THE

LIFE AND ADVENTURES

OF

JOAQUÍN MURIETA,

THE CELEBRATED

CALIFORNIA BANDIT.

BY YELLOW BIRD.

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JOAQUÍN MURIETA
The Celebrated California Bandit

BY
YELLOW BIRD
[John Rollin Ridge]

Originally published in 1854 by W. R. Cooke and Company

John Rollin Ridge

John Rollin Ridge was born in the Cherokee nation in 1827 and was given the name *Chees-quat-a-law-ny*, which translates, *Yellow Bird*. Yellow Bird was well educated in a New England private school. He fled to California in 1850, after killing a man who had stolen and gelded his stallion. He worked for several newspapers in California, including the *Sacramento Bee* and the *San Francisco Herald*. He died in October 1867. Although Yellow Bird is an obscure, nearly forgotten author, he is among California's most significant author because he is our nations first Native American novelist and in 1854 he wrote California's first novel. His novel, *The Life and Adventures of Joaquín Murieta, the Celebrated California Bandit*, created one of our nations most sustaining legends.

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Publishers' Preface

THE FOLLOWING PRODUCTION, aside from its intrinsic merit, will no doubt be read with increased interest when it is known that the author is a Cherokee Indian, born in the woods, reared in the midst of the wildest scenery, and familiar with all that is thrilling, fearful, and tragic in a forest life. His own experiences would seem to have well fitted him to portray in living colors the fearful scenes that are described in this book, connected as he was, from the age of seventeen up to twenty-three, with the tragic events that occurred so frequently in his own country – the rising of factions, the stormy controversies with the whites, the fall of distinguished chiefs, family feuds, individual retaliation and revenge, and all the consequences of that terrible civil commotion which followed the removal of the Cherokee

Nation from the east to the west of the Mississippi, under the administration of Gen. Jackson.

When a small boy, he saw his father (the celebrated chief and orator known among the Indians by the name of "Sca-lee-los-kee") stabbed to death by a band of assassins employed by a political faction in the presence of his wife and children at his own home. While the bleeding corpse of his father was yet lying in the house surrounded by his weeping family, the news came that his grandfather, a distinguished old war chief, was also killed; and fast upon this report, that others of his near relatives were slain. His mother, a white woman and a native of Connecticut, fled from the bloody precincts of the nation with her children and sought refuge in the United States.

Her oldest son, "Yellow Bird," after remaining several years among the whites, returned to his own country and asserted the rights of his family, which had been prostrated since the death of his father. He was intimately concerned for several years in the dangerous contentions that made the Cherokee Nation a place of blood. And finally,

not succeeding in overthrowing the murderers of his father and the oppressors of his country who were then in power, and having furnished them with a pretext for putting him out of the way by killing a prominent member of their party, he left his country once more and in 1850 came to the State of California. So far, we know his history. Whether he will ever meet with success in his purposes with regard to his own people, we cannot say, but we hope that he will.

The perusal of this work will give those who are disposed to be curious an opportunity to estimate the character of Indian talent. The aboriginal race has produced great warriors, and powerful orators, but literary men – only a few.

Editor's Preface

THE AUTHOR, in presenting this book to the public, is aware that its chief merit consists in the reliability of the groundwork upon which it stands and not in the beauty of its composition. He has aimed to do a service – in his humble way – to those who shall hereafter inquire into the early history of California, by preserving – in however rude a shape – a record of at least a portion of those events that have made the early settlement of this state a living romance through all time.

Besides, it is but doing justice to a people who have so far degenerated as to have been called by many, "A Nation of Cowards" to hold up a manifest contradiction – or at least an exception – to so sweeping an opinion with the character of a man who – bad though he was – possessed a soul as full of unconquerable courage as ever belonged to a human being. Although the Mexicans may be whipped by

every other nation, in a battle of two or five to one; yet no man who speaks the truth can ever deny that there lived one Mexican whose nerves were as iron in the face of danger and death.

The author has not thrown this work out into the world recklessly, or without authority for his assertions. In the main, it will be found to be strictly true. Where he has mentioned localities as being the harboring places of Joaquín, he has meant invariably to say that persons *then* connected (at the date of the events narrated) with those localities stood in the doubtful position in which he has placed them.

JOAQUÍN MURIETA

California's Famous Bandit

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The Life of Joaquín Murieta

I SIT down to write somewhat concerning the life and character of *Joaquín Murieta,* a man as remarkable in the annals of crime as any of the renowned robbers of the Old or New World who have preceded him. And I do this, not for the purpose of ministering to any depraved taste for the dark and horrible in human action, but rather to contribute my mite to those materials out of which the early history of California shall one day be composed. The character of this truly wonderful man was nothing more than a natural production of the social and moral condition of the country in which he lived, acting upon certain peculiar circumstances favorable to such a result, and consequently, his individual history is a part of the most valuable history of the state.

There were two Joaquíns, bearing the various surnames of Murieta, Ocomardía, Valenzuela, Boteller, and Carrillo – so that it was supposed there were no less than five sanguinary devils ranging the country at one and the same time. It is now fully ascertained that there were only two, whose proper names were Joaquín Murieta and Joaquín Valenzuela, the latter being nothing more than a distinguished subordinate to the first, who is the Rinaldo Rinaldini of California.

Joaquín Murieta was a Mexican, born in the province of Sonora of respectable parents and educated in the schools of Mexico. While growing up, he was remarkable for a very mild and peaceable disposition, and gave no sign of that indomitable and daring spirit that afterwards characterized him. Those who knew him in his schoolboy days speak affectionately of his generous and noble nature at that period of his life and can scarcely credit the fact that the renowned and bloody bandit of California was one and the same being.

At an early age of his manhood – indeed, while he was yet scarcely more than a boy – he became tired of the uncertain state of

affairs in his own country, the usurpations and revolutions, which were of such common occurrence, and resolved to try his fortunes among the American people, of whom he had formed the most favorable opinion from an acquaintance with the few of whom he had met in his own native land. The war with Mexico had been fought, and California belonged to the United States. Disgusted with the conduct of his degenerate countrymen and fired with enthusiastic admiration of the American character, the youthful Joaquín left his home with a buoyant heart and full of the exhilarating spirit of adventure.

The first that we hear of him in the Golden State is that, in the spring of 1850, he is engaged in the honest occupation of a miner in the Stanislaus placers, then reckoned among the richest portions of the mines. He was then eighteen years of age, a little over the medium height, slenderly but gracefully built, and active as a young tiger. His complexion was neither very dark nor very light, but clear and brilliant, and his countenance was pronounced to have been – at that time –exceedingly handsome and attractive. His large black eyes, kindling with

the enthusiasm of his earnest nature, his firm and well-formed mouth, his well-shaped head from which the long, glossy, black hair hung down over his shoulders. His silvery voice full of generous utterance, and the frank and cordial bearing, which distinguished him, made him beloved by all with whom he came in contact. He had the confidence and respect of the whole community around him, and was fast amassing a fortune from his rich mining claim. He had built him a comfortable mining residence in which he had domiciled his heart's treasure, a beautiful Sonoran girl, who had followed the young adventurer in all his wanderings with that devotedness of passion that belongs to the dark-eyed damsels of Mexico.

It was at this moment of peace and felicity that a blight came over the young man's prospects. The country was then full of lawless and desperate men, who bore the name of Americans but failed to support the honor and dignity of that title. A feeling was prevalent among this class of contempt for any and all Mexicans, whom they looked upon as no better than conquered subjects of the United States and having no rights that could

stand before a haughtier and superior race. They made no exceptions. If the proud blood of the Castilians mounted to the cheek of a partial descendant of the *Mexiques*, showing that he had inherited the old chivalrous spirit of his Spanish ancestry, they looked upon it as a saucy presumption in one so inferior to them. The prejudice of color, the antipathy of races, which are always stronger and bitterer with the ignorant and unlettered, they could not overcome; or if they could, would not, because it afforded them a convenient excuse for their unmanly cruelty and oppression.

A band of these lawless men, having the brute power to do as they pleased, visited Joaquín's house and peremptorily bade him leave his claim, as they would allow no Mexicans to work in that region. Upon his remonstrating against such outrageous conduct, they struck him violently over the face, and being physically superior, compelled him to swallow his wrath. Not content with this, they tied him hand and foot and ravished his mistress before his eyes. They left him, but the soul of the young man was from that moment darkened. It was the first injury he had ever received at the hands of the

Americans, whom he had always hitherto respected, and it wrung him to the soul as a deeper and deadlier wrong from that very circumstance.

He departed with his weeping and almost heartbroken mistress for a more northern portion of the mines. And the next we hear of him, he is cultivating a little farm on the banks of a beautiful stream that watered a fertile valley, far out in the seclusion of the mountains. Here he might hope for peace, here he might forget the past and again be happy. But his dream was not destined to last. A company of unprincipled Americans – shame that there should be such bearing the name! – saw his retreat, coveted his little home surrounded by its fertile tract of land, and drove him from it with no other excuse than that he was "an infernal Mexican intruder!"

Joaquín's blood boiled in his veins, but his spirit was still unbroken, nor had the iron so far entered his soul so as to sear out the innate sensitiveness to honor and right that reigned in his bosom. Twice broken from his honest pursuit of fortune, he resolved still to labor on with unflinching brow and with that

true moral bravery, which throws its redeeming light forward upon his subsequently dark and criminal career. How deep must have been the anguish of that young heart and how strongly rooted the native honesty of his soul, none can know or imagine but they who have been tried in a like manner. He bundled up his little movable property, still accompanied by his faithful bosom friend, and again started forth to strike once more, like a brave and honest man, for fortune and for happiness.

He arrived at Murphy's Diggings in Calaveras County, in the month of April, and went again to mining. But meeting with nothing like his former success, he soon abandoned that business and devoted his time to dealing *monte*, a game common in Mexico and almost universally adopted by gamblers in California. It is considered by the Mexican in no manner a disreputable employment, and many well-raised young men from the Atlantic states have resorted to it as a profession in this land of luck and chances. It was then in much better odor than it is now, although it is at present a game that may be played on very fair and honest principles –

provided anything can be strictly honest or fair that allows the taking of money without a valuable consideration.

It was therefore looked upon as no departure from rectitude on the part of Joaquín when he commenced the business of dealing *monte*. Having a very pleasing exterior and being, despite of all his sorrows, very gay and lively in disposition, he attracted many persons to his table, and won their money with such skill and grace, or lost his own with such perfect good humor that he was considered by all the very ideal of a gambler and the prince of clever fellows. His sky seemed clear and his prospects bright, but Fate was weaving her mysterious web around him, and fitting him to be by the force of circumstances what nature never intended to make him.

He had gone a short distance from Murphy's Diggings to see a half brother, who had been located in that vicinity for several months, and returned to Murphy's Diggings upon a horse that his brother had lent him. The animal proved to have been stolen, and being recognized by a number of individuals in town, an excitement was raised on the

subject. Joaquín suddenly found himself surrounded by a furious mob and charged with the crime of theft. He told them how it happened that he was riding the horse and in what manner his half brother had come in possession of it. They listened to no explanation, but bound him to a tree, and publicly disgraced him with the lash. They then proceeded to the house of his half brother and hung him without judge or jury.

