaceable and especially, inexperienced, citizen.

This mad life lasted all night, almost until morning; at three o'clock the dealers, for the greater part, had taken their sacks of gold and had carried them away; they were ready to sleep, with a loaded weapon, near their treasure. The lamps, for the greater part, were extinguished; already the orchestra had long since ceased to play; there remained but a single table where the dealers were still standing, trying to call to them some belated player, very probably to take away from him the gain that he had been able to make elsewhere. One of these dealers was standing before the table with a large purse of leather filled with gold; opposite him, his colleague seemed to be searching for something. At this moment, a swarthy complexioned little Mexican, who for a minute or two was watching at the door, entered into the room; he let his serape fall from his shoulders, and moved forward stealthily. The dealer at first watched him attentively, but seeing that this man did not seem to have any gold, he took no further notice of him. However, the Mexican all the while was walking cautiously toward the table before which he appeared to want to pause; then, at the moment when the dealer was turning round to take his coat, the Mexican, taking advantage of the occasion, made a leap toward the table, seized the sack, and started away like an arrow.

“A robber! a robber!” shouted the second dealer, who had seen the act, and whom some chairs and tables prevented from interfering, “a robber!” But the Mexican had but a few steps to take to reach the door; once outside, to pursue him in the deserted streets would have been a difficult thing, if not entirely impossible.

At the cry of dismay of his companion, the other banker turned round; his first concern was for his gold; it was there no more. Without losing an instant, he drew a revolver from his pocket that he always kept there loaded, took most deliberate aim at the Mexican, and fired.

A second shot was not necessary; for at the report, the sack of gold fell to the ground, and the thief, with one leap, was outside, yelling; one could hear the noise of his footsteps as they lost themselves in the neighboring streets.

“Ha! ha! ha!” said the dealer laughing, and who, during this time, had leaped over the table to pick up the purse which had fallen to the ground; “I shot at the right moment.”

“Bill,” said the other to him, “did you hit him?”

“I don't know; I hope so, because I took good aim.”

“We'll see if he has bled.”

“Oh, what do we care? If he has clung to something, they will easily find him in the street when it gets light. Sim, have you the keys?”

“Yes, here they are; can you imagine the boldness of that wretch; and there, he has left us his old serape.”

“Throw it outside-come, now. Everyone tempts fortune in his own way; if he had succeeded, he would have been right; as it is, he was wrong.”

And the gamblers, having turned the key in the door, climbed slowly to their room, to seek there, during the morning hours, some moments of sleep.

106

The MEXICAN *in the California Mines*

IN CALIFORNIA, the Mexicans form, almost as much as the Chinese, a caste apart, the different members of which reveal themselves to the eye of the new arrival as easily by the swarthy complexion as by the bright, glaring, and gay colors of their national costume. The more one has relations with the Mexican, the more one studies his character, the more one recognizes in him the distinctive traits that separate him from the other races working in the mines.

But here it is necessary to distinguish between the Mexicans and the Californians, the ancient and real masters of the country, formerly submissive, it is true, to the Mexican sovereignty, but forming, nevertheless, a completely distinct race, that did not mix itself with the Mexican race, and esteemed itself higher and better.

107

The Californian (it is not a question here of the Indian, who, by the color of his skin, by his hair, and the conformation of his features, cannot deny his oriental origin, but of the descendants of the Spaniards in California) is generally more slender and more muscular than the Mexican; the shade of his color is also less deep; in all the rest, quite similar to his brother of the South, he resembles him—above all, in a common hatred against the Americans. This is just a reminder, for it is not the Californians with whom we will deal today, no more than the other descendants of the Spaniards, nearly all coming to California from South America: Chileans, inhabitants of the Argentine, so skillful in the use of the lasso, Peruvians, or of such others. The Mexican stands out from all those, and remains easily recognizable.

You meet the Mexicans on the roads leading to the mines, and here their character reveals itself readily and stands out; they organize themselves into small groups which do not mix with any other nationality; if rich enough, they buy some mules; without that, they travel on foot, carrying on their

backs a wooden bowl with which to wash the gold-bearing sands, and hold in their hands a light iron pick, the only instrument that serves them to dig the soil; they carry all the rest of their poor baggage tied on their backs in a sort of sack or valise. The Mexicans, half singing, half laughing, telling each other stories, go along the 108 road; then, evening coming on, they camp in some secluded place; they unpack their mules, whose pack saddles they arrange in a circle on the ground, large or small according to their number, in the interior of which they take places, and they thus find themselves in a sort of intrenched camp, as if they were fearing an attack.

The Mexicans, in the way of clothes, have the short breeches, the jacket, and the cloak or *serape*, to which the South American gives the name of *poncho*; it is a long blanket of wool, dyed in bright colors, with a hole in the middle to pass the head, which they do in time of rain; then one-half of the *serape* falls behind and covers the back, the other half falls in front and covers the chest. It is an extremely picturesque style of clothing themselves; the *serape* keeps the upper part of the body warm and protected from the rain, the cloth of it being of a woof so tightly woven that it does not allow the passage of water at all. A Panama hat on the head, leather sandals for the feet, complete the toilette of the Mexicans. The vividness of this costume with those higher in social standing or richer, is further heightened by a Chinese scarf, which en circles the body, the fringed ends of which fall to the side.

The inhabitant of Argentine, and the Chilean himself, of whom, however, the character is less sanguinary, take care never to travel without a cutlass 109 thrust in the belt. The same precaution is not noticed with the Mexican, unless that he, perhaps, had his weapon concealed under his clothes. Only the horsemen among the Mexicans have a sabre hung from their saddle, and, by a fantastic custom, they hold it under the left thigh in a manner by which the handle can be reached by the right hand. Thus the sabre does not inconvenience them by swinging to one side or the other; in addition, there is no risk, when the man and horse traverse a forest, that it may be caught on a branch. The Mexicans make but little use of the pistol. They handle firearms poorly or very indifferently. Instead, they always have attached to the saddle a coiled lasso, and arranged in a way that their hand is able to seize it instantly, and without effort.

The Mexican is far from being as sanguinary and cruel as many of his blood brothers; we can attribute the cause of it to his almost exclusively vegetable diet. If the inhabitant of the Argentine does not care for bread when he can have meat, if the Californian does not eat bread except when he cannot procure anything else, the Mexican, on the contrary, generally makes his meal of very thin cakes of wheat meal, dried on their sheets of sheet-iron, and he will give up meat sooner than these cakes.

A Mexican camp presents to the eye a spectacle singularly animated and cheerful; when there are not any foreign people near, they sing, dance, laugh, often 110 even until after midnight, and that in spite of the journey of the day; then the next day, before dawn, the dancers are up, ready to set off again, or to resume their work.

The Mexicans have a dexterity and an extraordinary quickness in unsaddling their mules, on the backs of which they load, by means of lassos and of two long rawhide straps, boxes, casks or sacks, of two and even three hundred weight. The sacks are the objects most easily transported; one mule, heavily loaded, ordinarily has three of them, of the weight of one hundred pounds each; the casks containing some salt pork or other provisions are arranged two by two, with the boxes, big or little, disposed in such manner that the weight cannot waver to one side nor the other, for without that the animal might be impeded in his walk. One sees casks of as much as three hundred pounds so skillfully placed on the packsaddle that on the road it is not often necessary to remove them from the packsaddle in order to load them again. When people commenced to come to California, this skill of the Mexicans brought to them a great deal of cash, that they earned in transporting food and provisions to the mines. This is true especially in certain mountain gorges where one could not gain access with a wagon nor equipage; the traffic, principally in winter, when the roads are broken up, pays as much as eight francs a pound. Thus, in a 111 single trip, which is easily made in the week, those people often earn the price of their mules.

The Mexicans are of extreme sobriety; they eat but little, and their diet is simple; they drink almost nothing but water, therefore they are particularly adapted to the work of the mines, especially in the remote depths of the mountain gorges, which are their favorite places of retreat. It is there that, by

reason of their moderate needs, they gather a considerable quantity of gold, with which they return from the mountains and to their homes without more confusion than when they came.

This, therefore, is the reason why the Americans like the Mexicans but little better than the Chinese. They say, "Those people consume nothing; they have no needs, and even then the little money that they spend remains almost all in the hands of their fellow-countrymen." The Mexicans, for the greater part of the time, reach their homes by land and in caravans; once in California, they avoid the Americans as much as they can. They seek even to evade as far as possible the laws that would impose on them a tax to have the right to work in the mines, and in the end they constantly change their place of settlement, going from one mountain gorge to the other, until they have found a good place; there, not the least cry, not the least clamor, which might betray their presence; then, one fine day, when they have made some recovery, they depart with their gold.

112

They have, in their style of work, a method different from that of other nations. The Americans of the United States, as the Europeans, make use of picks to dig the ground, shovels to throw it out, and machines of the most diverse description to wash the sand; the Mexicans, nearly all of them, use only their little iron pick to dig the ground, which they throw out of the hole with their hands. They have nothing but their wooden bowl to wash the sand. One understands how, with such imperfect instruments, the work is both long and arduous; but if the Mexicans were willing to follow the custom of the other gold washers, that is, make wide cuts where they would work under the open sky, and wash as soon as they would have reached the gold-bearing ground, it is probable that the results would not pay for their labors; perhaps they would not turn up the ground as much as they do; we have said the method of the Mexicans is completely different. They commence by digging themselves a hole in the form of a shaft, of which the orifice is so narrow that there is no one but a Mexican that can really turn himself around in it. It is by means of sacks of rawhide that they bring up the heavy earth, which they are constantly testing with their wooden bowl, to assure themselves that they have not found the golden seam. In that case, they cease to sink in the soil; but always going before them in following the vein, sometimes here and sometimes there, at random,

113 digging the soil with their picks, and raising it with their rawhide sack, they push forward under the ground by channels of very moderate dimension for comparatively very great distances.

The Americans call this method of mining for gold *coyoting* , after the wolves of the prairies called *coyotas* , which have likewise the habit of digging burrows.

The Mexicans, distrustful, and concentered in themselves, conceal from each other, as far as they can, the location of their diggings; they work untiringly, having the least possible intercourse with their neighbors; they reply but little, one can even say never, to the stranger who tries to enter into conversation with them. Let one pass before the place where they are working, and let him try to get up conversation—he finds that it is impossible. They do not like even to see you stand in the vicinity, something that they cannot prevent; and if they reply with anything good natured, it is to the greeting that you give them when you leave.

“*Mucho oro aqui, amigo?* (Is there much gold here, partner?)” These words are familiar to the Americans, they are generally the only words of Spanish that they know; they shout them out heartily, and wait calmly for the response, as if it must be something important to them; it is invariably the same, “*Si poquito, senor* (A little, sir),” this pronounced in a sing-song tone, and with a half-shrug of the shoulders. 114 To continue the questions would be something idle or useless, for the Mexican would seem not to understand what you say to him, or you can depend upon it, what he would tell you would be but falsehoods.

In places entirely destitute of water, a place where the thought of working would never come to an American, one sees the Mexicans using their short pickaxe, washing dry; they pulverize the earth in their wooden bowls to a fine powder, then they blow with the mouth so hard that the gold, which is the heaviest, remains at the bottom; one can understand the difficulty of such labor, and what lungs this performance requires.