It was then that the character of Joaquín changed, suddenly and irrevocably. Wanton cruelty and the tyranny of prejudice had reached their climax. His soul swelled beyond its former boundaries, and the barriers of honor – rocked into atoms by the strong passion that shook his heart like an earthquake – crumbled around him. Then it was that he declared to a friend that he would live henceforth for revenge and that his path should be marked with blood. Fearfully did he keep his promise, as the following pages will show.

It was not long after this unfortunate affair that an American was found dead in the vicinity of Murphy's Diggings, having been cut to pieces with a knife. Though horribly

mangled, he was recognized as one of the mob engaged in whipping Joaquín. A doctor, passing in the neighborhood of this murder, was met shortly afterward by two men on horseback, who fired their revolvers at him. But owing to his speed on foot and the unevenness of the ground, he succeeded in escaping with no further injury than having a bullet shot through his hat within an inch of the top of his head.

A panic spread among the rash individuals who had composed that mob, and they were afraid to stir out on their ordinary business. Whenever any one of them strayed out of sight of his camp or ventured to travel on the highway, he was shot down suddenly and mysteriously. Report after report came into the villages that Americans had been found dead on the highways, having been either shot or stabbed; and it was invariably discovered, for many weeks, that the murdered men belonged to the mob who publicly whipped Joaquín. It was fearful and it was strange to see how swiftly and mysteriously those men disappeared.

"Murieta's revenge was very nearly complete," said an eyewitness of these events,

in reply to an inquiry that I addressed to him. "I am inclined to think he wiped outmost of those prominently engaged in whipping him."

Thus far, who can blame him? But the iron had entered too deeply in his soul for him to stop here. He had contracted a hatred of the whole American race, and he was determined to shed their blood whenever and wherever an opportunity occurred. It was no time now for him to retrace his steps. He had committed deeds that made him no longer amenable to the law, and his only safety lay in a persistence in the unlawful course that he had begun. It was necessary that he should have horses and that he should have money. These he could not obtain except by robbery and murder, and thus he became an outlaw and a bandit on the verge of his nineteenth year.

The year 1850 rolled away, marked with the eventful history of this young man's wrongs and trials, his bitter revenge on those who had perpetrated the crowning act of his deep injury and disgrace; and, as it closed, it shut him away forever from his peace of mind and purity of heart. He walked forth into the future a dark, determined criminal, and his proud nobility of soul existed only in memory.

It became generally known in 1851 that an organized *banditti* was ranging the country, but it was not yet ascertained who was the leader. Travelers, laden with the produce of the mines, were met upon the roads by well-dressed men who politely invited them to "stand and deliver." Persons riding alone in the many wild and lonesome regions that form a large portion of this country, were skillfully noosed with the lasso (which the Mexicans throw with great accuracy, being able thus to capture wild cattle, elk, and sometimes even grizzly bears upon the plains), dragged from their saddles, and murdered in the adjacent thickets. Horses of the finest mettle were stolen from the ranches, and being tracked up, were found in the possession of a determined band of men ready to retain them at all hazards and fully able to stand their ground.

The scenes of murder and robbery shifted with the rapidity of lightning. At one time, the northern countries would be suffering slaughters and depredations, at another the southern, and before one would have imagined it possible, the east and the west, and every point of the compass would be in

trouble. There had never been before this – either in '49 or '50 – such an organized *banditti*, and it had been a matter of surprise to everyone.

But the country was well adapted to a business of this kind – the houses scattered at such distances along the roads, the plains so level and open on which to ride with speed, and the mountains so rugged with their ten thousand fastnesses in which to hide. Grass was abundant in the far-off valleys, which lay hidden in the rocky gorges; cool, delicious streams made music at the feet of the towering peaks, or came leaping down in gladness from their sides. Game abounded on every hand, and nine unclouded months of the year made a climate so salubrious that nothing could be sweeter than a day's rest under the tall pines or a night's repose under the open canopy of heaven.

Joaquín knew his advantages. His superior intelligence and education gave him the respect of his comrades. And appealing to the prejudice against the "Yankees," which the disastrous results of the Mexican war had not lessen in their minds, he soon assembled around him a powerful band of his

countrymen, who daily increased as he ran his career with almost magical success.

Among the number was Manuel García, more frequently known as "Three Fingered Jack," from the fact of his having had one of his fingers shot off in a skirmish with an American party during the Mexican war. He was a man of unflinching bravery, but also cruelty and sanguinary. His form was large and rugged and his countenance so fierce that few liked to look upon it. He was different from his more youthful leader in possessing nothing of Joaquín's generous, frank, and cordial disposition, and in being utterly destitute of the merciful trait of humanity. His delight was in murder for its own diabolical sake, and he gloated over the agonies of his unoffending victims. He would sacrifice policy, the safety, and interests of the band for the mere gratification of his murderous propensity; and it required all Joaquín's firmness and determination to hold him in check.

The history of this monster was well known before he joined Joaquín. He was known to be the same man, who, in 1846, surrounded with his party two Americans, young men by the

name of Cowie and Fowler, as they were traveling on the road between Sonoma and Bodega. He stripped them entirely naked, and binding them each to a tree, he slowly tortured them to death. He began by throwing knives at their bodies, as if he were practicing at a target. He then cut out their tongues, punched out their eyes with his knife, gashed their bodies in numerous places, and finally, flaying them alive, left them to die.

A thousand cruelties like these had he been guilty of, and long before Joaquín knew him, he was a hardened, experienced, and detestable monster. When it was necessary for the young chief to commit some peculiarly horrible and cold-blooded murder, some deed of hellish ghastliness to which his soul revolted, he deputed this man to do it. And well was it executed, with certainty, and to the letter.

Another member of this band was Reyes Feliz, a youth of sixteen years of age, who had read the wild romantic lives of the chivalrous robbers of Spain and Mexico until his enthusiastic spirit had become imbued with the same sentiments that actuated them, and he could conceive of nothing grander than to

throw himself back upon the strictly natural rights of man and hurl defiance at society and its laws. He also was a Sonoran, and the beautiful mistress of Joaquín was his sister. He was a devoted follower of his chief, and like him, brave, impulsive, and generous.

A third member was Claudio, a man about thirty-five years of age, of lean but vigorous constitution, a dark complexion, and possessing a somewhat savage, but lively and expressive countenance. He was indisputably brave, but exceedingly cautious and cunning, springing upon his prey at an unexpected moment and executing his purposes with the greatest possible secrecy as well as precision. He was a deep calculator, a wily schemer, and could wear the appearance of an honest man with the same grace and ease that he would show in throwing around his commanding figure the magnificent cloak in which he prided. In disposition, he was revengeful, tenacious in his memory of a wrong, sly and secret in his windings as a serpent, and with less nobility than the rattlesnake, he gave no warning before he struck. Yet, as I have said before, he was brave when occasion called it forth, and although ever ready to take an

advantage, he never flinched in the presence of danger. This extreme caution, united with a strong will and the courage, made him an exceedingly formidable man.

A fourth member was Joaquín Valenzuela, who has been frequently confounded with Joaquín Murieta, drawn from the fact that the latter threw upon him much responsibility in the government of the band and entrusted him with important expeditions, requiring in their execution a great amount of skill and experience. Valenzuela was a much older man than his leader, and had acted for many years in Mexico as a bandit under the famous guerilla chief, Padre Jurado.

Another distinguished member was Pedro González, less brave than many others, but a skillful spy and expert horse thief, and as such, an invaluable adjunct to a company of mounted men who required a continual supply of fresh horses as well as a thorough knowledge of the state of affairs around them.

There were many others belonging to this organization whom it is not necessary to describe. It is sufficient to say that they composed as formidable a force of outlaws as

ever gladdened the eye of an acknowledged leader. Their number – at this early period – is not accurately known, but a fair estimate would not place it at a lower figure than fifty, with the advantage of a continual and steady increase.

Such was the unsettled condition of things, so distant and isolated were the different mining regions, so lonely and uninhabited the sections through which the roads and trails were cut, and so numerous the friends and acquaintances of the bandits themselves that these lawless men carried on their operations with almost absolute impunity. It was a rule with them to injure no man who ever extended them a favor, and whilst they plundered everyone else and spread devastation in every other quarter, they invariably left those ranches and houses unharmed whose owners and inmates had afforded them shelter or assistance. Many persons, who were otherwise honestly inclined, bought the safety of their lives and property by remaining scrupulously silent in regard to Joaquín and neutral in every attempt to do him an injury. Further than this, there were many large rancheros who

were secretly connected with the *banditti*, and stood ready to harbor them in times of danger and to furnish them with the best animals that fed on their extensive pastures. The names of several of these wealthy and highly respectable individuals are well known, and will transpire in the course of this history.

At the head of this most powerful combination of men, Joaquín ravaged the state in various quarters during the year 1851, without at that time being generally known as the leader – his subordinates, Claudio, Valenzuela, and Pedro González being alternately mistaken for the actual chief. Except to few persons, even his name was unknown, and many were personally acquainted with him and frequently saw him in the different towns and villages, without having the remotest idea that he stood connected with the bloody events that were then filling the country with terror and dismay. He resided for weeks at a time in different localities, ostensibly engaged in gambling, or employed as a vaquero, a packer, or in some other apparently honest avocation, spending much of his time in the society of

that sweetest of all companions, the woman that he loved.

While living in a secluded part of the town of San José, sometime in the summer of '51, he one night became violently engaged in a row at a fandango, was arrested for a breach of the peace, brought up before a magistrate, and fined twelve dollars.

He was in the charge of Mr. Clark, the deputy sheriff of Santa Clara County, who had made himself particularly obnoxious to the *banditti* by his rigorous scrutiny into their conduct and his determined attempts to arrest some of their number. Joaquín had the complete advantage of him, inasmuch as the deputy was totally ignorant of the true character of the man with whom he had to deal. With the utmost frankness in his manner, Joaquín requested him to walk down to his residence in the skirts of the town, and he would pay him the money. They proceeded together, engaged in a pleasant conversation, until they reached the edge of a thicket when the young bandit suddenly drew a knife and informed Clark that he had brought him there to kill him, at the same instant stabbing him to the heart before he could draw his revolver.

Though many persons knew the author of this most cool and bloody deed by sight, yet it was a long time before it was ascertained that the escaped murderer was no less a personage than the leader of the daring cutthroats who were then infesting the country.

In the fall of the same year, Joaquín moved up in the more northern part of the state and settled himself down with his mistress at the Sonoran Camp, a cluster of tents and cloth houses situated about three miles from the city of Marysville, in Yuba County. It was not long before the entire country rung with the accounts of frequent, startling, and diabolical murders. *The Marysville Herald* of November 13, 1851, speaking of the horrible state of affairs, has the following remarkable paragraph:

> "Seven men have been murdered within three or four days in a region of country not more than twelve miles in extent."

Shortly after the murders thus mentioned, two men who were traveling on the road that leads up the Feather River, near to the Honcut Creek, which puts into that river, discovered just ahead of them four Mexicans, one of whom was dragging at his saddlebow

by a lariat an American whom they had just lassoed around the neck. The two travelers did not think it prudent to interfere, and so hurried on to a place of safety, and reported what they had seen. Legal search being made upon this information, six other men were found murdered near the same place, bearing upon their throats the fatal mark of the lariat.