It is with this incessant activity, which knows no fatigue, and with their method of work, not only above but underneath the ground, in all directions, like moles, that the Mexicans have been the first to discover and to work the richest deposits of gold, from the vicinity of which the Americans,

in many a case, did not, in the least, scruple to expel them. It is thus, at least, that the events took place in the mines at Murphys, where the Americans found two men and one woman from Mexico working in a shaft that they had dug; the rowdies immediately drove them away from it. The place proved to be most productive. At Carson's Flat, there were ten or twelve Mexicans who were working for six months, making, to 115 believe the public report, scarcely a living. When they went to buy their provisions it was with gold so fine as to be almost imperceptible that they paid; furthermore, they haggled till one was exhausted to obtain the best possible rates. Some time after that, some Americans, discovering nothing elsewhere, came in despair to this place; the soil proved to be one of the richest in California; the Mexicans departed from the place without trumpet or drum, but their mules were all richly laden.

In the first years, the Mexicans were blamed for a large number of assassinations which were committed on the miners for robbery; at least they did not fear to charge all these misdeeds to their account. It is true that in the beginning a crowd of vagabonds arrived with the Mexicans, to have a part in the social disorder which at that time prevailed in the mines; they committed offenses of more than one kind. We believe, however, that the Mexicans alone should not bear the responsibility for them; that belongs, rather, to that horde of gamblers come to the United States, who, if they were unable to fill their sacks of gold in duping their victims, did not stop at murder. It remained for all those deportees from Australia, who, on setting foot in California, took up again their ancient trade, and after having done the deed, left near the victim a pickaxe, a wooden bowl, or a sandal, and then set up the cry of "Help! Murder! Murder!" stronger 116 than anyone else, saying that this infamous crime was to be charged only to barbarians, the murderous Mexicans. It is thus that at this period many assassinations were committed at Sonora Camp or in the neighboring mines; they laid these at the door of the Mexicans, and later their perpetrators met again, they and their band, in San Francisco itself, where they were, if not executed according to their merits, at least hunted and dispersed through the efforts of the Committee of Vigilance.

These suspicions against this people, so well adapted to the work of miners, were a thing particularly advantageous to all the evil knaves of the United States. It gave to them, over and over again, an occasion, or at least a pretext, to make a search of the Mexican camps, near which they

supposed, not without reason, must be found the golden deposits the most abundant. This being proved, the bandits revived the subject of some old crime, then hunted the poor devils from the ground improved with their toil.

One understands, in the train of such treatment, the hatred that the Mexicans must bear to the Americans; it is not, however, except in a very few cases, that they dared to resist them openly; bravery was not among the Mexicans the dominant virtue; they preferred to evacuate the place as soon as they saw the Americans advance. At the time when they levied a tax on foreigners, they retired, to avoid it, to the still 117 untrodden mountains, where it was difficult to reach them. One thing is certain; it is that, thanks to their persevering labor, especially to their sobriety, they rarely failed to do well. Whether they were engaged in digging in the soil of the mountains, or in transporting to the mines merchandise and provisions, they acquired gold, and what is more important, they saved what they had earned until the time came to return with their gatherings to their firesides.

During my sojourn in the Southern mines, many companies of Mexicans were found not far from the Stanislaus, with some Germans and Americans, working ground reputed to be rich. The richest place was situated in what they are pleased to call a flat, or little plain, in the center of a valley; the Mexicans had dug some holes there from which they had obtained, to believe public reports, a considerable quantity of gold. From the other miners came an effort, little by little, to become friendly with them. The inhabitants of the neighboring camp, as has always occurred in such a case, established a rule that was not slow to have the force of law, that is to say, that each worker would not be able to extend his limit to mine the soil beyond a certain space of ground in area about sixty-four by forty-eight feet. These places, thus established by the public voice, took the name of "claims."

Three Germans who were working in the plain had chosen their three claims alongside of each other, in 118 order to be able to operate in the ground together, through the same opening, deep enough to reach the gold-bearing stratum. From this they were getting ready to remove the material which they were washing in the manner the most familiar and convenient to them. At some twenty

steps from them, the Mexicans were working, and the part of the ground, still virgin, which separated the groups of miners, had not yet, on its surface at least, been occupied by anyone.

The Germans, named Wolf, Meier, and Eberhardt, had opened the ground where it commenced to rise, in a place where two rivulets were trickling down from neighboring valleys.

The Mexicans themselves, already working for several weeks, must have had a profitable season; otherwise they would not have remained so long at the same place. The nature of the ground, slightly sloping, obliged the Germans to throw out of their hole a great mass of earth. They were already digging for an entire week, scraping and shoveling out without cessation, when they finished by reaching a bed of loamy gravel, nearly always gold-bearing ground. There they desisted to make a test. Wolf had filled a bucket with earth, and he had gone to the river to wash the contents of his bucket in water, in order to see what remained. During this time, the other two, quite deep in the hole under the gravel, were waiting impatiently the return of their comrade, to know the 119 result of the test; whether the ground would be good enough to wash, or if they had better continue to dig. When a bucketful did not contain at least the sixth part of a crown of gold, they generally found that the ground was not worth the trouble of working, especially if they must transport it a certain distance to reach the water.

Wolf returned; he stood at the edge of the shaft, about ten or twelve feet deep, and said, his bucket in his hand, and shaking his head, "We are not making a great fortune here."

"How now, Wolf?" Meier replied to him, raising his arms to take hold of the vessel and determine for himself the quantity of gold. "Shall we resume working?"

"I don't know," said Wolf, holding out to his companions the basin, where some grains of gold were lying; "if the ground does not pay more, it is not worth the trouble. I believe that we would do better to throw away all this rubbish, rather than break our backs carrying it to the river. The game is not worth the candle."

“Let us make,” said Meier, “one more attempt. Let us fill the bucket one more time; we might end by throwing away the gold with the earth; it is but little trouble for us to wash a little bit of sand. We can't be very far from the bedrock. Then, goodbye, for I have seen thee.”

120

“Well and good,” said Eberhardt; “let us try to fill the bucket in the corner. It is there that I have the greatest hope.”

“The devil only knows what will be in it,” replied Meier, examining the ground around him. “As for me, it seems to me I hear moving, knocking, here below; however, nothing moves. Are there moles here?”

“Moles,” Eberhardt replied to him, laughing. He was coming to take up his pick, with which he filled his basin. “Moles! Where would they come from? If they were there, I tell you one thing, they would not be making much noise. Where do you hear anything?”

“Everything is quiet at present,” said Meier, who listened attentively for some seconds. “That noise I have heard all the morning.”

“Who knows,” his comrade replied, “what has jingled in your ears!” And, saying these words, he pressed down the earth that filled the basin, to prevent it from sliding. “But the soil here becomes singularly loamy; I would not be astonished if we were coming near to bedrock.”

“Strike,” Wolf cried to him from the brink of the hole, leaning forward, “strike with the pick a hard blow in the bottom of the hole that you have dug. You will feel then, suddenly, what still remains of thickness, and whether we are going to have hard ground or the rock.”

“It would be very lucky for us,” said Eberhardt, 121 “to reach the rock; those two or three strokes of the pick do not appear to be our work, and it is a question if it is worth the trouble to commence. Come, I have, nevertheless, great hope that after we have dug a couple of yards we will find there something to work for a long time.”

Meier took the pick of which they made use to break the large blocks of quartz or agglomerated gravel; then commenced to knock at the place from which they had taken the earth, lowering the bottom something like six inches.

“Do you feel nothing?” Wolf asked him.

“Not yet,” replied the other, who was always manoeuvring to clear away the soil and enlarge the opening. “That would be going too fast, but here the clay becomes compact; my pick will not go through,” and with these words he raised the long iron, which he buried with all his force in the wall of the hole. The man thought he would fall, for the handle of the pick almost escaped him, the implement sinking at least a foot into the earth beyond what he had expected.

“Hello!” cried Wolf to those outside. “No bottom,” an expression of which the sailors make use when they heave the lead.

“Jesus! Maria! Joseph!” cried Meier, and allowing pick to drop, he made one jump outside the shaft by means of a tree trunk that served them to go up and 122 down, and stood for an instant pale, immovable, his eyes fixed, a veritable image of fear. Eberhardt, at the same instant, imagining that it was the wall of the shaft that was caving and going to fall in, let fall from his hand the bucketful of earth, and proceeded to escape as quickly as his legs could carry him.

“By all the devils!” said Wolf to them, laughing, when he saw his two partners scamper away in this manner, without apparent cause. “How many have you found dead? Meier, what are you staring at? Have you seen a ghost in full day?” “Wolf,” the frightened Meier answered him, and he passed his hand over his brow and through his hair, as a man frightened to the greatest degree, while his eye gazed with terror into the bottom of the hole, “down there, down there in the bottom, there is something that screeched!”

“Ha! Ha! Ha!” Wolf said to him, with a shout of laughter. “That is funny! That is strange! And it is that which has made you climb, Eberhardt?”

“I—” replied the latter, with embarrassment, “I—I do not know, but when Meier struck like that, I believed that this cursed bed of sand was going to come on top of me, and since I saw a negro buried alive, I have all kinds of respect for landslides.”

“Meier, what is down there?”

“I say to you, men,” cried Meier, still pale as death, and trembling in all his limbs, “as sure as I am here, 123 that I am alive; down there under the ground-no, Wolf, you need not laugh—yes, down there under the ground someone screeched!”

“Oh, well, as for me, I wish that they bury me in the ground,” Wolf replied to him. He had made some voyages on the sea, and liked to use certain expressions which had come to him from the salt water. “Boy, you have looked too much today on your bottle of brandy.”

“No,” Meier said to him, “I am in my senses, and that most certainly, but I am willing to die, if, all the morning, I have not heard some noise down there at the bottom.”

“Hello! What is going on here?” at this moment some Americans who were working in the neighborhood asked.

They, seeing the excitement of the Germans, had come up alongside them. “Which of you has found a lump?”

“Found a lump!” Wolf replied, laughing. “There is my partner, who struck the bottom with his pick, and who claims that someone underneath screeched.”

“Screeched!—Under the ground?”

“As true as I live,” Meier said to them, “and as I hope to go one day to Paradise.”

“But why, then,” cried the American, “stay up here like this? Has some animal bitten you? Why not go and see?”

“What could have cried down there?” said Wolf. “How do I know?” said the neighbor. “But listen!” And with the aid of the tree trunk, he leaped into the shaft, where, with his left hand raised to command silence, he stood still for a moment to listen.

“There it is again!” said Meier, pointing to the place.

“By Heaven!” cried the American, who had put his ear to the ground. “It groaned like a man!”

“A man!” Wolf replied to him, who also descended into the mine. “A man? But how could a man get there? Unless he is under the ground here some millions of years! In that case, it is certain that he would have forgotten how to go about crying.”

“Some picks, boys,” said the American to them, springing up out of the mine, “some picks! There's something alive in the bottom which we must take out; perhaps it will be a natural curiosity that will be worth more to us than its weight in gold.”

“It is a man!” cried Meier in his turn, who stretched himself on the ground to put his ear close to the opening. “I distinctly hear him groan.”

“There are but two things possible,” said the American, laughing. “This can possibly be a coyote or a Mexican, and in one case or the other we will know it in a little while. Come on! Come on! my boys, after all, down there is the life of a man.”

However, there was no necessity to excite the Germans, 125 for, the first moment of surprise and fright passed, it was a race between them who would dig up the most ground to throw it into the other corner of the mine. They had not dug the depth of a foot when the ground suddenly caved in, and if one still had doubts, they would have had to yield before the words “*Ave Mara Purssima !*” the sound of which came distinctly as far as the opening into the hole.