Close upon these outrages, reports came that several individuals had been killed and robbed at Bidwell's Bar, some ten or fifteen miles up the river. Consternation spread like fire, fear thrilled through the hearts of hundreds, and all dreaded to travel the public roads.

Suspicion was directed to Sonoran Camp, it being occupied exclusively by Mexicans, many of who had no ostensible employment, and yet rode fine horses and spent money freely. This suspicion was confirmed by a partial confession obtained from a Mexican thief who had fallen into the hands of the "Vigilance Committee" of Marysville, and who had been run up with a rope several times to the limb of a tree by order of that formidable body.

The sheriff of Yuba County, R. B. Buchanan, went out on a moonlight night with his posse (which, to say the truth, consisted of one man only, widely and familiarly known as Ike Bowen) to examine the premises and to arrest three suspicious characters who were known to be lurking in that neighborhood.

While getting through the bars of a fence, they were attacked from behind by three Mexicans who had been hidden. The sheriff was severely wounded with a pistol ball, which struck him near the spine, passing through his body and coming out in the front near the navel. The Mexicans escaped, and Buchanan was finally taken back to Marysville, where he lay a long time in a very dangerous situation; but he eventually recovered much to the gratification of the community, who admired the devotion and courage with which he had well-nigh sacrificed his life in the discharge of his duties. He, in common with everyone else, was for a long time afterward in ignorance that he had received his wound in a personal encounter with the redoubtable Joaquín himself.

The bandits did not remain long in the vicinity of Marysville after this occurrence but rode off into the coast range of mountains to the west of Mount Shasta. It is a conspicuous landmark in the northern portion of the state, which rears its white shaft at all seasons of the year high above every other peak, and serves at a distance of two hundred miles to direct the course of the mountain traveler, being to him as the polar star is to the mariner. Gazing at it from the Sacramento Valley at a distance of one hundred and fifty miles, it rises in its garments of snow like some mighty archangel, filling the heaven with its solemn presence.

Chapter Two

IN THE RUGGED FASTNESSES of the wild range lying to the west of this huge mount, a range inhabited only by human savages and savage beasts, did the outlaws hide themselves for several long months, descending into the valleys at intervals with no further purpose than to steal horses, of which they seemed determined to keep a good supply. They induced the Indians to aid them in this purpose, and so efficiently did these simple people render their assistance that the rancheros of that region loaded the very air with their curses of the "naked devils," who tormented them to such an intolerable degree!

On one occasion during these depredations upon locomotive property, an exasperated party of Americans who had been on track of their stolen animals, came up with the Indian

thieves and managed to hem them between a perpendicular wall of bluffs and a deep river. There was no escape for them but to swim the stream, which swept by in a mad and foaming torrent. They fired upon the Indians, who leaped into the water, many of them dyeing it with their blood and only a few successfully swimming across. In the midst of the firing, a tall Mexican mounted upon a fine horse, dashed down the banks, firing his revolver as he went and plunged into the stream. His horse struck boldly with him for the opposite shore, and he had gained the middle of the current a distance of a hundred yards from his pursuers before any effectual shot at him was made.

He was about to escape and nothing would now avail but a dead aim and a steady nerve. The best marksman in the crowd, a lank Missourian, dismounted from his horse, drew his rifle to his shoulder while the others looked anxiously on, and taking a long "bead," fired. The Mexican leaned forward a moment, and the next instant floated from the saddle and sunk, while his fine charger breasted the waves and ascended the bank with a snorting nostril and dripping mane.

No one was willing to risk the dangerous passage even to possess so noble an animal, and they returned with their recovered property to their homes. This tall Mexican was, without doubt, a member of Joaquín's band who had led the Indians in that very unsuccessful thieving expedition.

In that desolate region, through which – at long intervals – only a few straggling miners passed on their lonesome prospecting tours. Human skeletons were found bleaching in the sun, some leaving no trace of the manner in which they perished, while others plainly showed by the perforated skull that the leaden ball had suddenly and secretly done its work. The ignorant Indians suffered for many a deed that had been perpetrated by civilized hands. It will be recollected by many persons who resided at Yreka and on Scott's River in the fall and winter of 1851 that many "prospectors" were lost in the mountains and never heard from again. Many were found dead, supposed to have been killed by the Indians, and yet bearing upon their bodies the marks of knives and bullets quite as frequently as arrows.

As soon as the spring opened in 1852, Joaquín and his party descended from the mountains, and by forced marches in the night, drove some two or three hundred horses that they had collected at their winter rendezvous down through the southern portion of the state into the province of Sonora.

Returning in a few weeks, they took up their headquarters at Arroyo Cantoova, a fine tract of rich pasturage, containing seven or eight thousand acres, beautifully watered, and fenced in by a circular wall of mountains through which an entrance was afforded by a narrow gate or pass, at which a very formidable force could be stayed in their progress by a small body of men.

This rich and fertile basin lies half-way between the Tejon and the Pacheco Pass, to the east of the Coast Range and to the west of the great Tulare Lake, thoroughly embosomed in its rugged boundaries and the more valuable as a retreat as it was distant at least one hundred and fifty miles from any human habitation. From the surrounding eminences, an approaching enemy could be seen for a long way off. This region was, in one respect in

particular, adapted to the purpose for which it was chosen, and that is, it abounded in game of every kind – elk, antelope, deer, grizzly bears, quails, grouse, and every species of smaller animals most desirable for food.

Here Joaquín selected a clump of evergreen oaks for his residence, and many a pleasant day found him and his still blooming companion roofed by the rich foliage of the trees and reclining upon a more luxurious carpet than ever blossomed, with its imitative flowers, beneath the satin-slippered feet of the fairest daughters of San Francisco. The brow of his sweet and faithful friend would sometimes grow sad as she recurred to the happy and peaceful lives that they had once lived.

But with a woman's true nature, she loved him in spite of all his crimes, and her soul was again lighted up as she gazed into those dark and glorious eyes that had never quailed before mortal man, and lost their fierceness only when they looked on her. Besides, in her tender heart she made for him many allowances; she saw many strong palliations of his conduct in the treatment that he had received. She knew the secret history of his

soul, his sufferings, and his struggles with an evil fate, and the long agony that rent up by the roots the original honesty of his high-born nature. More than this, he had told her that he would soon finish his dangerous career, when having completed his revenge and having accumulated an equivalent for the fortune of which he had been robbed by the Americans, he would retire into a peaceful portion of Sonora, build him a pleasant home, and live alone for love and her. She believed him, for he spoke truly of his intentions – and wonder not, ye denizens of cities! – she was happy even in the wilderness. It matter not how the world regarded him, to her he was all that is noble, generous, and beautiful.

After spending a few weeks at the rendezvous, Joaquín divided his party, then consisting of about seventy men, into different bands headed by Claudio, Three Fingered Jack, and Valenzuela. He dispatched them to various quarters with orders to devote themselves chiefly to stealing horses and mules, as he had a purpose to effect that required at least fifteen hundred or two thousand animals. He himself started on a separate course, accompanied by Reyes Feliz,

Pedro González, and Juan. Three females, who were dressed in male attire and well armed, were also in company; that is to say Joaquín's mistress, and the wives of Reyes Feliz and Pedro González.

All the party were well mounted, and rode no one knew whither except Joaquín himself. Arriving at Mokelumne Hill in Calaveras County, they took up quarters with some of their Mexican acquaintances in that place. And passing through the streets or visiting the saloons, they were looked upon as nothing more than peaceable Mexicans residing in the town.

This was in the month of April. While here, the women appeared in their proper attire, and were admired for their exceedingly modest and quiet deportment. The men issued forth at night upon no praiseworthy missions, and mounted upon their magnificent chargers, they scoured an extent of many miles ere they returned stealthily back to their hiding place and the arms of their languishing loves. Joaquín bore the appearance and character of an elegant and successful gambler, being amply provided with means from his night excursions.

In the meantime his men were, in different directions, prosecuting with ardor the business upon which they had been sent. There was a universal cry throughout the lower country that horse thieves were very nearly impoverishing the ranchos. Joaquín gathered a pretty good knowledge of what his followers were about from the newspapers, which made a very free use of his own name in the accounts of these transactions and handled his character in no measured terms.

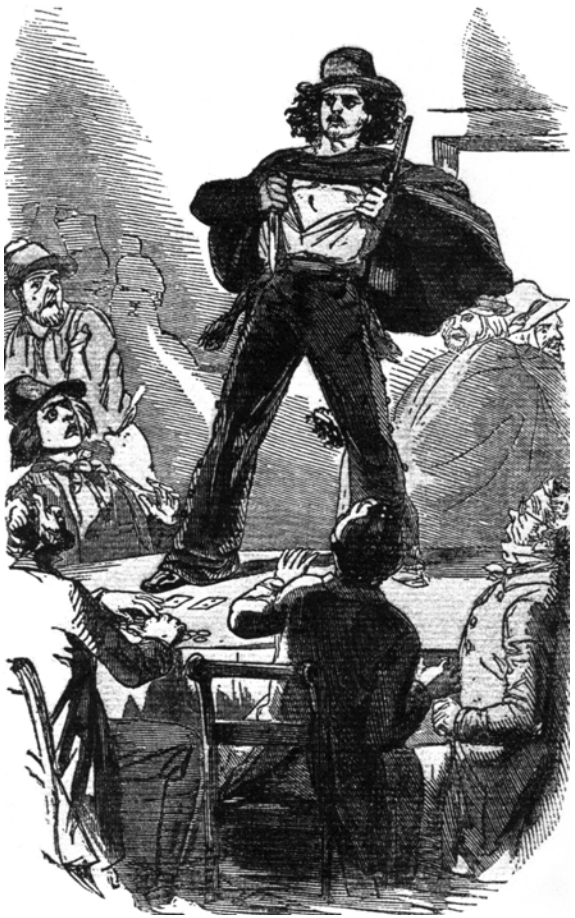
In the various outbreaks in which he had been personally engaged, he had worn different disguises and was actually disguised the most when he showed his real features. No man who had met him on the highway would be apt to recognize him in the cities. He frequently stood very unconcernedly in a crowd, listened to long and earnest conversations in relation to himself, and laughed in his sleeve at the many conjectures that were made as to his whereabouts and intentions.

After remaining as long as he desired at Mokelumne Hill, about the first of May he prepared to take his departure, which he resolved to do at the hour of midnight. His

horses were saddled, the women dressed in their male clothes, and everything ready, when Joaquín sauntered out into the streets, according to his custom, and visited the various drinking and gambling saloons with which every California town and village abound.

While sitting at a *monte* table, at which he carelessly put down a dollar or two to while away the time, his attention was suddenly arrested by the distinct pronunciation of his name just opposite to where he sat. Looking up, he observed three or four Americans engaged in loud and earnest conversation in relation to his identical self, in which one of them – a tall fellow armed with a revolver – remarked that he "would just like once in his life to come across Joaquín, and that he would kill him as quick as he would a snake."