They could perceive nothing yet, but when the miners had cleared away the ground with some precaution, they saw appear a white shirt, striped with blue, and fifteen minutes afterwards they brought to the light of day a Mexican. He had dug his shaft even under their ground, and by good fortune had gotten his head under the wall that our people had left standing, for otherwise the gravel falling in would have smothered him. Although crushed from all sides, there remained, however, sufficient air for him to breathe. They first rubbed him well with some brandy some drops of which they made him drink, afterwards with cold water. Then they rubbed all his members with woolen rags (Eberhardt for this purpose had immediately stripped off his shirt, which he tore into strips); the unfortunate man, at the end of about a quarter of an hour, commenced to open his eyes. It was necessary, at this time, to go find his comrades; they had seen the miners run, but they did not 126 come near; the Mexicans, not suspecting, moreover, that the matter concerned them so directly, were not at all anxious to have any communication with the Americans. Under the ground, when they follow the vein of gold, it is extremely difficult, from the surface, to ascertain exactly the bearing of the capricious vein, which inclines now to the right, now to the left. Moreover, the Mexicans, seeing the golden sand in the light of day, concern themselves but little as to whence it comes.

When Meier saw that the poor devil, who a few moments before had suffered a thousand times the agonies of death, was resuscitated, that even his life was no longer exposed to danger, he began to wonder at the cause that could have led the rogue under their ground, thus rendering their work useless.

“These rascals of Mexicans,” said he in his anger, “do not hesitate to take the bread out of one's mouth, or, as they say, to steal the gold in our pocket.”

There was not, however, any doubt; the Mexican, true to the habit of his nation, had dug in, following the vein, and, advancing always, had finished by getting outside of his claim, and by getting as far as underneath his neighbors. The latter then found that they had worked for nothing, because the Mexicans had left them no gold worth the trouble. It was a most pitiful figure, however, that the poor Mexican made; he was not unlike a mouse fallen into 127 a trap; when he had

regained consciousness, he did not appear, at first, to conceive how he had gotten there; it was not until later, and with an effort, that he appeared to comprehend it.

Later, the Mexicans, having refused to give up the gold which they had gathered under the ground of the Germans, pretending that they had found there not more than the value of ten dollars, were arraigned by the interested parties before the American alcalde, and were sentenced to pay damages, which were nothing very small, for having gone beyond their boundaries, and having entered under those of the others. The alcalde, as of right, kept the fine himself, and advised the Germans to go and select other ground elsewhere, wherever it would seem to promise returns to them.

The HINDU

IT WAS about noon. The scorching rays of a July sun were falling on Douglas Flat, a little valley situated on one of the branches of the Calaveras;* most of the miners, or goldwashers, as we should more properly call them, leaving their machines, were seeking shelter under the tents, or under some oak, there to prepare their modest meal, and there to rest an hour or two before resuming their arduous labor.

*Error; it should be Stanislaus (translator's note).

Douglas Flat, when one crosses the hill in a direct line, is not more than two miles from the mines of Murphys. Certain adventurous pioneers had pushed that far, pick and shovel on their shoulders, still without finding anything that satisfied them; the mines were commencing to yield less than at first; also, full of impatience, the miners were already preparing to set out and find more distant fortune; this did not please the speculators, who, having brought an abundance of provisions for the miners, were using all possible means to detain them. Each week some new report was put in circulation; mines of fabulous richness were being discovered in the vicinity of Murphys, and these statements, adroitly spread, were seized upon with eagerness and sufficed to hold their imaginations on the alert, and in a fever of excitement; the aim of these merchants was thus attained. The workers, before leaving, were willing at least to attempt the adventure once more; they wanted to know for themselves whether there was any truth in the fantastic tales; in the meanwhile, the sacks

of meal were eaten and disappeared. The bulk of the people found here and there but very little until September came, which proved to the most obstinate that neither their explorations nor their labors would be crowned with success.

On the second of July, Douglas Flat was flourishing in all its glory; the first rumors of its incomparable richness, discovered by Mexicans, had just reached the mines of Murphys, and a few days sufficed that one might see erected not only a great number of small tents, where they were selling cotton stuff and provisions for the miners, but moreover, three large tents, which, besides flour, meat, sugar, and salt, contained articles that people regard as luxuries in the mines—onions, potatoes, pickles, sardines in oil, butter, vinegar, and above all, brandy, gin, rum, and wine.

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It was a beautiful sight—these tables so well garnished. But “wherever there is a corpse,” says the proverb, “there also the vultures are soon to come.” Hardly were our people installed thus, than they saw arrive this pest of California, the gamblers, who spread out their many colored serapes by way of a table cover on a table of the saloon; there they displayed as bait, two or three hundred Spanish piastres, and awaited those who might be disposed to come to be plucked.

Let the reader follow us for a few moments into one of the tents; the hour is not advanced, it is still warm, and I believe that a glass of water and wine would not be bad.

“What the devil is the matter with your wine, Rogers, it is sour,” cried one of the gamblers, who emptied a small glass down his gullet. “It is vinegar—I’ll be damned if you are not mistaken; give me a little of that other bottle over there!”

“Sour!” repeated the host in a tone of incredulity, and he took a few swallows of his beverage himself, all the time with eyes fixed on the figure, sullen and grim, of the gambler; he had difficulty to restrain a smile that spread over his lips. “Sour! That wine sour! Then I don’t really know what you mean by wine. After all, we can’t give you syrup instead of wine.”

“No, by God!” said the other. “That is not what I want, either, and I could have complained a long time before, but this time I have a dry throat; yes, tight as the strings of my purse.”

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“In that case,” said the host, and he added a coarse oath, “I have been cheated in the wine by a little French scoundrel. I don't know, however, why we allow the French to come to make trouble in the mines. They come by hundreds, and believe me that not one of the rogues buys a thing from an American. Damn them! These rascals might have whatever they wanted under their nose, but they would rather go five miles to put one or two cents into the pocket of a countryman. There is nothing but loss, and not any profit in these humbugs.”

“I would be willing, myself,” said a tall Texan, “if we Americans knew how to agree, to throw out of the door this bulk of foreigners, these French, Mexicans, Germans, and God knows what they call themselves! They don't belong to this country, and if all the Americans think as I do, it wouldn't be long until they're out.”

“Yes, if it could be done with talk,” said a Frenchman, who entered with two ounces of gold dust which he wanted to have weighed.

“Hello,” the Texan replied to him, and without changing his lazy position, contented himself with raising and slightly turning his head; he looked at his questioner with an air of surprise; “you say so?” The other did not honor him with any reply; he weighed his gold and quitted the tent.

“Yes, that is their style,” murmured Rogers. “He 132 had his gold weighed, he didn't drink even a little glass, and goes away bragging in addition. The devil take them all!” “But look, what's going on down there?” suddenly said one of the gamblers, who, having approached the entrance to the tent, was pointing to the flat at the foot of the hills, where, indeed, something extraordinary was taking place. Everybody in the tent was instantly assembled, and appeared to take the most lively interest in the action that was taking place before them.

The plain of Douglas Flat, at the location of the camp, was about half a mile wide. Toward the hills, not a tree lent its shade, but higher up rose a crest with abrupt flanks that terminated in a round summit, studded on the right with oaks and California pines, with trunks slender and straight. Upon the side of the heights, at the side of a spring that was flowing from underneath a rock, a tribe of Kayotas Indians had established their poor camp. We could not see their huts, but the gamblers, and those who were around them, saw running toward them a figure of bizarre appearance, who was being pursued by half a dozen Indians armed with bows and arrows, of which, however, they were not making any use, for they were holding them in their left hand, but yelling and shrieking at a terrible rate. One thing was certain; that they were pursuing the figure in question, whose skin, by its color, approached that of the Indians, while his dress appeared very much European.

This new personage, who will play a role of enough importance in this story, merits a detailed description. Native of the vicinity of Bombay, the sun of the East Indies had darkened the skin of his face, which was of a dark, glossy brown; his hair was black and curly, and his eye ardent and incessantly unquiet, testifying his fear at seeing himself pursued in this manner by these children of the desert. The Hindu seemed at first to hesitate as to what to do; he did not know whether to turn toward the tents of the white men, where he was sure to find asylum, or, gaining the little creek, to run up the creek, although in this direction he would find no tents until he reached Murphys.

A small group of Indians, that appeared in the distance, put an end to his indecision, and the man took, in all haste, the road to the tent of Rogers, when the drinkers perceived him, and posted themselves at the entrance to wait for him. As soon as the Indians saw this movement, they turned on their heels immediately, leaving two of their number behind as sentinels; the others took the road to the mountains, and appeared from that time to have abandoned all idea of further pursuit.

The Hindu had for clothes pantaloons of cotton, formerly white, a red woolen shirt, shoes and stockings, a cap of Scotch blue, and around him, by way of a scarf, a band of red cloth. Scarcely had he arrived near enough to the tents to make himself heard, when he put forth the most

pitiful yells, crying in very bad English, but still understandable, that he had been robbed, that the Indians had stripped him of nineteen thousand dollars* in gold dust that he had on him.

*In *Gerstäcker's Travels* the more reasonable sum of nineteen hundred is given. (Translator's note.)

"Nineteen thousand dollars!" cried one of the gamblers. "That is a pretty, round sum; and is it those dogs down there that have it?"

"Everything! Everything!" groaned the Hindu, who, upon that, threw himself with cries of despair at the feet of the gambler. "Everything! Everything! I am dead—I am lost!"

"For Christ's sake!" said a Texan, and involuntarily he took his carbine, leaning against the side of his tent. "If these scoundrels have taken everything from the poor devil, we must not allow them to get away so easily. They will become bolder and bolder at it. I have a mind to try to see if I can't run faster than they. Well, Ben, what about it?"

"Nineteen thousand dollars!" murmured Ben, the other gambler, with that sum in his mind; for one thing was certain, if that amount ever fell into their claws there was no chance that it would ever find its way back to the purse of the owner. "Any thief carrying 135 nineteen thousand dollars can't run as fast as the others. Come on, I'll go, too.—Rogers, where is my carbine?"

"Help! Help!" meanwhile the Hindu was still crying; his black eyes bright as lightning, going from one to the other of the speakers. "I have lost everything! Everything!"

"They have stolen nineteen thousand dollars from that black skin there?" asked another American from Arkansas, who approached from the next tent when he heard the hubbub. "The plague remove all that band of thieves.—Who wouldn't go?"

"Wait for me, all of you," cried Ben, who feared the others would set out without him. "I must get my carbine first. What the devil, Rogers, it takes you an eternity to give it to me, and there these rascals go and have such a start on us. Oh! Look! Here are others coming!"

Indeed, at that moment miners were appearing on all sides; nobody knew the cause of the hubbub, nor if the charge were well or ill founded; a chase of the Indians was resolved upon as soon as put to a vote.

“But, listen now,” said the Frenchman. “This black skin doesn't look to me like one that ever had in his possession nineteen thousand dollars.” He tried, above all, to stay the Americans in their hasty procedure, but he was ill received by them.

“If we're to judge by appearance,” the Texan replied 136 to him, “you who talk to us—you look a great deal more ragged than the black skin. Come on, clear out. Wolves don't eat each other. And it is to us, the proprietors of the soil, that the duty comes to administer justice. Come on, boys!”