The daring bandit, upon hearing this speech, jumped on the *monte* table in view of the whole house, and drawing his six-shooter, shouted out, "I am Joaquín! If there is any shooting to do, I am in."



So sudden and startling was this movement that everyone quailed before him, and in the midst of the consternation and confusion that reigned, he gathered his cloak about him and walked out unharmed.

After this bold avowal of himself, it was necessary for him to make his stay quite short in that vicinity. Mounting his horse therefore with expedition, he dashed off with his party at his heels, sending back a whoop of defiance that rung out thrillingly upon the night air. The extreme chagrin of the citizens can be imagined when they found – for the first time –that they had unwittingly tolerated in their very midst the man whom, above all others, they would have wished to get hold of.

Returning to his rendezvous at Arroyo Cantoova, he found that his marauding bands had collected some two or three hundred head of horses and were patiently waiting his further orders. He detached a portion of them to take the animals into Sonora for safe keeping and made remittances of money at the same time to a secret partner of his in that state.

Towards the last of May, becoming again restless and tired of an inactive life, he started forth upon the high roads, attended as before simply by Reyes Feliz, Pedro González, Juan, and the three bright-eyed girls, who, mounted on very elegant chargers, appeared as charming a trio of handsome cavaliers as ever delighted the visions of romantic damsels. Meeting with no one for a week or two but impoverished Frenchmen and dilapidated Germans in search of "diggings," and having sent very nearly all his money to Sonora, Joaquín's purse was getting pretty low. He resolved to attack the first man or men he might meet, who appeared to be supplied.

He was at this time on the road to San Luis Gonzaga, to which place a young American named Allen Ruddle was at the same time driving a wagon, loaded with groceries. Overtaking this young man on an open plain, Joaquín – leaving his party behind – rode up to where Ruddle sat on one of his wheel horses, and politely bidding him "good morning," requested of him the loan of what small change he might have about him. He remarking at the same moment:

"It is true, I am a robber, but, as sure as I live, I merely wish to borrow this money, and I will as certainly pay it back to you as my name is Joaquín. It is not often that I am without funds, but such is my situation at present."

Ruddle, without replying, made a sudden motion to draw his pistol, upon which Joaquín exclaimed:

"Come, don't be foolish – I have no wish to kill you, and let us have no fight."

Ruddle made another effort to get his pistol, which from excitement or perhaps from its hanging in the holster, he could not instantly draw. The bandit – with a muttered oath – slashed him across the neck with his bowie knife and dashed him from the saddle. Searching his pockets, he found about three hundred dollars.

His party coming up, he rode on, leaving the murdered man where he lay and his wagon and team standing by the road. Joaquín's conscience smote him for this deed, and he regretted the necessity of killing so honest and hardworking a man as Ruddle seemed to be.

It happened that just at this period, Capt. Harry Love, whose own history is one of equal romance with that of Joaquín but marked only with events that redound to his honor, was at the head of a small party gotten up on his own responsibility in search of this outrageous bandit. Love had served as an express rider in the Mexican war and had borne dispatches from one military post to another over the most dangerous tracts of Mexico. He had traveled alone for hundreds of miles over mountains and deserts, beset with no less danger than the dreaded "guerillas" who hung upon the skirts of the American army, laid-in-wait at mountain passes and watering places, and made it their business to murder every unfortunate straggler that fell into their hands. Riding fleet horses and expert in the use of the lasso, it required a well-mounted horseman to escape them on the open plains, and many a hard race with them has the Captain had to made to save his neck and the valuable papers in his charge. He had been, moreover from his early youth, a hardy pioneer, experienced in all the dangers and hardships of a border life.

Having these antecedents in his favor and possessing the utmost coolness in the presence of danger, he was a man well-fitted to contend with a person like Joaquín, of whom the lightning was not quicker and surer in the execution of a deadly errand. Love was on the direct trail of Joaquín when Ruddle was murdered. With the utmost speed consistent with the caution necessary to a surprise of the bandit, he pursued Joaquín by his murders and robberies, which left a bloody trail behind him to the rancho of San Luis Gonzaga, which is now well known to have been a place that regularly harbored the *banditti*. Arriving at that place at night, he was informed by certain spies whom he had employed that the party of whom he was in search were staying in a canvas house on the edge of the rancho.

Proceeding cautiously to this house with his men, the Captain had just reached the door when the alarm was given by a woman in a neighboring tent, and in an instant, Joaquín, González, Reyes Feliz, and Juan had cut their way through the back part and escaped into the darkness. Upon entering, no one was to be seen but women, three of whom, then dressed

in their proper garments, were the bandits' mistresses, of which fact, however, Love was ignorant. Leaving the women to shift for themselves, the fugitives went to their horses, which were hitched in an adjacent thicket, mounted them, and rode directly over to Oris Timbers, a distance of eight miles. There they immediately stole twenty head of horses and drove them off into the neighboring mountains.

They remained concealed all the next day but at night came back (a movement wholly unanticipated by Love) to the cloth house where they had left their women. They quickly doffed their female attire and rode off with their companions into the hills from which they had just come.

Driving the stolen horses before them, the party started in high glee across the Tulare plains for Los Angeles. Love followed them no further, having business that recalled him. The owner of the Oris Timbers Rancho, however, attended by a few Americans, fell upon their trail indicated by the Captain, and pursued them without much difficulty into the country of the Tejon Indians.

CAPTIAN HARRY LOVE

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Not coming up with them, and perhaps not very anxious to do so, the owner of the horses proceeded with his attendants to the seat of government of the Tejon Nation in order to see the old chief, Sapatarra, and, if possible, to make an arrangement with him by which to recover his property. They soon reached the capital, which consisted of twenty or thirty very picturesque-looking bark huts scattered along the side of a hill. In front of the largest hut, they found old Sapatarra, seated upon his haunches in all the grandeur of "naked majesty," enjoying a very luxurious repast of roasted acorns and dried angle-worms.

His swarthy subjects were scattered in various directions around him, engaged for the most part in the very arduous task of doing nothing. The little smoky-looking children were sporting, like a black species of waterfowl, in the creek that ran a short distance below, while the women were pounding with stone pestles in stone mortars, industriously preparing their acorn bread.

The delicacies of the chief's table were soon spread before his guests, which though tempting, they respectfully declined and entered immediately upon their business.

Sapatarra was informed that a party of Mexican horse thieves had sought shelter in his boundaries, that they were only a few in number, and that they had in their possession twenty splendid horses, one-half of which should belong to the chief if he recovered the whole number. This arrangement was speedily effected, and the high contracting parties separated with great satisfaction and mutual assurances of their distinguished regard.

Sapatarra held a council of state, which resulted in sending spies over his dominions to discover traces of the marauding band. Information was returned in a day or two that seven Mexicans, superbly dressed, and covered with splendid jewelry, and having a large number of fine horses, were camped on a little stream about fifteen miles from the capital.

The cupidity of the old chief and his right-hand men was raised to the highest pitch. They resolved to manage the matter in hand with great skill and caution – which, by the way, is a quality that particularly distinguishes the California Indians,

amounting to so extreme a degree that it might safely be called cowardice.

Joaquín and party, having ascertained that they were no longer pursued by the Oris Timbers Ranchero, and feeling perfectly secure amongst so harmless a people as the Tejons, disencumbered themselves of their weapons and resolved to spend a few days in careless repose and genuine rural enjoyment. Juan was lying in the grass one evening, watching the horses as they fed around him, while González, Feliz, and Murieta were each separately seated under a live-oak tree, enjoying a private *tête-à-tête* with their beloved and loving partners.

The evening shades were softly stealing around them, and all nature seemed to lull their unquiet spirits to security and repose. Just at this moment, a few dark figures might have been seen, but – unfortunately – were not, creeping cat-like in the direction of the unsuspecting Juan and the equally unconscious Murieta, González, and the rest.

It was well managed. By a sudden and concerted movement, the whole party were seized, overpowered, and securely bound

before they were aware of what was going on. The Indians were in ecstasies at this almost unhoped-for success, for had the least resistance been made, a single pistol cocked, or a knife drawn, they would have left the ground on the wings of the wind – so largely developed is the bump of caution on the head of a California Indian!

But cunning is equally developed, and serves their purposes quite as well sometimes as downright courage. As soon as this feat was accomplished, the woods became alive with forms, faces, and voices. A triumphal march was made with the captives to the capital. They were stripped entirely naked, and their rich clothing covered the weather-beaten backs and scaly legs of the Tejons. But great was the astonishment of the natives when they discovered the sex of the three youthful cavaliers, who were kindly permitted – in pity for their modesty – to wear some of the old cast-off shirts that lay around in the dirt. The women were robbed of their jewelry to the amount of three thousand dollars and the men of seven thousand dollars in gold dust, besides their riding animals and the stolen

horses. They were left also without a solitary weapon.

Never were men so completely humiliated. The poor, miserable, cowardly Tejons had achieved a greater triumph over them than all the Americans put together! Joaquín looked grim for a while, but finally burst out into a loud laugh at his ridiculous position, and ever afterwards endured his captivity with a quiet smile.

The most potent, grave, and reverend Señor Sapatarra immediately dispatched one half of the stolen horses to the Oris Timbers, while he retained the others according to the agreement. He kept his prisoners of war in custody for a week or two, debating in his mind whether to make targets of them for his young men to practice archery upon, or to hang, burn, or drown them.

He finally sent word to "The Great Capitan," the county judge of Los Angeles, that he had a party of Mexicans in custody and wanted his advice on what to do with them. The judge, supposing that the capture was the result of a little feud between some "greasers" and the Tejons, advised him to

release them. Accordingly, one fine morning, the prisoners – under the supervision of Sapatarra surrounded by his guard, who were armed with the revolvers and knives they had taken from the bandits – were led forth from the village with such solemnity that they imagined they were going to no other than a place of execution.

Arrived at a group of live-oaks, they were stripped entirely naked and bound each to a tree. Sapatarra made a long speech upon the merits of the important transaction that was about to occur, enlarging upon the enormity of the crime that had been committed (although it looked very much like self-condemnation for him to denounce stealing), and went off into extreme glorification over the magnanimity that would allow such great rascals to escape with their lives. He then gave orders to have them whipped. Seven large, stout fellows stepped out with a bunch of willow rods, each to his place, and gave the unfortunate party a very decent and thorough flogging. Sapatarra then declared the ends of justice satisfied and dismissed the prisoners from custody.

Poor fellows! They went forth into the wilderness as naked as on the day that they

were born and stricken with a blanker poverty than the sorriest beggar upon the streets of London, or New York, or any other proud city that raises its audacious head above its sea of crime and wretchedness into the pure light of Heaven. The biters were bit. The robbers were robbed, and loud and deep were the curses that Feliz, Juan, and González pronounced upon Sapatarra and the whole Tejon Nation; but Joaquín rubbed his smarting back and laughed prodigiously – declaring upon his honor as a man that not a hair of old Sapatarra's head should be harmed.