“Proprietors of the soil,” repeated the Frenchman, murmuring, “that is why you make sport to chase and maltreat its legitimate possessors, these poor, inoffensive Indians, who are here around the graves of their fathers. And, if I had power to do it, I would put you back in your place, but—Well, sir,” here the Frenchman said to the Hindu, who, seeing everybody busy in the pursuit of the Indians, was getting himself ready to march off in silence from the tent, and flee in another direction, “won't you wait until they have brought back your nineteen thousand dollars? Ha, Rogers! I am suspicious of this person! I don't believe that they have stolen his gold, at all.”

“What do I care for him?” said the gambler, and he turned his back to the speaker. “What is this black skin to me? Ah! Ah! An! These brown rascals! They smell powder; look how they run!”

“In that case,” said the Frenchman, “it will be I who will care for him.” Upon that, turning toward the Hindu, who did not seem to want to listen, “For the present, knave, you stay here with me until the Americans return, and then we will see if our alcalde is here just for fun, or if he knows how to make the law respected 137 when necessary.” With these words, he took the Hindu by the collar and led the poor devil, who, for his own part, would have infinitely preferred to be two or three miles away, into his tent.

THE CHASE OF THE INDIANS

The flat at this time presented a scene animated enough to attract attention. The Indians kept in sight, as if they might have intended to cover their retreat, or to see what the whites were going to do. When they saw the latter run toward them, they let out a cry of alarm, and ran toward the mountains; those who had disappeared in front of the sentinels reappeared on the summit of a neighboring hill, to make their escape an instant after in the same direction as the first.

“There are the rascals that have the gold!” cried Ben, and saying this, he darted out across the flat toward the hindmost fugitives, during which some of his comrades, the Texan, and two or three others, followed him closely. The rest of the crowd remained a little farther back. Perhaps the Indians believed, at first, that the chase was not in earnest; perhaps they wanted to show their enemies that they were not afraid of them; however, at first they did not run as fast as they could; they stopped, even, for moments, to examine the situation, as if they might have wanted to count the number and observe the movements of their enemies.

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They were meanwhile retiring by degrees toward the mountains, and found themselves for some time out of sight of the tents of the miners, when one of the Indians, suddenly appearing on the summit of a hill, disappeared immediately on the other side. The Americans noticed him. Ben, especially, decided at all events not to lose trace of him, because that Indian had appeared to him to carry something heavy. “That must be the gold,” said Ben to himself; and without being noticed by his companions, he made it his business to watch the unfortunate savage. The Indian village was located immediately back of the little hill, and when the four Americans arrived at its summit with their carbines and their weapons, they saw the poor squaws, having taken the little children, one on their backs, the others by the hand, leave their fires and their camp, and run frightened far from their cruel persecutors.

In another instant, Ben, the Texan, and the others were in the Indian camp; Ben, although chasing his man, amused himself by seizing a burning brand from the fire, which he threw, with a shout

of laughter, into the middle of one of the huts of grass. "Take that! There is something for these wretches! We will furnish the light!"

The camp from which the frightened women were fleeing consisted of a number of low huts, covered with dry boughs, thick and close enough to shut out 139 the rays of the sun. At the side, feeble fires were burning, where there was cooking a little meat that served to make their wretched repast. One saw here and there corn and sea-biscuit, in very small quantity, that the Indians had received from the whites in exchange for gold dust. On a blanket they had a half barrel of corn meal, while in one corner was found a hole in the ground, or silo, full of acorn meal, prepared by the Indian women in an ingenious and careful manner. These our barbarians destroyed by stamping them with their feet, with foul oaths because the work that they so bravely accomplished had soiled their shoes. The branches of dry oak and resinous pine, in contact with the burning brand, took fire with extreme rapidity, so that, in but a few minutes, the whole camp was afire and nearly destroyed. Neither the gambler nor the Texan appeared to give it any attention. "Pests!" cried the former, laughing; "so there, they burn like matches," and he jumped over a tree trunk in his way. "So much the worse for them."

"You should not have set fire to the camp," the Texan replied to him, "when it was only for these poor women."

"The devil take these tawny beasts!" said the gambler, with a shout of laughter. "They ought to be glad that we have now something else to do than get busy with them—but, by thunder, there is my individual 140 that took to the right!" And without further words, our Yankee set out after his victim, who was climbing up one of the neighboring hills. The Texan ambushed himself a little to the left, so as to be able to cut off his retreat from the rest of the fugitives. Two Americans, members of the troop, less speedy than their companions, only reached the camp when the flames were commencing to devour it; the fire was reaching the provisions and bedding; at this sight the first of the two stopped short.

“No, truly!” cried he. “What they have done there is not fair!” and one, a handsome young fellow with brown hair, taking off his straw hat with his left hand, allowed the butt of his carbine to fall on the ground, the barrel of which rested in the hollow of his arm, while with his left he wiped his face with his shirtsleeve. “What have these women done to us, that we burn their camp like outlaws?” And, his heart touched by the better sentiment, he dropped his gun in the grass, and saved one of the detached huts which the fire was commencing to take, from which it would have spread rapidly; his companion helped him, and in a few minutes they had mastered the destructive element so that its progress was stopped. Just as the first of the two young men was taking up his gun again, a shout was heard.

“By all the devils!” cried the other American. “Here they are fighting! We should be there!” and without waiting for a reply, he started to run; his companion followed him up the hill. This is what they saw:

The gambler, down on his knees in the group nearest the valley, was gathering up something that he was examining, and that he threw away from him angrily; the Texan, some distance ahead, was taking aim at an Indian, who, after having discharged his last arrow, disappeared nimbly into the brush. At the same time, four savages were carrying, with unbelievable quickness, a fifth, who had evidently been killed or wounded, while a group of six other Indians, with their bows all drawn, were covering the retreat of their companions. The pursuit had suddenly taken a more serious turn; blood had been shed, and however peaceful and inoffensive might be the nature of the California Indian, the poor worm does not, nevertheless, readily writhe under the foot that crushes him; does not the stag of the forest turn on the hunter at last? The two Americans, who saw that a real battle was about to take place, were preparing to throw themselves headlong into the fight; with a loud hurrah they brandished their arms above their heads, and took their course. The gambler saw them, and shouted to them angrily.

“Stop! boys, stop! The devil take me if I don't commence to believe that all this story is a humbug, and that they haven't stolen nineteen thousand dollars 142 from this wretched Hindu, any more than I have.”

“They have not stolen the gold?” cried the youngest of the Americans. “But have you not shot an Indian, and have the others not shot their arrows at you? Here are two arrows in the ground!”

“Bah!” the gambler replied to this, in a tone of scorn. “What damage can they do with such a plaything? At twenty-four steps they wouldn't go through a sheet of paper, and this scoundrel, the one that I believed took the gold, and at whom I have sent a ball—he had nothing but a piece of meat, wrapped in a cloth; he was holding under his arm this piece of beef leg! That rascal there must be really hungry to carry such a bunch of bones and sinews!”

“And you have, for no other reason, shot the poor unfortunate?”

“Oh, hell, I could not overtake him, and I did not want to allow that red beast, that I took for the thief, to escape. Even if he did not deserve to be shot, there is not, after all, much harm that we make an example for the band, every now and then. They would end by becoming entirely too insolent. Did not this one shoot all his arrows at me, when he already had my bullet in him?”

“Is he dead?” asked the other; and with his finger dipping in the blood that was tingeing the leaves of the bushes, he examined it attentively.

“I don't know,” the gambler replied to him, in a 143 tone of the most complete indifference, shouldering his carbine, that he had reloaded. “I took good aim, and ordinarily I don't miss.” With these words, he turned to take the road back to Douglas Flat.

“But!” cried the American to him, with indignation, “are we giving up the hunt already, and did we come here to burn the cabins of the women, and to send a bullet through this poor devil? Now what are we going to do to the Hindu?”

“The Hindu can go wherever he wants to,” muttered the gambler, who started up the hill toward the tent of Rogers. “So it will be for that scoundrel that I ran myself out of breath. I only wanted to see if these wretches had the gold, yes or no.”

At that moment, the American found himself beyond hearing. The Indians, on their side, had such a start that it was useless to think of overtaking them; all that the others could do there was to follow the example of their companion, and go back.

“Once back to our camp,” cried an American, mildly edified with this sudden righteousness, “that Hindu fellow will have to prove that they have really stolen his gold, or else he can expect that they will give him a tough time of it.”

“Yes,” the Texan replied to him, laughing. “That is, if he waits until we get back,” and while speaking, he pulled up the arrows stuck in the ground. “Believe me, in this short time, he is already in the mountains. 144 It must be bad—dangerous—” added he, “if these arrow heads break in the wound as they break here in the ground. It must have a bad effect. Do the savages here ever poison their arrowheads?”

“No, I do not believe so,” the American replied to him. “At least I have never heard of it; these tribes are not cruel enough for that. But come, it is late, and after what has taken place, I do not want to spend the night in the forest. We cannot tell what these redskins might do, if they decide to revenge themselves.”

“The devil take them! They are too cowardly for that,” said the Texan, who did not hurry in the least. The sun was yet fairly high above the horizon when the men reached Douglas Flat.

THE INQUIRY

Conforming to the supposition of the Texan, it would have been, after what had taken place, quite difficult to keep the Hindu at Douglas Flat, if the timely intervention of the Frenchman had not come to prevent his escape. The Americans, on their return, as their conscience was reproaching

them for having acted with too great precipitation, resolved to deliver to the tribunal the author of the disastrous adventure, to the end that the affair might be cleared up in a proper manner. The first question was to make the Hindu confess if he had any gold on him, yes or no; but when it came 145 to that, the wretch found himself, as if by magic, to have completely forgotten English, and he began to gibber in such an unintelligible fashion that no man could understand him in the least. His inquisitors, in despair, gave up their task, and they called some volunteers, in whose charge they put the Hindu, with instructions to deliver the delinquent the same evening to the alcalde of Murphys, or, as people called it, Stoutenburgh.

There happened to be more volunteers for this office than were necessary, for the numerous gaming tables set up at Stoutenburgh drew a crowd of miners every night from Douglas Flat, and immediately afterwards the Hindu, cause of this trouble in the mines, reason also of bloodshed, and according to all appearances, innocent blood, was walking, his hands tied behind his back, to Stoutenburgh, there to be turned over to the sheriff.

The same night arrived at Stoutenburgh two Kayotas Indians, deputed by their tribe, both of whom spoke a little English. They went before the alcalde to enter their complaint against the white men who had attacked them. They wanted to know if the palefaces wanted to be at war with them—they who were not guilty of any offense, or if this was the deed of some bad men, who had slain their poor comrade. Major Lyatt,*^{*} alcalde of Murphys, was a short, 146 stout man, who would have been perfectly at home behind a butcher's block. He had not the slightest knowledge of law, and went into a long cross-examination of the most unrelated matters, all, it must be explained, solely with a view of the ounces of gold that he never failed to obtain from it. This time the case appeared to him to be particularly complicated, intricate, and the very worst, in that neither the complainants nor the accused had the wherewithal to pay the necessary fees, not even a paltry ounce of gold. Blood having flowed, it was impossible to ignore the complainants, much less since the government of the United States, by virtue of particular agreements, had taken the California Indians under its jurisdiction, empowering them by that means to invoke, in case of necessity, the protection of the alcaldes or respective judges of the peace. How, then, could the major remove from his lips the cup

of bitterness? He promised to examine the affair the next day, and until then, to set a watch on the accused.

*Probably Wyatt, appointed Justice of the Peace in 1850. (Translator's note.)