That night they slept without a stitch of covering; but fortunately, it was near the summer, and the air possessed a merely pleasant coolness. The next day, in passing through an arroyo, Reyes Feliz, who was behind, was attacked by a grizzly bear, and being utterly defenseless, was horribly mangled. He begged his companions to leave him, as he must certainly die and they could do him no good. After removing him to a shady place among some rocks and near to a stream of water, they left him to die – all but his sorrowing mistress, who resolved to remain with him whatever might befall.

They turned to look as they departed, and the last they saw was the faithful girl with her lover's head upon her lap, pouring her tears upon him like a healing balm from her heart. Give me not a sneer, thou rigid righteous! For the love of woman is beautiful at all times, whether she smiles under gilded canopies in her satin garments or weeps over a world-hated criminal alone and naked in a desert.

Chapter Three

AFTER A DAY or two's travel, Joaquín and party arrived, nearly worn out, in the vicinity of the San Francisco Rancho at the head of the Tejon Pass where they met with Mountain Jim, one of their confederates. He had been out upon his "own hook," robbing and stealing for a few weeks then passed. Mountain Jim was astounded at the spectacle they presented and begged Joaquín to allow him the privilege of laughing one hearty laugh before he listened to any explanation of the mystery. The privilege was readily granted, and the jolly bandit went through the performance with great zest and unction, making the woods echo and re-echo with his most refreshing peals of merriment. The women hid themselves in the brush and were like mother Eve when she sinned – conscious of their nakedness without being told of it.

The mystery being cleared up and explanation given in detail, Mountain Jim rode off to the rancho, or rather to his hiding place in its vicinity, and soon returned with clothing for the party – shirts and pantaloons – but no dresses for the females. However, they did not grumble, preferring these garments perhaps to any other – at any rate, they were well satisfied to adopt any sort of dress that would relieve them of the very primitive style in which they then appeared.

Mountain Jim also brought a couple of horses, one of which – a fine black animal saddled and bridled in a most superb manner – he designed for his chief. He handed Joaquín, at the same time as presenting the horse, a Colt's six-shooter and a silver-mounted bowie knife. Thus, in a few moments was the naked and defenseless fugitive booted, spurred, and fully equipped – in an instant transformed into a powerful and dreaded outlaw.

Having some mysterious power over persons then connected with the two wealthy ranches, Camula and Santa Buenaventura, whether through a sentiment of fear with which he inspired them, or from a distinct

understanding that they should harbor and assist him in consideration of a share of his plunders, I am not prepared to say. He sent González and Juan with the women to visit those ranchos and obtain an outfit suitable for their business, with instructions for them to remain there until he should call or send for them. He and Mountain Jim rode back into the woods to the place at which he had left Reyes Feliz and his weeping companion.

Contrary to all expectation, they found him not only alive but also able to sit up. His faithful mistress had supplied him with the only food she could obtain, but which served much better than none – namely, a sweet-smelling root that grows in great abundance all over that region, resembling both in taste and appearance the common celery of our gardens, and also some red berries that grew on the bushes around her. She was nursing him tenderly and dressing his wounds with leaves, anxiously hoping that he would soon be well enough to proceed on their journey.

Mountain Jim drew from his saddlebags some shirts and pantaloons, which he presented to the naked unfortunates – a most grateful sight and an opportunity to look

decent of which they immediately availed themselves. With difficulty Reyes Feliz was mounted behind his brother-in-law, and Carmelita took her seat behind Mountain Jim, and off they rode in a gallop in the direction of the Mission of San Gabriel.

Arriving in San Gabriel after nightfall, they went immediately to their usual meeting place in an out-of-the-way house. There he very unexpectedly found Claudio and his band, who had returned from the Sonora sooner than expected, and not finding his leader at Arroyo Cantoova, preferred going out on a marauding expedition to remaining idle. He had placed the horses with which he had been sent to Sonora upon a rancho well known to Joaquín, and where they would be perfectly safe till called for. In the vicinity of San Gabriel, he had committed many robberies since his return and had a purse amply filled with money, which he immediately tendered to his leader. But he had been greatly harassed by Gen. Bean of that neighborhood, who had used every exertion to apprehend him and had compelled him several times, with his whole party, to seek safety in flight. The greater part of this

news was highly gratifying to Joaquín, and he shook his faithful subordinate most cordially by the hand.

"But," said he, "we must never leave here, Claudio, till that man is killed. He is dangerous and we must put him out of the way."

Claudio assented with a grim nod of his head.

"I would like much now to see Three Fingered Jack," said Joaquín, after a pause and a few moment's reflection. "Have you any idea where he is?"

"I don't know for a certainty," replied Claudio, "but there was a house burnt about ten miles from here the other night, and every soul murdered as they came out – men, women, and children – and I think that must positively be Three Fingered Jack's work, and no other's."

Well provided with blankets, provisions, and a plenty of brandy, the bandits contented themselves to a stay of some two weeks at the Mission of San Gabriel. Reyes Feliz remained inactive, still attended by his faithful Carmelita. Horses were sent over to Camula

and Santa Buenaventura after Joaquín's gentle love mate and the wife of González, who arrived in due time at the Mission, restored to their usually elegant appearance and glittering with jewelry.

González and Juan were at this time very carefully hiding from the lynx eyes of a man whom they dreaded – namely, Capt. Harry Love, then deputy sheriff of Los Angeles County. He knew González personally and had caught a glimpse of that noted thief and his worthy colleague, Juan, on the skirts of the Buenaventura Rancho, which was known by a very few to be a harboring place for Joaquín and so was closely watched on that account.

In a day or two, news reached Joaquín that González had been arrested by Love while on a careless spree at a little "one-horse" grocery on a by-road that led up into the mountains, and that Juan had made his escape after a very dose clipping along the top of his head by a bullet from the Captain's revolver. He learned, in addition, that Love was hurrying off at the moment with his unfortunate confederate in the direction of the county seat of Los Angeles, where he would certainly be

hung. Determined to rescue him at all hazards, Joaquín commanded Claudio to get his band in readiness, and attended by Mountain Jim, he started at full speed to overtake Love and to save the life of his valuable subordinate.

Having ridden all night and with the utmost urgency – as their bloody spurs and the foam of their horses attested – they came in sight of the object of their pursuit just at daybreak in the morning. González, anticipating a rescue, looked back and seeing them, waved his handkerchief. He was riding by the side of Love unfettered, but totally in the power of his captor, being unarmed. This movement cost him his life. Love, knowing the imminent risk that he ran in proceeding alone with a member of so formidable a fraternity, no sooner saw the act than he drew his pistol and drove a ball through the villain's heart.

Casting a glance behind him, he discovered a pursuing party enveloped in a cloud of dust, coming like a whirlwind, and putting spurs to his horse, he rode off at the top of his speed. The bandits dashed up in a few moments to the place where González lay and found him a ghastly corpse. They shed no tears but

gnashed their teeth with rage and disappointment. It was of no use to follow Love, for his horse was fresher than theirs, and he had already left them far in the distance. Leaving the now worthless carcass of their comrade, they rode over to the nearest rancho and very coolly informing the owners that there was a dead man lying on the side of the road. Then they proceeded on their return to San Gabriel.

Arrived at that place, Joaquín immediately learned two important facts – one of which was that Three Fingered Jack, with his party, was at the town of Los Angeles, and the other that Capt. Wilson, deputy sheriff of Santa Barbara County, had been at San Gabriel making inquiries in relation to Joaquín's whereabouts and most diligently intent on capturing him, if possible. Wishing to avoid Capt. Wilson and anxious to see Three Fingered Jack, Joaquín selected three of his best men out of Claudio's band and started down to Los Angeles. He there met with both Three Fingered Jack and Valenzuela, who each gave a good account of their operations and were excessively glad to see him. Joaquín, for curiosity, asked García if he had burnt a

house down lately near San Gabriel, to which he replied in the affirmative.

Remaining for a day or two at a regular hiding place that he had in that town, Joaquín sallying out occasionally at night to take his latitude. He ascertained that Capt. Wilson was at one of the principal hotels, making no concealment of his purpose to take him, dead or alive. The next night after this discovery, a great excitement was raised in the street, and a crowd rushed up to see an apparently very hard fistfight between two Indians in front of the hotel at which Wilson was stopping. He, in common with others, stepped out to witness it, and was looking on with much interest when a dashing young fellow rode up by his side on a fine horse, and stooping over his saddlebow, hissed in his ear, "I am Joaquín."

The astounded hearer started at the sentence, and had scarcely looked around before a pistol ball penetrated his skull, and he fell dead to the earth. With his accustomed whoop, the daring murderer put spurs to his animal and galloped off. The fight between the Indians was a sham affair gotten up by Three Fingered Jack to affect the very purpose that was consummated.

As the immediate consequence of this act, Los Angeles became too hot a place for the robbers to stay in; for the whole community was aroused and thirsting for vengeance. Accordingly Joaquín held a hasty conference with his followers, which resulted in sending Valenzuela and band, accompanied by Mountain Jim, into San Diego County with directions to steal horses and convey them to Arroyo Cantoova, while Three Fingered Jack with his band should accompany his chief wherever he might choose to go.

Choosing to return once more to San Gabriel, they started in that direction and met with no incident or individual on the road until they came to a dark hollow, walled on each side with precipitous rocks through which a noisy stream was leaping and glancing in the moonlight. At this place two helpless Chinamen were encamped by the foot of a sycamore tree, and it being near eleven o'clock in the night, were sleeping off their fatigue and the effects of their luxurious pipes of opium. Their picks and prospecting pans showed them to be miners, who were most probably supplied with a due amount of cash, as Chinamen generally are.

Joaquín was for riding on, but Three Fingered Jack could not resist the temptation of at least giving their pockets an examination. Therefore he dismounted and walked up to the unconscious Celestials, who were snoring very soundly in their blankets, and shook them. They awoke, and seeing a horrible looking devil standing over and glaring upon them, raised a hideous shriek; and rising, they fell upon their knees before him with the most lugubrious supplications in a by-no-means euphonious tongue.

Jack told them to "dry up," butt he continued pleading for mercy when he knocked one of them down with his revolver and, cocking it, presented it at the head of the other – who closed his eyes in an agony of despair. In a voice of thunder, he told the terrified Chinamen to "shell out," or he would blow a hole through him in a minute. Readily convinced of the truth of this remark, the poor fellow nervously jerked out his purse and handed it to the robber, and searching the pocket of his companion, who lay stunned by his side, took out his also and presented it with a shudder. The amount was small, not more than twenty or thirty dollars. This so

enraged the sanguinary monster that he drew his knife and cut both of their throats before Joaquín could possibly interfere to prevent it.

The young chief, who always regretted unnecessary cruelty, but knew full well that he could not dispense with so brave a man as García, said nothing to him but only groaned and rode on. The party reached San Gabriel without further incident.

Gen. Bean, a man of influence and wealth, had – during Joaquín's absence – been giving serious trouble to Claudio and band. They had been compelled to lie out in the woods to avoid him. Joaquín himself thought it prudent to keep out of his way and lay concealed with Claudio for the space of six weeks, having with him Three Fingered Jack and band. Portions of the *banditti* had regularly watched every opportunity to kill Gen. Bean up to this time but had signally failed in every attempt.