The Indians were entirely unwilling to accept any such proposal. They appeared to put not the least confidence in the white men, fearing that during the night they might permit the Hindu to make his escape, in order thus conveniently to rid themselves of the disagreeable business. The Indians then offered to guard the prisoner, the cause of the bloodshed, and without waiting for a reply, drawing each two arrows 147 from their foxskin quivers, took them in their left hand, while in their right they held the bended bow, and, armed in this manner, placed themselves at the side of the prisoner.

They had released his hands, and he spent the entire night seated between his guardians; but he never ventured to budge from the place; he knew what to expect in case he might attempt to escape. The Indians had not yet the least idea of the accusation made against them by the Hindu; they seemed to believe that it was he, not one of the white men, who had shot their comrade; that, at least, is what one was able to conclude from what they said, and the Americans took care not to undeceive them.

Morning of the next day found the two Indians seated in the same position as the night before; they had spent the whole night watching the Hindu, who, knowing that he had no trick to fear from these savages, simple children of the desert, had slept lying between the two redskins. The examination was to be held in the afternoon; they had already selected a jury, charged to interview the Indians in their camp, and to institute the inquiry. The sheriff now suggested to the judge that before commencing the inquiry it might be advisable to make sure whether or not the Indian was really dead, or merely wounded; he told him further that he must call the witnesses, put the gambler, the real author of the trouble, on 148 trial, and punish him if he were guilty, as required by the law; that, in the meantime, the sheriff would investigate and find out if the Hindu really had the gold on him, and how he had passed his time before he came to Douglas Flat.*

*J. H. Bachman, a member of the Audubon party and resident of Murphys at the time, notes in his diary (unpublished): A black fellow from Bombay says that he has been robbed of nineteen hundred dollars by some

Indians near Douglas Flat. A party immediately start after them, kill one at two hundred and fifty yards distance (pretty good shot) and wound two others, burn their rancheria etc." (Translator's note.)

The sheriff was an Irishman, who combined the position of sheriff with that of butcher. He was an upright man whom nothing could frighten, but who had the grotesque idea that, having dedicated himself body and soul to see that justice was done, he had the right to require that the judge sustain him to the death in the exercise of his functions.

The judge, however, had many other matters in his head, and matters of greater importance; he was recording at two dollars apiece the parcels of earth eight feet long and four feet wide known under the name of claims; these parcels had already been sold and resold two and three times; so the judge did not have the least inclination to embroil himself with the Texans, his best customers, who, in spite of the law which did not permit the possession of more than one claim in the plain, had as many as ten or twelve of them; even 149 then they would have been willing to have three times as many.

A jury was selected, the examination was set for the afternoon, and, accompanied by two Indians, who had come in the morning from the camp, we set out, to the number of six, for the mountains where the unfortunate tribe had fled. They were waiting to know whether there was to be peace or war with the palefaces.

THE STAND OF THE INDIAN FUGITIVES

As I have said, we were six, and we had left all our arms, even our knives, so as to avoid adding to the fear of the poor Indians; the sheriff, alone, carried his six shot revolver in his belt. The two Indians, by way of retaliation, had each a single-barrel gun, a powder horn, and a flask of small shot, so that we appeared to be the prisoners, conducted by them to the mountains. We met on the road some companies of miners, who, having no idea of the cause of our expedition, regarded us with mild amazement; we did not stay to talk with them, but hurried on so as to cross, as soon as possible, the plain over which a blazing sun was beating, and reach the shady slopes of the hills.

Our copper-skinned guides said not a single word during the trip; they traveled in single file, heads down, and at such a rapid pace that we were hardly able to follow. One of the Americans, a big, jolly, 150 heavy-paunched fellow, soon mournfully declared, or rather, cried, to us with all the power of his lungs, that as far as he was concerned he could go no further, and that if the jury decided to abandon the sixth part of its honorable body, he was leaving to it the full and entire responsibility, and he washed his hands of it. With these words, he bit resignedly into a long plug of tobacco that he held in his hand, as he would have held a poignard, and took a monstrous quid. The Indians, to whom we explained the matter, slackened their pace a little, their gait became a sort of easy trot; when we arrived at the foot of the hill, they stopped, looked to the right and left of the track that we had been following for the last half hour, then we took to the right, toward the crest of a slight eminence, surrounded by high rocks.

At the summit, one of the Indians, stopping suddenly, uttered a cry at once shrill and piercing, to which, to our extreme surprise, one replied alongside of us, and we saw spring from behind a tree, so close that we might have touched him, an Indian warrior, painted and armed; he was holding his bow and arrows; without paying any attention to us strangers, he exchanged a few words with his brothers of the woods, put himself at our head, and set out at a rapid pace.

We had covered a distance of about a mile under his conduct, when he gave a sign to one of our former 151 guides, who discharged his gun into the air. This signal was answered by one of the same shrill cries that we had already heard. The cries were repeated until, in the distance and on many sides, as we continued to advance, I saw on the right and left copper-colored figures appear, all in arms, on the side of the hills, jump over the rocks, run along the slopes, always following us without joining us.

The Indian having reloaded his gun, he discharged it a second time; new copper faces again appeared, and they motioned us to follow. This was the method used by these brown children of the woods to communicate with their outposts; it was also the means of informing each other that the whites had no hostile intentions, and that no attack need be feared by the savages.

We arrived at the Indian camp—the one that they had set on fire. What a pitiful spectacle! Among the charred branches were hanging the half-burnt remains of some woolen blankets and deerskin garments; some provisions were on the ground, scattered here and there. I even saw in a corner the remains of a pitiful little cradle, from which, no doubt, the terrified mother had snatched her infant, to preserve it from death.

The Indian with the bow and arrows, the first that joined us, stopped for an instant, motionless, to turn his eyes on what remained of the camp; next, he 152 turned his gaze on us. He said not a single word; the others, without even casting their eyes on what had been their property, now destroyed, followed their route in silence, with a sad, mournful, and dejected air.

From the camp, we ascended the border of a small stream, as far as the hill where the water had its source; long before our troupe had arrived there, its approach had been announced by cries from all sides, cries to which we replied. We were approaching the summit of the hill; my companions had stopped in a place where more than twenty warriors were awaiting us, their bows in their hands, and their arrows ready. I knew these Indians. I had, on other occasions, given them proofs of interest and friendship; I was certain that we had no trouble to fear from them. It would have been, moreover, a singularly poor policy in such a case to have shown the least hesitation. Then stepping forward, the first on the slope, I ran straight into the middle of the group.

I will never forget the scene that presented itself to my sight. Some eyes, it is true, animated by the fire of despair, shot toward me sinister looks. There was in particular an old warrior with gray hair, with features of bronze, who would have been quite willing to give his arrows knowledge of my skin. He even already bent his bow; it was only when he met my firm, determined look that he decided to lower his weapon, which he did only slowly. As for myself, 153 I was entirely taken up with the strange sight, the savage novelty of what surrounded me.

The wounded unfortunate occupied the middle of the group. Leaning supported against a small tree, his left hand rested on the shoulder of his wife. He still supported himself, but death could already be read on his features as in his quivering lips, contracted, drawn by a pain that the man

could no longer conceal. All the upper part of his body was bare, the loins only wound with a band of cotton cloth, stained with blood; the copper skin of the savage had lost its sunburned luster, and was changing to a hue of ashy paleness. The wife of the patient was shedding large tears, that were coursing down her cheeks, but neither word nor sound escaped her lips; only, from time to time, she lifted her gaze toward the wounded man, the instant after, lowered it sorrowfully toward the ground.

The Indian warrior was surrounded by five or six young men armed with bows and arrows; they looked at me, and in their eyes I could read their reproaches.

“That is what one of your whites has done,” said the oldest, in poor Spanish. A young man immediately took up my defense; “Americano, no,” said he, “a German.” And he was right, for I do not believe that a German would ever have had the barbarity thus to shoot a poor savage without cause.

The women, with their children and the miserable 154 garments that they had been able to save, were camped for the greater part about twenty steps from the place, in the rear; then we saw still others, who, a heavily loaded basket on their heads, at times even surmounted by an infant, were running at sight of the whites, from whom they feared some new outrage. Everywhere around the camp rose the California mountains, with their magnificent firs and rocks that the sun was caressing with his soft and warm rays.

“Doomed people! This is but the prelude to the sufferings that await thee! Thou art destined to share the fate, the melancholy fate, of all thy copper-skinned brothers, wherever they find themselves on the earth. But comfort thyself! In return for so much of evil, we will give thee civilization! When the last warrior of the tribe will stand silent on the verge of the grave enclosing his brothers, killed by iron, lead, disease, brandy, and the greed of the whites, he will be able to console himself in saying that if he has lost all that he possessed on earth, he will at least have had preached to him the Christian religion, and that we will have made on him and his, an attempt to win him to culture. We will not have succeeded, of course, but the fault will not be that of those who call themselves Christians!”

We had in our jury a doctor, at least one that took that title, and in proof of this, carried about him a case of surgical instruments; he approached the wounded 155 man to examine him. The Indians seemed to place very great confidence in the doctor; the wife especially, while he was visiting the wounded man, watched with extreme eagerness his every look. He did not know what advice to give, and I fully believe that no doctor nor surgeon in the world would have been skillful enough to save the life of the poor devil. The ball entered the back some inches above the left hip, had passed near the spinal marrow, and had lodged, according to all appearances, somewhere in the left side, the shooter being posted about thirty steps higher than his victim. The hole made by the wound was small, the carbine holding balls of thirty-five to the pound.

The doctor shook his head, rose up and abandoned the wounded man to the care of his friends. The savage was no more than able to stand, and we could read in his face by what terrible efforts he was able to maintain this posture. We laid him softly on the ground; his wife put a blanket under the back of the wounded man, whose head she supported on her breast; he did not appear to know what we were doing to him; his gaze was fixed, constantly directed toward the top of the little oak that shaded him; only from time to time a gasp, restrained with effort, burst from his oppressed breast.

As for us, nothing more remained for us to do but to find out why the savages pursued the Hindu, and 156 to know if he himself had ever really had gold. A white who had been for three years in California, and who spoke the language of the Indians fluently, took it upon himself to get from them the desired information. According to what the savages said, which was later confirmed by witnesses, here is what had taken place:

On the evening of the day before, the Hindu had come to their camp, and eaten there; at bedtime he had made some approaches to the women (and I do not believe that there is in America an Indian tribe where the women live with greater chastity than in this one); his advances had been repulsed from all sides, on which the Hindu came to the conclusion that the presence of the men was the sole obstacle to his projects. He had passed the night in the camp, then in the morning kept himself at

a distance, but returned when he believed the men out hunting, seeking to obtain by violence what they had not been willing to accord to his solicitations.

Unfortunately for the Hindu, two Indian warriors appeared in the twinkling of an eye, and the Hindu had hardly time to take his bundle and flee. The bundle of clothes, one of the Indians asserted, he had thrown away; the others said that it was left in the camp, where it must have been burned with what it contained; one thing remained certain, that is that they were not greatly concerned about it. As to gold, 157 the Indians had never seen the fellow with it; the robbery, then, was an invention of the scoundrel, who had met with not the slightest bad treatment on the part of the Indians; they were satisfied to chase him away without shooting even a single one of their arrows at him; from this, what misfortunes had followed!

We all left the halting place of the poor savages broken-hearted; we were accompanied on our departure by many more of the Indians than on our arrival. They had learned the accusation of the Hindu, and assembled to come to the camp of the whites to assert their innocence, and to demand the punishment of the culprit. Their high chief, named Jesus, whose authority the tribes of Moquelumne, of Calaveras, and of Stanislaus recognized, happened to be absent, but the chief of the Kayotas came with us, followed by a dozen or fifteen of his young warriors, bows and arrows in hand, nearly naked, for they wore nothing but a strip around the loins, or a simple, vari-colored shirt.

At the moment that they left the hill, the Indians paused, suddenly motionless, and turned their gaze again behind them; the wounded man stretched on his blanket was breathing painfully, his wife was standing in silence upright near the head of her husband; not a tear escaped her eyes, but her steady gaze never left the dying man, near whom we now saw still another female; the latter was old, and was bending over 158 the man; this was his mother, of whom the wail, in sorrowful monotone, repeated without ceasing, carried cold chills into the very marrow of my bones. Dreadful moment! I ran at full speed to escape from that tragic spectacle. Arrived at the base of the hill, I overtook my companions. The savages rejoined us there; we resumed our march without the exchange of a word. Each was occupied with the thoughts that were filling his own mind; as for myself, having raised

my eyes, I perceived, sailing beyond the height, two vultures, those that feed upon dead bodies; they were sailing in the air which they feebly beat with their idling wings.

THE JUDGMENT We returned toward three o'clock in the afternoon. Immediately a new jury was chosen, designed to commence without delay the examination of the Hindu. In the meantime, some new witnesses arrived from Carson's Flat, distant about six miles from the mines of Murphys. The six members of the jury, the judge at the head, took places around a table, and the Hindu, always under the guard of the Indians, was brought in under the tent, in a space from which they had removed some gambling tables and casks of liquor, so that the accused might be in view.

The Hindu was gray, the color of ashes; several Americans made miserable jokes, saying to him that, 159 a man having been wounded because of him, his case had become decidedly a hanging matter. The man did not reply to this unofficial communication, pretending even not to understand, but we saw that it was otherwise, because, for the first time since his arrest, he attempted to escape; this attempt, under the surveillance of the Indians, was bound to be without success. From this moment, the prisoner became restless, agitated; a cold sweat covered his forehead constantly—anticipated punishment of the guilty—and his conduct justified it.

After some preliminaries required by the law, the sheriff declared that the Indian, even if still alive at noon, must be dead, which was true; that he had received at Douglas Flat a ball fired by a white, the name of whom the sheriff had not been able to learn; that that ball had caused the death; that in consequence, he asked an order for the arrest of the murderer. But it was precisely this which the judge did not appear to have the least intention to grant, considering that the Texans of Murphys had loudly declared their position. They said that the first man who would have the audacity to lay a hand on a white for having killed a damned redskin would receive from them a bullet that would go through his carcass; upon which these arrogant members of the community paraded the streets of the little village, carbine on shoulder, and most determined.

The judge, in his perplexity (poor Major Lyatt!), declared himself ready to act so as to enforce whatever might be the law; however, he said that in the absence of a complainant, he could not give the order for arrest, but that if someone swore to a complaint, indicating more definitely the name of the murderer, he would then issue his warrant. With that, turning toward the audience, he asked if there was anyone who knew the name of the guilty person. Nobody replied. At the end of a half minute of silence, the judge declared that nobody having said a word, the complaint was abandoned. Someone, however, having hazarded an objection, the Major replied that he was the judge, that he knew his business, and that nobody had anything to do but mind his own affairs. After this first and summary preliminary of California justice, they proceeded to a speedy trial of the Hindu. They put the black-skinned rogue to the front, and commenced by examining the white witnesses to the charge; in the first place, the members of the jury who had been to the mountain camp in the morning. Part of the jury excused themselves, refusing to testify against the Hindu as long as the one that had done the shooting was not to be arrested, and as the judge refused further arrests, they contented themselves with the testimony of the two Americans, who recounted what they had seen in the morning at the Indian camp, saying that the wounded man would not survive his wound, and that in all probability he would not even live through the night.

After these came witnesses from Carson's Flat, two hotel keepers, who declared that, two days before, the Hindu had entered their tent in the evening, where he had drunk a glass of brandy; after which, as he was found to be without money, they had put him out.

One of the hotel keepers was a young man who, having lived with the Indians for a length of time, spoke their language wonderfully well, and even wore, after their fashion, around his neck by the way of ornament, a collar of shells. He said that since he had been in California he knew these tribes; that he had never heard it reported that they might have stolen anything, nor done the least harm to anybody; and related how, coming to them once as a stranger to them, he had been treated by them in a most hospitable manner. He finished by saying that he had the conviction that the Hindu must have committed some gross offense toward the savages before they would have hunted

him in that manner. To claim that they had stolen nineteen thousand dollars from him was all simply nonsense, the scoundrel had never had even nineteen cents.

Then the Indians were brought forward, and the judge commenced by excusing himself to the jury for calling the Indians as witnesses, a thing absolutely contrary to the laws of the United States, which did not permit, under any pretext, a redskin to be a witness against a white man. “In the present case,” said the judge, “the Hindu, after all, is a half-negro; so blackskin against redskin, one is worth as much as the other, and can be treated on a footing of equality.”

The Indians were heard in Spanish, which the *alcalde* (outrageous irony for the Castilian title that he bore) was compelled to have interpreted. They related what we have already learned, and asked where the white man was who had shot their brother.

That question, following the idea of the judge, not concerning him in any manner, he did not trouble himself to reply to them, and turning to the side of the one who was chosen to keep the official report, he advised him to take everything down exactly on the paper. Until now, the clerk had merely nibbled the feathers of his pen; he had not even written the date.

Upon this, the judge, in a manner most grave, most magisterial, addressed himself to the Hindu, who, whether they had spoken Spanish or English to him, had appeared to comprehend nothing, but had never ceased to observe the tribunal with supreme uneasiness, and said, “Accused, what have you to reply to the complaint brought against you?”

The Hindu, as we could expect, kept the most complete silence; but his black eyes did not continue the less to wander over the assembly with fear, for he surmised that they were to pronounce his sentence.

“Judge,” said the sheriff, in a dry tone, “if the accused understands nothing that we say, how is he going to defend himself from what we accuse him? It is necessary for us to have a Bombay interpreter—yes, nothing else. Hello! isn't that the individual that speaks German? It may be possible that he knows Bombayan also.”

“Excuse me, sir,” replied the German. “As far as I know, Bombay is not in our parish.”

“Well, then what can we do?” queried the judge, shrugging his shoulders. “Nor me, neither can I speak Bombayan. Can no one here understand that infernal jargon?”

“Let me get by,” said a tall, broadshouldered Yankee, who until then had remained in a corner of the room without saying a word, looking at the Hindu as if he wanted to swallow him. “Let me approach him.”

“Bravo! Barneywater,” the judge said to him. “Try a little. Swear him as an interpreter, sheriff. Swear him.”

The Yankee, during this time, was coming toward the Hindu, who, seeing come toward him this tall figure, pale and resolute, thought that his last moment had come, and retreated to the rear, as far at least as the crowd would permit him, seeking, but in vain, aid or protection about him. The faces which at this moment greeted him with a shout of laughter, must have appeared to him particularly fierce.

The Yankee stood at the side of the accused, and, seizing his shoulder in his right hand, bent down to his ear.

“*Salon gou'a orang*,” murmured the Hindu.

“Never mind, there is no need to pay any attention,” said the Yankee to him; then he shouted to him, as though with a speaking trumpet, “I say, man! Have you anything to say to what these witnesses say against you?”

The Hindu uttered some unintelligible words, so feebly were they spoken; a cold sweat covered his forehead; the majority of those who were there burst into laughter; the judge alone cried:

“What the devil! That is not Bombayan, for it seems to me that I can understand it.”

“Eh, but,” the Yankee replied to him in a scornful tone, “I do not know Bombayan, myself; in Connecticut we speak only good American.”

“In that case,” said the judge to him, “all that you have related to us serves no purpose.”

“Gentlemen!” suddenly shouted a stranger, who could not be a gold-washer, for he was a wearer of black clothes and had a silk hat. “Gentlemen! I protest against such procedure. You must not condemn that man to death; this power is in the jurisdiction of the judge of the district at Double Spring, and if you 165 condemn him you will have to take to yourselves the consequences of such an act.”

“Who is that man?” they asked in all parts of the assembly. “Where does he come from? What does he want?”*^{*}

*The first license collector for Calaveras County was William B. Amond, a fellow member of the Missouri bar with Governor Burnett. Uncertainty exists as to whether he or his successor, D. J. Woodlief, is referred to. (Translator's note.)

“That is the collector, the license distributor, who has arrived,” was heard going around an instant after, as a reply to the question.

“But even you say,” replied the judge to him, with some uneasiness, “that that man is accused of a crime deserving death? Could I venture to ask you your name?”

“You cannot charge him with a crime punishable by death,” replied the obstinate interlocutor, who did not allow himself to be dismayed by the answer of the judge. “Such an accusation, as I have already had the honor to point out to you, is triable before the judge of the district at Double Springs, and in that case, to tread on his toes would be on your part, who are a justice of the peace, to commit a most illegal act. Be so kind as not to take my observation in bad part.”

“Could I venture to ask you your name? You will be able—Sheriff, have the goodness to hold your tongue a while so that I can explain the matter to the gentleman.—You will permit me, I think, to point out 166 that we have not yet thought of condemning the man to death—”

“You are not able, either, to condemn him to death!” cried the irrepressible collector, who appeared, however, to understand no better than the Hindu what was the matter, or what they said. “I have already had the honor to tell you that such judgment is the prerogative of the judge of the district at Double Springs, and for my part, I protest with all my force against any such unconstitutional act.”

At these words, pronounced with emphasis, the speaker went off like a shot, and left the tent in the middle of roars of laughter of the audience; the judge, his face purple with anger, shouted in a more thundrous voice at the luckless speaker:

“As for me, I call to order that ill-advised interrupter! Sheriff, restore order! A thousand thunders! Why do you not do your duty? Is it necessary that, in addition to being alcalde, I must be the sheriff into the bargain?”

This little interlude, that the Hindu had followed with marked uneasiness, was, after all, fortunate for him! It served to quiet the public opinion a little, strongly aroused against the accused. Impossible, however, to make him understand anything; so much so that the attempt of Barneywater remained without success; one thing only remained demonstrated—that the charges of the Hindu were all false, and that it was his fault that blood had been shed.

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The jury came to an agreement that it would, the next day at daybreak, apply twenty-five lashes to the man, after which he would be driven forever, and without mercy, from the southern mines.

They made known to the condemned the terms of the sentence, when an unforeseen accident gravely threatened the peace of the assembly. Before the tent, the sanctuary of justice, there chanced to be two mongrels of large size, which, ready to come to blows, or rather to grips, were challenging each other for some minutes in a manner loud enough that the spectators, poorly

protected by the interposition of a single canvas, were casting uneasy glances in that direction. The two savage dogs were the more inspired to display their warlike dispositions by the young and good-natured passers-by. The long repressed storm finally burst, and before they were able to prevent a catastrophe, the combatants rolled between the legs of the assemblage, precipitating themselves under the table of the jury. The table, thus elevated, and suddenly losing its center of gravity, appeared for an instant like a vessel without rudder tossed on a stormy sea. The sheriff at that critical moment showed his rare presence of mind, for he had hardly time to snatch up the inkwell, to put it in the bottom of his hat, until Barneywater, the same who had essayed to play the role of interpreter, was doing his best to move his two long legs from the scene of combat.