One evening, however, a spy saw Gen. Bean start from his store at San Gabriel on horseback in the direction of his home a few miles off. Three Fingered Jack and Joaquín started by themselves to head around him and way-lay the road. They had scarcely

taken their positions behind some rocks before Bean rode up. Joaquín sprung out in front of him, and seizing the bridle, which had a Spanish bit, and jerked his horse back on his haunches. Just at that moment, Three Fingered Jack dragged him from the saddle and threw him upon the ground. At the moment that Jack laid hold of him, he was in the act of firing at Joaquín, but, being pulled back so suddenly, his pistol flew up many feet above the proper level and was discharged into the empty air.

Bean, being a powerful man, rose to his feet with Three Fingered Jack upon him, and drawing his knife, endeavored to use it. But his equally powerful antagonist seized his wrist with his left hand, and drawing in his turn a glittering bowie knife, sheathed it three times in Bean's breast. Then, withdrawing the bloody blade, he rudely shoved the American back, and the brave but unfortunate man fell dead at his feet.

The ignoble wretch, not satisfied with the successful termination of the combat, displayed his brutal disposition by kicking the dead body in the face and discharging two loads from his revolver into the lifeless head.

Thus perished Gen. Bean, a generous, noble hearted, and brave man. Had he been less brave, he might have exercised more caution and preserved his life; but he was a man who never knew fear.

After this outrage, which – though dark enough – was yet only an act of self-preservation on the part of Joaquín, he collected his whole party in the neighborhood of the Mission and started again on his ever-restless course. He bent his way northward into Calaveras County, robbing a few peddling Jews, two or three Frenchmen, and a Chinaman as he went along. He also gave an American express agent a fearful race for his life on an open plain for five or six miles, in which the agent distinctly heard no less than twenty bullets whiz by his head.

Joaquín and his party arrived in the vicinity of the town of Jackson in the latter part of the month of August. Riding along one evening in advance of his men, as was frequently his custom, he met an old acquaintance, who had been an esteemed friend in his more honest and happy days, a young man whose name was Joe Lake. Joaquín was delighted to see him, and rode up

to his side, and as they both sat on their horses, embraced him with that generous warmth of feeling that made an otherwise unmeaning custom of the Mexicans beautiful.

"Joe," said Joaquín, as he brushed a tear from his eyes, "I am not the man that I was. I am a deep-dyed scoundrel, but so help me God! I was driven to it by oppression and wrong. I hate my enemies, who are almost all of the Americans, but I love you for the sake of old times. I don't ask you, Joe, to love or respect me, for an honest man like you cannot, but I do ask you not to betray me. I am unknown in this vicinity, and no one will suspect my presence if you do not tell that you have seen me. My former good friend, I would rather do anything in the world than kill you, but if you betray me, I will certainly do it."

Lake assured him there was no danger, and the two parted, for the wide gulf of dishonor yawned between them, and they could never again be united. Lake rode over to the little town of Hornitos, and feeling it to be his duty to warn the citizens that so dangerous a man was in their midst, told a few Americans quite privately that he had seen the bloody cutthroat Murieta. A Mexican was standing

by, wrapped in his *serape,* bent his head on his bosom and smiled. About sundown of the next day, a solitary horseman whose head was covered with a profusion of red hair, rode up very leisurely to the front of a trading post, at which Lake and some other gentlemen were standing. He politely raised his hat and addressed an enquiry to Lake, which caused him to step forward from the crowd the better to converse.

"Is your name Lake?" said the red haired stranger.

"The same," was the reply.

"Well, sir, I am Joaquín! You have *lied* to me."

Lake being unarmed, exclaimed, "Gentlemen, protect me," and sprung back towards the crowd.

Several persons drew their revolvers, but not before the quick hand of Joaquín had presented his and pulled the trigger. The aim was fatal, and Lake fell in the agonies of death. The murderer wheeled his horse in an instant, and by a sudden bound, passed the aim of the revolvers that were discharged at him. In another instant he was seen on the

summit of a hill, surrounded by no less than fifty well-mounted men, with whom he slowly rode off.

Such was the magical luck that pursued this man, following him like an invisible guardian fiend in every hour of his peril, and enabling him to successfully perform deeds that would turn any other man's blood cold. So perfect was the organization that he had established that that apparently harmless Mexican, who was standing near while Lake betrayed Joaquín, and who lived unsuspected in that very town, was none other than a paid member of his band who acted as a spy.

Chapter Four

FROM THIS TIME until the middle of November, nothing definite is known of the movements of Joaquín, but rumors were rife of murders, robberies, and thefts, which are without much doubt attributable to him. And it is also highly probable that the many horses that were stolen in this interval found their way to the Arroyo Cantoova, and from thence to Sonora. Indeed, as will be recollected, Valenzuela was expressly engaged in this business at that time, and in no other.

About the middle of November, Joaquín, with Claudio, Three Fingered Jack, Reis – a member not mentioned before – and Juan, who had managed after many narrow escapes to rejoin the band after the death of González, as well as some fifty other followers were

resting themselves and their horses at the Mission of San Luis Obispo in San Luis Obispo County. A portion of the band was also recruiting at Santa Margarita, not more than fifteen or twenty miles distant. There were persons connected at that time with both of these extensive ranchos who knew more about Joaquín's concerns than they cared to acknowledge. Their names are unknown to the writer at this time, but they can easily be ascertained should they insist upon appearing before the public.

While stopping at the first-named rancho, Joaquín one day took up *The Los Angeles Star,* a paper published at Los Angeles, and was reading the news when his sight seemed suddenly blasted, and he let the paper fall from his hands. His affrighted mistress sprang to his side and clasping his hands, begged him to tell what was the matter. He shook his head for a moment, and the tears gushed from his eyes – aye, robber as he was – as he exclaimed, with quivering lips:

"Rosita, you will never see your brother again. Reyes Feliz is dead. He was hung two days ago by the people of Los Angeles."

Pierced with anguish, the fair girl sunk upon his bosom, and from her dark eyes, overshadowed by the rich, luxuriant hair, which fell around her like a midnight cloud – the storm of her grief poured itself forth in fast and burning drops, which fell like molten lead upon her lover's heart. Why should I describe it? It is well that a woman should, like a weeping angel, sanctify our dark and suffering world with her tears. Let them flow. The blood that stains the fair face of our mother Earth may not be washed out with an ocean of tears.

To return to a simple narration of facts:

It is indeed true that Reyes Feliz, in his seventeenth year, had met with what is almost always the outlaw's fate – an ignominious death upon the gallows. Having recovered from his wounds, he left San Gabriel and went down to Los Angeles, attended by his devoted Carmelita, where he had been only a few days before he was recognized by an American as one of a party who had once robbed him in the vicinity of Mokelumne Hill.

Standing without the least suspicion of danger in a "fandango house" at Los Angeles, he was suddenly arrested and covered with irons. He was charged with being a party to the assassination of General Bean, and although no evidence appeared to implicate him in this transaction, yet enough was elicited to show that he was undoubtedly a thief and a murderer.

He was accordingly taken to the gallows, where he kissed the crucifix and made oath that he was innocent of the murder of General Bean but guilty in many other instances. Though doomed to die at so early an age young, healthy and full of the fine spirits that give a charm to early manhood, beloved as men are seldom loved by the faithful girl who had left her pleasant home for him. A wild, untameable boy, he quailed not in the presence of death but faced it with a calm brow and tranquil smile. There came over him no shudder or paleness as the rope was adjusted around his neck, and he himself leaped from the platform just as it was about to fall from under him.

Alas, for the unfortunate Carmelita! She wandered alone in the woods, weeping and

tearing her hair, and many a startled ear caught the wail of her voice at midnight in the forest. She fled at the approach of a human footstep, but at last they found her cold and ghastly form stretched on a barren rock, in the still beauty of death.

The Mexicans buried her by the side of her well-beloved Feliz, and the winds shall whisper as mournfully over their graves as if the purest and best of mortal dust reposed below. All loving Nature is no respecter of persons, and takes to her bosom all her children when they have ceased their wanderings, and eases their heartaches in her embracing arms. We may go down to our graves with the scorn of an indignant world upon us, which hurls us from its presence. But the eternal God allows no fragment of our souls, no atom of our dust, to be lost from his universe. Poised on our own immortality, we may defy the human race and all that exists beneath the throne of God!

A few days after the distressing news they had heard, Joaquín and his sweet Rosita were sitting in front of an old building at the Mission, enjoying as well as they could, the cool of the evening, for the month of

November was still pleasant in the southern counties when a Mexican rode up in a gallop and hastily dismounted. He advanced towards Joaquín, who rose at his approach, and seeing that he was a stranger, gave him the secret sign by which any member of the organization might recognize another though they had never met.

It was satisfactorily returned, and the stranger immediately inquired for Joaquín and expressed a wish to see him. He was, of course, informed that he was addressing that individual himself, whereupon he proceeded to unfold the object of his mission.

"I am," said he, "most worthy Señor, deputed by a person whom you know residing near the rancho of Gen. Pio Pico, to say to you that there is danger where you now are. A party of Americans, well-armed and mounted, has passed the rancho Los Coyotes in this direction, and it is no doubt their intention to surprise you at your present retreat. I myself passed them this morning, without being perceived, encamped about fifteen miles from this place, and I seriously believe that you had better look out!"

"Very well," replied the chief, without changing countenance, "this is as good as I want. Hold yourself in readiness to serve me as a guide to their encampment, for I intend to surprise them."

Summoning Three Fingered Jack and Claudio, he informed them of the facts that he had heard and of his intentions, directing them to prepare the band immediately for action. In an hour afterwards, the different members came galloping up from various parts of the rancho, booted, spurred, and equipped in brilliant style, to the number of forty-five men. They were fine looking fellows, and scarcely any of them over thirty-five years of age.

Under the guidance of the Los Coyotes messenger, who was furnished with a fresh horse, they started upon their dangerous expedition just as night set in. After a ride of two hours and a half, they arrived at their destination. The fires were still burning, but the camp was abandoned. It was too dark to follow a trail, and they stopped for the night.

At daybreak they arose, mounted their horses, and pursued a very fresh trail, which

led through the woods, as if carefully to avoid the main roads. By the number of tracks, it was evident that they were in pursuit of a strong force. The trail led precisely in the course of San Luis Obispo, and it was apparent that the Americans had started for that place about the same time that Joaquín had left it; but he, having traveled the main road, thus missed them on the way.

Arriving at ten o'clock within two miles of the Mission, he halted and sent a spy forward to examine and report. The spy returned in a short time with the information that the party, consisting of fifty men, had left the Mission at daylight that morning with the evident purpose of taking the beaten road straight back to their encampment of the day before, the tracks of the *banditti* being still fresh on the ground. It was plain, therefore, that finding unmistakable indications that the bandits had staid at their encampment and had followed their trail towards the Mission, they would hurry on to overtake them and would be able to make the entire circuit before sundown of that day.

The young chief clapped his hands together in perfect glee. "We have them, boys! We have got them *dead!*"

He wheeled his horse directly around and led his company about three miles back on the trail they had just come, and halted at the junction of two deep gulches, rugged and shaggy with overhanging rocks.

Directing his men to hide their horses at a distance of three or four hundred yards from the trail, he ordered them next to conceal themselves in the nooks and crevices of the surrounding bluffs. They lay there as still as death for about two hours, when the clatter of horses' feet was heard distinctly in the distance. Nearer and nearer they came, and in a few minutes, a fine looking young man with blue eyes and light hair rode up within twenty yards of Joaquín, followed by about fifty other Americans, armed with rifles and revolvers.

"I don't like the looks of this place at all," said the young man, and hardly had the words escaped his lips before the rocks blazed around him, and the sharp reports of twenty or thirty pistols rang in his ears. His hat was

shot from his head, and his horse fell under him. A dozen of his followers bit the dust.

"Dismount, boys, and scale the rocks! Give them no advantage! Face them in their very teeth! It is our only chance."

They sprang to the rocks at the word, each man to the quarter he chose, and hand-to-hand, they confronted their hidden foes in their very dens. It could scarcely be called a battle between two distinct forces – it was rather a number of separate single combats, in which nothing could avail a man but his own right arm and dauntless heart.

Joaquín sprung from his hiding place to have a freer sweep of his arm, when he met at the very threshold the young Anglo Saxon. A flash of recognition passed between them, and Joaquín turned as if to leap upon a rock at his right, but at that moment, his antagonist jumped in that direction to intercept the movement. Joaquín wheeled to the left, and throwing out his foot with a sudden and vigorous stroke, knocked the young man's heels from under him, and he fell with violence upon his face. Before young man could rise, the wily bandit leaped upon him

like a panther and sheathed his knife in his heart.

It was too sad, but as I have said before, an invisible guardian fiend pursued everywhere this extraordinary man. Having no time to repeat the blow, especially as it seemed unnecessary, he drew forth the dripping blade and rushed to another scene of the conflict. He was met at almost every step, and fought his way like a tiger, gashed and bleeding, but still strong and unflinching.

Dead men lay upon every side, both Americans and Mexicans, and in front of Three Fingered Jack were stretched five men with their skulls broken by the butt of his revolver, which he had used as a club after emptying its contents. At the moment that Joaquín's eye met him, he was stooping with glaring eyes and a hideous smile over a prostrate American, in whose long hair he had wound his left hand and across whose throat he was drawing the coarse-grained steel of his huge homemade bowie knife. With a shout of delight he severed the neck joint and threw the gaping head over the rocks. He was crazy with the sight of blood and searched eagerly for another victim. He scarcely knew his

leader, and the latter had called to him three times before he recovered his senses.

"Ah, Murieta," said he, smacking his lips together, "this has been a great day. Damn 'em! How my knife lapped up their blood."

The fight having now lasted for half an hour, and there being no prospect that either party would conquer, so equally were they matched, it gradually subsided, and each side finally drew off from the other with a tacit understanding that they were mutually satisfied to cry quits.

Joaquín looked around and saw that he had lost twenty men, among whom was the invaluable Claudio, and ascertained the loss on his enemies' side to be very nearly the same, perhaps a little over. Mounting their horses, the bandits rode off in silence toward San Luis Obispo, while the surviving Americans found as many of their horses as had not left them during the conflict and retired to their home in Santa Barbara County, having made arrangements on the way for the burial of their deceased comrades.

During the following night, a company from the Mission went over to the bloody scene

with picks and shovels and buried the dead bodies of the bandits near the spot where they fell. On the next morning, Joaquín summoned the Los Coyotes messenger and said to him:

"Go back and tell my friend, who sent you, that the danger is passed, and hand him this purse. For yourself, take this one," handing him another well-filled buckskin bag.

Attention having been attracted to the San Luis Obispo Rancho, the bandit thought it prudent to go elsewhere. Accordingly, word was sent over to their friends who were rusticating at Santa Margarita to join them, and they forthwith started to a well-known harboring place not more than a thousand miles from José Ramón Carrejo's Rancho. Here they remained until such as were wounded recovered their usual health and strength – and here, again, Joaquín heard news similar to that which shocked him at San Luis Obispo, viz., that Mountain Jim had been hung in San Diego.

This misfortune happened to the jolly robber from his own carelessness. He and Valenzuela had stopped at a drinking shop on the San Diego River, some fifteen or twenty

miles from the bay of that name, and had taken a glass of execrable brandy when a party of four or five Americans rode up and alighted. They looked so very suspiciously at Valenzuela and his partner, that the former took his friend out and told him that it was his opinion they both had better leave as quickly as possible. Mountain Jim was under the influence of liquor, and laughing at what he chose to term the silly fears of Valenzuela, he went back into the house swearing and swaggering. Pretty soon after, a dozen more Americans approached on horseback. Upon seeing them, Valenzuela mounted into his saddle and called to Jim to come along. But Jim only laughed and took another glass of liquor.

"Curse the fool!" muttered Valenzuela, "he will be the death of both of us. For my part, I will keep my own distance from those scurvy-looking fellows, at any rate."

The new party no sooner arrived than they rushed up to the door of the drinking house and drew their revolvers. A scuffle ensued inside, and Valenzuela, well aware of what was going on and that it was useless to contend against such great odds, merely fired

one shot into the crowd at the door. It took effect in the abdomen of one of the party, and wheeling his horse, he broke off like a thunderbolt.

Several of the Americans pursued him, but his fine, swift animal distanced them so far that they might as well have attempted to catch the red-winged spirit of a storm. Poor Mountain Jim! He was never destined to tread the mountains again. He was taken to the town of San Diego, and hung with as little ceremony as if he had been a dog. Well fitted was he to grace a gallows, for his merits certainly entitled him to a distinguished elevation.

Chapter Five

FROM HIS PRESENT STOPPING PLACE, Joaquín sent a messenger about the first of December to the Arroyo Cantoova to see if Valenzuela was there. If Valenzuela was absent, the messenger was to await his return in order to inform him that it was made his duty to continue the business in which he was engaged through the entire winter, or until such time as Joaquín should arrive at the rendezvous. The messenger returned after a few days and stated that he had found Valenzuela and band at the arroyo with tents pitched and a herd of fine horses, amounting to between five and six hundred, feeding on the pasture; and that the bold leader had signified a willing obedience to his chief's mandate.

"He is a glorious fellow," exclaimed Joaquín. "He didn't practice under that hardened old priest, Jurado, without learning something."

Spies were now ranging the country every day, picking up valuable information, and among other things, it was ascertained that an opinion prevailed that Joaquín had gone to Sonora. Thinking it a favorable time, he issued forth with his entire force, uniting Three Fingered Jack's party with Claudio's, which was now under the leadership of Reis, and started up into Mariposa County for the purpose of plunder.

On the road that leads from Dead Man's Creek to the Merced River, he met four Frenchmen, six Germans, and three Americans, walking and driving mules before them, packed with provisions, blankets, and mining utensils. Having so large a party with him, numbering about thirty men, he had no difficulty in stopping the travelers as long as he wished to detain them. His men stood around with pistols cocked while Joaquín dismounted and walking up to a terrified Frenchman who was armed with a revolver that he was afraid to use. He took the Frenchman by the top of the head, and jerking

him around once or twice, slapped him across the face with his open hand, and told him to "shell out."

The Frenchman hauled out a well-filled purse, and was handing it over when others of his companions made a show to draw their pistols and defend their gold dust. The robbers were too quick for them, and more than half of the unfortunate miners were shot down in their tracks. Joaquín brandished his glittering blade in the faces of the survivors and threatened to cut every one of their windpipes if they didn't hand out "what little loose change" they had about them, in half a minute! His polite request was complied with, and the little loose change amounted to about $15,000. He then bestowed a kick or two on some of the number as a parting tribute of regard and told them to "roll on." Three Fingered Jack insisted on killing the whole company, but the chief overruled him.

Riding forward after this transaction, they had not gone more than two miles when they met a Chinaman with a long tail, carrying a large bundle suspended at each end of a stick laid across his shoulders, walking leisurely along with his head bent to the ground.

Looking up and seeing so large a number of armed men before him, his eyes rolled in sudden fear, and he ducked his half-shaved head in unmistakable homage and respect to the revolvers and bowie knives that met his vision.

No one harmed him, and he shuffled on vastly gratified and relieved. He had passed only a few minutes when he was heard howling and screaming in the most harrowing manner. Looking back, they discovered the horrified Celestial with his tail flying in the wind, running towards them at the top of his speed, with arms wildly sawing the air and bundle-less, while the ground clattered under his wooden shoes. Just behind him, with blazing eyes, and his huge homemade knife in his right hand, appeared Three Fingered Jack, who had stopped at a spring and was tying his horse to a bush at the moment that the Chinaman came up.

It was too good an opportunity to be lost, and he darted like a wild hyena at the astounded Oriental, who applied himself to his heels with the utmost vigor that he could command. Joaquín bowed himself upon the saddle in a convulsion of laughter at the

ridiculous appearance of the Chinaman but speedily confronted Jack and told him to stop. Woh Le fell upon his knees in deepest adoration of his preserver. Joaquín bade him go on his way and, laughingly, reprimanded Jack for wanting to kill so pitiful a looking creature.

"Well," said Jack, "I can't help it. But, somehow or other, I love to smell the blood of a Chinaman. Besides, it's such easy work to kill them. It's a kind of luxury to cut their throats."

Proceeding across the woods and mountains, the *banditti* in a few days struck the main road leading from the town of Mariposa to Stockton, in San Joaquín County. Robbing once in a while as they went along, they arrived late one night at a ferry on the Tuolumne River in Tuolumne County, and finding the boat locked to the shore so that they could not exercise the privilege of crossing themselves, which was their usual custom, they rode up to the ferryman's house and very nearly beat the door down before they could arouse him. He came out at last with a terrified look and asked what they wanted.

"We want to cross the river," replied Joaquín, "and before doing so we wish to obtain from you the loan of what spare cash you may have about you. We have the best evidence of the urgency of our request." He cocked his pistol and presented it close to the fellow's head.

"Never mind the evidence, Señor, I believe you without it. I will certainly loan you all I have got."

So saying, he lit a candle and got out a purse from under his pillow, containing a hundred dollars.

"Come," said Jack, bursting a cap at his head, "you have got more!"

He was cocking his pistol for another trial when Joaquín very fiercely told him to know his place. Turning to the trembling ferryman, he said,

"Is this all you have got?"

"Precisely all, Señor, but you are welcome to it."

"I won't take it," said the young chief with a flush of pride, "you are a poor man, and you

never injured me. Put us over the river, and I will pay you for your trouble."

I mention this incident merely to show that Murieta in his worst days had yet a remnant of the noble spirit, which had been his original nature, and to correct those who have said that he was lost to every generous sentiment.

The party arrived in the neighborhood of Stockton without further incident after two day's travel, and camped on the plain under an oak grove about three miles from that place. They were seen at their encampment but not suspected. Indeed, it was then, as it is now, so common a thing to see companies of men engaged in the various occupations of packers, cattle drovers, horse traders, hunters, etc., stationed by the banks of some cool stream, or resting under the shade of trees at a distance from any house, or with their tents pitched in some lonely place for weeks at a time – that it was scarcely just to suspect a party to be criminal merely from circumstances like these.