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The Hindu, during this moment of confusion, appeared for an instant to have an idea of escaping; he rose up, looked about him; the day was fading, he was fleet of foot, perhaps if there had been only whites there the thing would have been possible; but the man had reckoned without his two copper-colored guardians, who were keeping watch at his side and never losing sight of him; he speedily concluded that for him there was no chance for success.

Calm, however, was soon restored. Some spectators, it is true, momentarily, in play, excited the dogs instead of holding them back, but their two masters soon arrived, seized them by the collars and dragged them from the tent. The judge, who, among the first, had vacated the scene of the combat, resumed his place; they refilled the inkwell that had spilled into the hat of the sheriff. Upon this, the foreman of the jury read to the Hindu his sentence, to which the latter listened with downcast eyes; they notified him, at the same time, that he was going to be conducted again into the tent, his prison, where he would pass the night under the guard of the Indians, and that he would have to suffer his punishment on the morning of the following day.

At that moment, a part of the crowd who surrounded the table of the tribunal left the place to go around the liquor bars to find again their accustomed places and their usual glasses; some others remained 169 standing before the tent; the sheriff, having taken the accused by the arm, got ready to reconduct him to his place of detention. At this juncture the Hindu, who without doubt was laboring

under the conviction that they were going to hang him before the crowd separated, threw himself on his knees at the feet of the sheriff, entreating him in terms the most persuasive and the most touching to please to spare his young life.

It was not without great difficulty that they succeeded in making him understand that, for the time being, it was not at all a question of death, but simply to receive a number of strokes of the whip, to be banished, and debarred the right to wear the insignia of the United States. The joy of the Hindu, when he finally understood, knew no bounds; he would have been willing that without leaving the spot they had immediately applied the lash in question, but as it was not possible to fulfill his desire, he repaired to his so called prison, escorted by the Indians.

THE FOURTH OF JULY

The Fourth of July, holiday of the Americans, for it is the anniversary of the declaration of their independence, ushered itself in by a beautiful day, bright and sunny. From the peak of the flagpole planted in Stoutenburgh, as from the top of the greater part of the tents, floated the starry flag of the Union. All the miners—and the little village contained three or four 170 hundred inhabitants, Americans, French, and Germans—had put on their holiday clothes, and work, without its having been made the subject of any order, was completely suspended. You might have seen the Mexicans working in the remote gulches; they did not know what this holiday meant, and were not troubling their heads about it. At ten o'clock, a tall Yankee delivered quite a short sermon, after which two or three Americans considered it a duty to add some words in honor of the Union, and on the solemnity of the great day.

But this was not all. This throng of people, coming from countries so diverse, who crowded and elbowed each other, and the considerable number of Indians who had left their camps and seemed so occupied when they exchanged some words in a low voice, were certainly not there without cause. A stranger—and, as we have said, the number of them was large, for the Americans of the neighboring mines had taken Stoutenburgh for their place of meeting—could not remain long in doubt, and the cause of the unusual agitation was made the subject of all conversation. The Indians

only, when they saw a European or an American approaching their group, preserved a cautious silence.

There were two reasons for the curiosity of the public—the whites, and many of the Indians, notably those of the Kayotas tribe, came to see the punishment 171 of the Hindu, while messengers from the Witongs, arrived from Carson's Creek, bore against the son of the shores of Hindustan accusations new and infinitely more serious. They began by having a secret understanding with their copper-colored brothers; next, they lodged their complaint before the tribunal of the whites, in order to obtain justice from them; the alcalde saw himself at the point of losing his wits.

This new accusation had relation to a wilful murder. Two days before that of which we write, the Hindu had left Carson's Creek in company of an Indian of the tribe of Witongs; it was later proved that the Hindu had on him then not a cent in the world, not even the wherewithal to pay for a glass of brandy. The Indian, who had gold hidden in the corner of a little red handkerchief, since that time had not come back to his family. On the evening of the day before, at nightfall, two women, in gathering acorns, discovered a body under a hazel bush; it was the Indian, who had been strangled, and bore still around his neck the cord with which the crime had been committed. The women conducted their husbands to the scene of the crime on the same evening, and at daybreak, as it was not in rainy weather, all were able to follow the tracks of the assassin. These led them to Douglas Flat. The savages learned there what had taken place; they set out immediately for Murphy's Diggings, where they arrived in time to be witnesses of the punishment of the culprit.

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The alcalde, however, did not consent except with some reluctance to listen to the complaint of the savages. He replied to them that since they could not bring to him as a witness a white man, he could do nothing in their behalf; that all this was an abominable fabrication; besides nothing convinced him that some one of them had not done the deed, the responsibility for which they were willing to put upon the Hindu.

The sheriff, on his part, did what he could to dissipate the doubts; he searched the Hindu, a ceremony that did not please the accused, upon whom was found two ounces of gold tied up in a cotton handkerchief. The Indians recognized the handkerchief, and claimed the gold; but Major Lyatt by way of reply pocketed it, and said that he would see about it and make a decision later.

He then had a long discussion with the sheriff; the latter proposed to begin by making the Hindu submit to punishment for his first offense, and to send him then to Double Springs to answer before the District Court to the second count of an indictment, but the alcalde was never willing to hear to this; it is true that in that case he would have been obliged to give up the gold; he gave, in consequence, an order that they lead the Hindu without delay to the place where he was to receive the lashing.

Upon this, the assistant sheriff or constable proceeded to the tent where the Hindu was held, and 173 having seized him by the arms, took him across the street and conducted him into a sort of enclosure built by a butcher to keep his livestock. He had the same morning killed a beef by a gunshot, and the soil was still covered by a pool of blood. When the Hindu saw himself in the center of the high and strong palisade with upright posts, regularly placed, surmounted with tree trunks placed above; when he saw the blood around, when he heard, above all, the frenzied cries of joy of the Indians, he took again the color of gray steel, and his trembling legs were about to refuse to serve him. He recognized near him among the crowd a Witong, who held in his hand the cord which the assassin had used to strangle his victim, and when the Witong perceived that he was recognized by the criminal, he held the noose out to him with a gesture full of menace.

The Hindu thought that, in spite of the assurances that they had given him the day before, that same cord would serve to hang him, or else he saw there one proof that his crime was discovered, and that he must then look forward to consequences the most grave. He suddenly fell on his knees before the sheriff, smote his forehead on the ground, and addressed to the servitor of justice, in a most lamentable tone, a torrent of phrases, of which, naturally, the other comprehended nothing.

The Indians, at this spectacle, all uttered a long cry 174 of joy, enough to split the ears. The constable made an effort to calm the culprit, but not being able to succeed, he found himself compelled to drag him by force to the farthest part of the enclosure. Here they removed his shirt, and tied his two arms to the posts, his back toward the interior of the enclosure.

Represent to yourself the spectacle singularly picturesque, but terrible, that this place offered, where a human creature was going to be subjected to the agonies of death. He was a criminal, it is true, but after all he was a man, who did not know the fate that awaited him, and in the midst of the ferocious yells put forth by the savages, he must have suffered that which human words remain powerless to express.

Within the yard, the portion between the culprit and the pool of blood was vacant; beyond, the crowd of Stoutenburgh residents crowded, eager for the spectacle that was to be offered to them; but the most fantastic of the groups was to be seen on the very roof of the shed.

We saw, running on the beams, strong and solid enough to hold an ox, the warriors of the Kayotas and the Witongs, dressed in costumes the most medley, and who were affecting the most eccentric poses. The copper-colored faces, all shining with grease, glowed with an expression of joy under all the bright, varicolored handkerchiefs with which they had adorned their heads; we saw their black eyes glitter with 175 pleasure at the prospect of the blood that would flow. All were holding in their hands their bows and arrows, a great many even having knives in their belts. An old chief made himself conspicuous by his air of lordliness and audacity. He had his long, black hair plaited on the top of his head, forming a long straight plume, clasped by a string of white shells. Through his hair passed two eagle feathers, at the extremity of which was attached a small trinket that swayed at a breath of wind. With the exception of his hips, which were wrapped in a tight, cotton apron, the upper part of the body of the old savage was naked. The bow that he held in his hand appeared of extraordinary size. It was provided with a string white as snow; and the points of his arrows, slender and keen, measured no less than three inches in length. He wore around his neck four rows of the

same beads that were holding his hair, and long pieces of white woodwork hung from the cartilages of his nose and those of his ears.

At the right and left of the chief the youngest warriors occupied the beams; they had their heads and loins set off with colored handkerchiefs; from the roof to the interior of the shed they were yelling to each other their observations in their own language, in peculiar tones singularly odd and short; they were laughing, in delightful anticipation of the performance that awaited them.

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The constable during this time, having prepared his short-handled whip for the ceremony, walked to the Hindu, who, tied to the two posts, saw him advance toward him with eyes filled with agonized fear; the constable, after having mustered all his strength, applied to the palpitating victim a terrific stroke that covered the whole length of his back. The cry that the Indians put forth at this sight must have made the constable himself tremble; for the old chief with his hair turned up stood on a beam to perform a grotesque dance; his eyes were glittering brighter and brighter, and the crossbeams over the head of the culprit, bending under the weight of the savage, seemed every moment to threaten the dancer and his victim with some catastrophe. “*Allah! Allah!*” cried the Mohammedan in his distress; the Indians, to whom the salutation is “walle, walle,” believing that the Hindu wanted to try to excite their compassion, shouted out on all sides, “No! Not walle!—Much more—more!”

The constable, in the middle of the uproar that one could truly call infernal, calmly continued his task.

The Hindu was writhing like a worm under the strokes, applied with complete knowledge of the business; they crossed and criss-crossed in stripes of all sorts; the skin was already cut in more than one place. The jubilation of the Indians was growing at every stroke; the sun, all the while, was shining bright and hot from a cloudless sky; the American flag, 177 softly caressed by the breeze, was floating in honor of the Fourth of July, and the citizens of the United States, it is only fair to say, were shaking their heads for the greater part, muttering aside that the alcalde should better have waited until the next day for the execution.

At the thirteenth stroke, the constable paused and, making a sign to a young Indian warrior to approach, he gave the lash to him, and gave him to understand that he was to continue. The sentence, in fact, was that the sheriff would apply half of the punishment to the Hindu, and that the Indians, as a satisfaction that was due to them, should administer the other half. The young Indian seized the lash with a sort of fury, and tossing away his bow and arrows, fell upon the Hindu, who; already seeing himself delivered to his enemies without mercy, put forth anew the terrified cry of “Allah!”

“No! No! Not *walle!*” the savage replied to him, lashing with all his force. At each stroke the Indians shouted cries of delight, especially on hearing the victim shriek much louder than he had done under the castigation of the constable. This, however, was nothing but a ruse on the part of the Hindu; our fine fellow would make believe that he suffered more, while he could hardly have felt these strokes in comparison with the others. In spite of the ferocity with which he worked, the savage did not understand how 178 to flog; with him the thong did not bite; it was leaving no mark at all. The Indian showed himself greatly out of countenance, when, at the end of the twelfth stroke, he saw that he was obliged to quit, although his brothers of the tribe had all cried to him: “*Mas! Mas! Mucho mas!*” He could do no more; the constable took back the whip, untied the prisoner, and led him away.*

*The Bachman diary, under date of July 4, notes: The black fellow received twenty-five lashes in presence of the Indians, a caution that he must not be robbed again, the white men who shot the Indians go scot free so all parties are satisfied.” (Translator’s note.)

Then there arose a new discussion; the Indians, since the whites were not willing to punish the culprit further, were demanding that he be surrendered to them. The Witongs particularly demanded him, as having killed one of the warriors of their tribe; they would have wanted him at least until the return of their high chief, Jesus, who was at Magualome,* and who would have decided his fate. The whites refused peremptorily, and the judge instructed the constable to set the offender at liberty, since he was punished.

Moquelumne no doubt. (Translator’s note.)

The sheriff protested against this idea; he argued that it was to deliver the Hindu to his enemies, who had expressly declared themselves not willing to allow him to go alive. To let go the accused under the danger of such threats was to see him fall under the arrows of the redskins, and the judge would later, and with 179 reason, be held accountable for his death before the tribunal of the district.

“Well and good,” the judge finished by saying at the height of the controversy. “Watch him, then, again today, and we will let him go tonight or tomorrow early in the morning. As for me, I want to hear no more talk about the rascal; I have had enough of him as it is. Come, sheriff, let us go; we will have a little drink together.”

The sheriff laughed, gave his orders, and followed the alcalde into a neighboring tent. They then made the Hindu understand that he was free, but that the Indians wanted his life, and that he had better pass another night with the whites. Marvelous thing! the Hindu understood to the last word; he counted with his eyes the redskins who were walking scattered in the plain, then, his face cheerful and step light, he followed the constable into his tent, where the latter gave him something to eat.

As they were crossing the threshold of the tent, they found the old savage, who, barring their way, once again demanded of the constable that he deliver to him the man, assassin of one of the warriors of his tribe; to this the constable replied that it was Sunday, that he would then have nothing for his service. He advised the Indian to go tomorrow morning and make arrangements with the alcalde; until then the Hindu would remain guarded by him, the constable.

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While the officer of justice was speaking, the savage had seized the Hindu a little above the belt by his woolen shirt, and was holding it with two fingers only. The Indian, looking fixedly at the two, stooped, made a right-about on himself; the prisoner sprang back quickly and uttered a cry; upon which the savage turned back, went to rejoin his companions without concerning himself further with what the two others would do. The constable perceived, to his inexpressible surprise, that the

old chief, with incomparable dexterity, had cut a round ring from the Hindu's shirt, and had carried the piece away with him. THE FLIGHT OF THE HINDU

The Fourth of July did not pass without noise and quarrels; all the flutes, all the violins, the harmonicas, the accordeons of the village had been put into requisition, and were playing Yankee Doodle, Hail Columbia, Star Spangled Banner, under the tents, in all strains imaginable.

There had been consumed with the sound of this music an unbelievable quantity of brandy and claret, and in the evening the bonfires lighted up the whole place. The dry branches, the boughs of the old huts, furnished a wonderful element for the fire, which rose to the sky in veritable whirlwinds. They had planted in the middle of the village a gigantic pine tree 181 trunk, stripped of its branches to the top, the summit of which was ornamented with a transparency reading in letters of fire, "Liberty." Toward ten o'clock, the brandy having decidedly taken the ascendancy, some young hot-heads attempted to set fire to the tree, which would have, without any doubt, carried the fire to all the tents of the village; fortunately, the tree, wiser than the men, obstinately refused to burn.

The Indians, trusting in the promise of the constable, retired to the neighborhood of their camp; we did not see many of their band in the village; we were mistaken; two Indians, completely drunk, were passing constantly on one side or the other of the street, particularly before the tents of the alcalde and of the constable; one of the two savages was none other than the old chief in his shell dress.

The constable, the alcalde, the sheriff, and Barneywater* the collector, the same who, the day before, had vainly put at the disposal of the tribunal his talents as interpreter, were reunited in a joyous banquet. Among them were also included some other convivial Americans. The entire company around the table were in the most buffoonish humor; they laughed, they sang; Major Lyatt told ludicrous adventures, and was the first to laugh heartily at them. They proposed toasts, and as eleven o'clock sounded, the collector 182 and the alcalde, in one another's arms, swore, with tears in their voices, an eternal friendship.

*This is an error in the text, as Barneywater was not the collector. (Translator's note.)

The Hindu, however, stretched under a woolen blanket in the constable's tent, had lifted up a corner of the cloth, and was watching a large pine tree burning, the blazing branches of which spread over the vicinity a light as bright as day. It was moonlight, and the night stars were traversing the clear sky, except that in the northeast some streaks of cloud were about to pass before the moon and to obscure it.

Midnight had sounded; the sky was covered; the pine had finished its burning; its embers, half consumed, were still smoking and occasionally shooting forth a flame high and vivid, whenever the destructive element had reached some part of the bark hitherto spared.

Just then a dark cloud obscured the moon. At the back of the constable's tent, the canvas lifted, and a dark form slipped outside. Stopping for scarcely a minute, obscured by a clump of hazel bushes close by, it crept crouching as far as the creek; arrived there, this figure, without taking advantage of the tree trunk placed across the water, crossed a little lower down; then you could have seen him disappear suddenly. At that moment itself, the moon, emerging from behind the clouds, showed itself in the sky, throwing the long shadows of the perpendicular rocks that bordered the stream.

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But in the clearness of the moonlight, you would not have been slow to distinguish another figure that crossed the stream a line above the tree trunk near which the Hindu had crossed; this figure was none other than that of our friend, the old Californian chief, in his shell dress. He listened for a long time. He listened until the sound of the steps of the fugitive was lost in the distance; then, when he was certain that the Hindu was far enough away so that he was not able to see the hillside lighted by the moon, he gave a sharp cry, somewhat like that of the woodcock when it leaves its roosting place to go into the open, and without waiting for a reply, he started out, fleet as an arrow, on the track of the fugitive.

The constable retired to his tent late, or, to express it more correctly, he did not retire until an early hour the next day, in a state of ecstasy entirely too great to busy himself with anything but going to bed; at least not to observe the absence of his prisoner. But at eight o'clock, when he was

roused by the rays of the sun, and when he had looked about the tent, he started a dreadful hubbub. The neighbors who flocked around at the noise were not slow in learning that the evil scoundrel from Bombay, not satisfied with escaping, had also carried away two pistols, two shirts, a blanket, and a little copper purse containing about half an ounce of gold that the constable had had the thoughtlessness to leave concealed under his mattress.

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As for the Indians, you could not see a single one in Stoutenburgh; but it was not possible to allow the rascally black man to go like that, and the constable, without concerning himself as to whether or not he had a warrant, resolved to pursue him immediately. Some volunteers joined the constable in the hunt; they sent a message to the Kayotas, in order to have one or two men of the tribe put on the track, and when the savages found out what was wanted, they asked nothing further. At the end of two hours, the little band put itself in motion under the conduct of the Indians and followed the man of Bombay.

All this time where was he? He silently pursued his way along the stream, in the uncertain light of the moon, looking neither to the right nor to the left; for on the left was the deep trough of the stream, foaming among the rocks; on the right rose a steep wall, insurmountable. So from that side there was no pursuit, no surprise to be feared by the man; his flight, moreover, would not be discovered until morning. And who would have undertaken to follow the trace of his nimble steps solely by the light of the moon, and over such a country? He stopped but once to listen—no, he was not mistaken; a rock falling across the brushwood on some dry leaves had fallen into the water with a noise. Was it the foot of one of his enemies that had detached it? At all events, he drew one of the pistols from his belt; the hammer being 185 entangled in the hole that the Indian had cut the day before in his shirt, the Hindu was obliged to make use of his left hand to disengage the firearm; after which he cowered behind a rock, and waited with beating heart whatever would come, but he saw nothing.

The night was quiet; nature reposed in the most complete calm; after about ten minutes he resumed his course with a light heart. There was in the country a considerable number of mountain lions

and brown bears; it must have been some one of these animals that in walking had detached the rock and had made it roll. The Hindu, however, did not follow the course of the torrent farther than a place where the large rocks, on which the human foot left no trace, formed the bed of the stream. There the fugitive quitted the stream, and climbing up from cleft to cleft he endeavored to gain the summit of the mountains in the direction of the basin of the Calaveras, where he would find immense, dry, wild spaces, the mountains nearly impossible of approach, separated by swift torrents; this is what the Hindu knew. He understood that, once arrived in that wilderness, he would have no further fear of meeting soon a familiar face. In that direction, the road was taking him to the mines of the north, and for him it was absolutely necessary that he remove himself as soon as possible from the country subject to the jurisdiction of Jesus, 186 the great chief. The Hindu arrived at the summit of the mountain. He paused, panting, for some minutes to recover breath and renewed strength, and looked at the route that he had climbed, which stood out beneath him, dark and steep.

In the east, one saw the first light of the growing day; the morning breeze, fresh and mild, was stirring in the branches of the oaks; he heard the murmur of the mountain brooks. The Hindu gave a sigh of satisfaction, but having turned his head, he felt a cold chill run through him; scarcely twenty steps away he recognized a human form which had suddenly disappeared behind a tree trunk lying on the ground.

The first impulse of the Hindu was to advance resolutely on his enemy and destroy him; he suddenly drew his pistol from his belt. But on the right, left, everywhere amongst the foliage, there suddenly arose dark shadows. In the same track by which he had climbed, he saw a human figure leap from rock to rock, and he was convinced, to his extreme terror, that he was lost. If there remained to him a means of safety, it was to reach on the left the basin of the Calaveras, at the place where its waters separated from the Stanislaus; throwing off his pack, he started, with his cocked pistol in his hand, on a wild dash. For him, there was life, and that thought lent wings to his well-nigh superhuman efforts.

But he had behind him the nimble-footed Witong 187 warriors. Their hunting cry resounded through the mountains, and the valleys repeated them; the blood surged to the heart of the murderer.

The savages were gaining more and more ground on the Hindu; the game was surrounded; the hunters were seizing their prey. Already, the culprit knew not which way to run; he was going straight ahead, across the brush, without regard to the sharp rocks that were cutting his feet, or the thorny branches that were catching in his hair. His pistol in his hand, which he was clasping convulsively, he threw himself, rather than ran, down the mountain. But there, again, he met his enemies in his road; they appeared to him to start out of the ground everywhere. The old chief in the shell dress was soon closest to the Hindu; crying in a mocking voice, "Walle! Walle!" he showed the thong with which the Witong warrior had been strangled.

The man from Bombay uttered a cry of terror; without knowing what he was doing, he discharged his pistol at the old chief, but his hand was trembling, and his purpose failed. The report of the firearm reverberated, disturbing the silence of the numerous little valleys in the neighborhood, while the Hindu, knocked down by the savage, fell senseless among the rocks.

The same day, toward three in the afternoon, the white men from Stoutenburgh, guided by the young 188 Kayotas warriors, arrived at the bottom of a little, narrow valley. All the tracks were leading to the place, and the constable, who had followed the Indians rather closely, said, that as for him, he was persuaded that the thief must have directed himself toward the mines on the San Antonio. One of the savages then uttered a low cry, pointed with his finger to the bottom of the valley; all eyes followed the direction indicated, and all saw distinctly a human figure that seemed balanced in the air. A few minutes sufficed to reach the spot; our people found what they were seeking.

The Hindu hung from an oak, by the same cord that he had used to strangle the Witong; everything that he had taken from the tent of the constable was at the foot of the tree; they recovered even the purse with the gold, which the savages had not touched, although they might well have been able to take it in place of that which he had stolen from them. On the body they saw not a wound. A single arrow was piercing the breast; it had been shot just in the center of the opening that the chief had made on the evening of the day before with his knife in the shirt of the victim.

As for the sons of Witong, even their tracks were not to be seen.