The knowledge of everybody that it was the habit among all classes to go armed and to camp out in every sort of a place materially

aided the *banditti* in their movements, for it gave them the opportunity to remain perfectly safe until they chose to avow their real characters by some open outrage and villainy.

One fine Sunday morning, while the bells were ringing for church in the goodly city of Stockton, and well-dressed gentlemen were standing at the corners of the streets, marking with critical eyes the glancing feet and the flaunting dresses of the ladies who swept by them in the halo of beauty and perfumery, when a fine-looking man whom they had never seen before – having long, black hair hanging over his shoulders and a piercing black eye – rode through the streets, carelessly looking at the different objects that happened to attract his attention. So finely was he dressed, and so superbly was his horse caparisoned that, without seeming to know it, he was observed of all observers.

"What a splendid looking fellow!" said the ladies.

"He must be a young Mexican Grandee at the least, on a journey of pleasure," said one.

"I think," said another, "it must be General Vallejo's son."

"I don't believe he has any," said a third.

And they became so much interested in their conjectures about the young man that it is very doubtful if they paid much attention to the very prosy minister who was then acting as the "bright and shining light" amidst the surrounding darkness.

The youthful cavalier, after attracting uncommon attention by riding over the city, finally stopped at the side of a house, upon which were posted several notices – one reading as follows:

> "FOR SAIL. the surscribur ophfers for sail a yaul-bote hicht at the hed of the Slew terms cash or kabbige turnips and sich like will bea tayken."

To which fine specimen of polite literature was appended the name of a worthy citizen, who was then fishing for his living, but has since been fishing for various offices in the county.

Another one was a "notis" that some person either wanted to hire some one else or be hired himself as a cook – it was impossible to tell which.

A third was an auctioneer's notice:

"Honor before the 25 da of Dec I will offur to the hiest bider a brown mule ate yeer old, a gilding 16 hans hi, and a span of jacks consistin of long years and a good voyce."

I have a notion to publish the name signed to this rare advertisement, especially as the auctioneer seems to have been something of a wag as well as ignoramus. But, perhaps, it will be better not. A fourth was headed, in good English and a fair running hand:

"Five Thousand Dollars Reward for Joaquín, dead or alive," and stated that the citizens of San Joaquín County offered that amount for the apprehension or the killing of that noted robber.

Seeing this, the young Mexican dismounted, and taking out his pencil, wrote something underneath, and then leisurely rode out of town. No less than a dozen persons, stimulated by curiosity, went to the paper to see what was written, when they read the following in pencil:

"I will give $10,000. JOAQUÍN."

Numerous were the exclamations of astonishment at this discovery, and nothing else was talked of for a week, among the

ladies at least, who got hold of the fact almost before it was discovered and insisted to each other that they had remarked that the young man had a peculiarly wild and terrible look, and they had suspected very strongly – though they had never mentioned it to any one – that it was none other than the noted personage whom it proved to be.

Joaquín appeared on this occasion in his real features. He frequently went afterwards, however, into that city completely disguised and learned many things important for him to hear. He ascertained one evening that a schooner would go down the slough in a few hours, bound for San Francisco, on board of which were two miners from San Andreas in Calaveras County with heavy bags of gold dust who designed to take their departure for the Atlantic states. He took three of his men who were lounging around town with him and, jumped into a skiff, shot down the slough and tied up his boat in a bend of the water. There they hid in the bulrushes and patiently waited for the schooner to come along.

The mosquitoes bit him unmercifully, and he was almost tempted to abandon the enterprise on their account, but the prospect

of so good a haul was, on reflection, not to be resisted. He cursed himself for not bringing some matches with which he might have kindled a fire and sought the protection of its smoke. But perseverance is always rewarded if the object desired lies in the bounds of possibility, and waiting like a martyr for three mortal hours in those bulrushes, which are a perfect "mosquito kingdom" where huge gallinippers reign as the aristocracy, he at last saw the white-sheeted schooner stealing along in the crooks and turns of the crookedest stream in the whole world. So narrow and so completely hid in its windings by the tall cattails that overspread the plains for many miles to the right and left, that the white sail looked like a ghost gliding along over the waving grass.

As the vessel came opposite, Joaquín and companions shoved their boat out into the stream, and tying it to the schooner's side, leaped on board of her and commenced firing without saying a word. They shot down the two young men who managed the vessel before they had time to use their double-barreled shotguns, which they always carried for the purpose of shooting waterfowl in the

slough and up the San Joaquín River. Rushing aft, they attacked the two miners, who had risen at the report of the pistols and were standing with their revolvers drawn and cocked, ready for action. They and the robbers fired simultaneously. Two of Joaquín's men fell dead on the deck, and the miners fell at the same time.

Their wallets were soon stripped from them by Joaquín and his surviving companion, and finding some matches, they set fire to the vessel and left her to burn down. They rowed their skiff to the head of the slough in Stockton and wended their way back to their encampment. Ere daylight, there was no trace of murder on the slough but a dark hulk, which was barely visible on the water's edge.

By this operation Joaquín realized $20,000. Having now between forty and fifty thousand dollars in gold dust, he ordered his bands to pack up and started for the rendezvous of Arroyo Cantoova, passing by José Ramón Carrejo's Rancho and taking the lovely Rosita along with him, who had been staying there during his trip to Stockton.

He reached the Arroyo about the middle of the day, and it was a beautiful sight that met his eye as he gazed over the extensive valley. He saw a thousand fine horses feeding on the rich grass or galloping with flowing manes and expanded nostrils in graceful circles over the plain.

"Valenzuela has done his work well," said the elated chief, "ten times better than I had expected he would."

Seeing one of his herdsmen looking at him a short distance off as if endeavoring to recognize him, he rode up to him and asked him in reference to Valenzuela.

"He has been gone," said the vaquero, "about a week – we look for him every day."

The newly arrived party then rode up to the tents under the trees and dismounted. The busy cooks hurried up the fires, and the fresh venison and bear meat was soon smoking on the irons and emitting a most delicious savor, such as tempts the appetite of a hardy pioneer. Broiled quails and grouse, sweet and oily, the latter of which had been brought from the tall spruce trees at a height of three hundred feet by the long, maple stocked, and

silver mounted rifles that stood at the corner of one of the tents, were hanging in front of the blaze, suspended by their necks to branching sticks driven into the ground. The hot coffee steamed up from the large pot with a most stimulating effect; everything was spread forth in superabundance, scattered over a large white cloth that covered a few yards square of green grass. At a signal from the cooks, who were also the waiters, forty fierce and hungry brigands sat down and with the utmost expedition consistent with respect for their leader, made havoc among the victuals.

Just at this moment, a mounted company dashed up at full speed, giving the well-known whoop by which they could be recognized as friends, and dismounted. It was Valenzuela and a portion of his band, the remainder of whom soon after came in, driving two hundred and fifty thoroughbred American horses before them. The circle was enlarged, the cooks went to work afresh, and soon the whole *banditti*, who were all united for the first time after many months, were seated at the ample banquet. Generous wines stood sparkling in their midst with which

scarcely any refused to refresh themselves. Conversation flowed freely, and each one had a tale to tell of hairbreadth escapes and daring deeds. After hearing a brisk series of bloody narrations, Joaquín turned to Valenzuela and said:

"My brave brother, you have never been very communicative in regard to your former life; let us hear an incident or two that happened to you when you served under the daring Padre Jurado. By the Holy Virgin! You must have had some awful experiences in those days."

Valenzuela related the following story:

"One night when the robber priest and myself, who was his Lieutenant, and a dozen others were encamped by a small lake up in the mountains near to Cerro Gordo, which had recently been the battleground of the American and Mexican forces, some American horses that had escaped rider-less from the scene of slaughter had wandered into the hills and fallen into our hands. We expected that a party of Yankees would certainly get on their track and follow them up. We wanted Jurado to put out the fires, but he said no, he wanted

the Americans to come on, and if the light were extinguished they would not be able to find him. He ordered more fuel to be put on, and the highly combustible pine knots sent up a blaze that lit the woods for miles around.

"We had sat up about two hours after supper when he heard the approach of horsemen, the steel shod hoofs ringing clearly against the rocky trail that led to our encampment. A moment after, perfect silence reigned, and we looked and listened in vain for the approaching party. Jurado suddenly sprung up after a few moments and exclaimed:

"'They are so still they must be slyly creeping on to us, the damned cougars! Let us get behind the trees.'

"We were just in the act of obeying this suggestion when a dozen shots rung from the adjacent shadows, which bordered our fire, and no less than thirty gigantic Yankees rushed into our circle. Six of our men had fallen at the crack of their guns, and there were only eight of our number left to contend against the terrible odds opposed to us. Jurado cried out:

"'Let us lead them out of the light of the fires!'

"We sought shelter instantaneously in the rocks and stood at bay. On they came with their revolvers cocked and shivered the rocks around us with their bullets. We returned the fire with our own six-shooters, which thanks to the American smugglers along the coast, we were amply supplied with, and heard many an ominous groan at each report. But they were so much superior to us in number that they shot at least four times to our once, and I saw that we must inevitably be overpowered. Five of my companions, who survived the shots at the fire, lay around me mortally wounded, and there were only Jurado, and myself, and one other left. We rushed from our temporary shelter, in which we would soon have been completely hemmed and at the mercy of our enemies, and swinging down a precipice thirty-feet high by some oak branches that overhung it, and hid ourselves noiselessly at the base. To and fro above our heads we distinctly heard the hurrying footsteps of our pursuers. Finally, one of them exclaimed:

"'These branches here are twisted and broken as if they had let themselves down this bluff.'

"Whereupon a dozen long legged, brawny fellows came dangling over us. They had scarcely struck the ground before three of them bit the dust, and another instant had not elapsed before another discharge of our revolvers brought down two more. At which crisis others of the attacking party had come around below the bluffs, and before we had time to take breath, commenced firing. The splinters of the rocks and the bark of the trees flew around us as if we had been made the mark of congregated lightnings, and we were fain to get away from there. We set our teeth together and passed within ten feet of their guns, bounding like wild bucks. We made our escape, severely wounded, however, and dragged our aching limbs over the mountains to our rendezvous, where we found protection and medicine for our wounds in the midst of our brother guerrillas who had remained at home. I know of no fight in my whole experience so severe and soul harrowing as that one."

"A good deal like one that we had," replied Joaquín, "a few miles from San Luis Obispo, when you, Valenzuela, were absent below, in which we lost the twenty brave men whom you miss from this circle. Three Fingered Jack did the hardest fighting then that I ever saw. He was perfectly delirious and so blind with excitement that he was about to attack me for an enemy."

The afternoon and evening were consumed in reminiscences like these.

On the following morning, Joaquín collected his bands around him, numbering from a late accession of new "fighting members" as he called them, one hundred men, and explained to them fully his views and purposes.

"I am at the head of an organization," said he, "of two thousand men whose ramifications are in Sonora, Lower California, and in this state. I have money in abundance deposited in a safe place. I intend to arm and equip fifteen hundred or two thousand men and make a clean sweep of the southern counties. I intend to kill the Americans 'wholesale,' burn their ranchos, and run off their property in one single swoop so rapidly that they will not have

time to collect an opposing force before I will have finished the work and found safety in the mountains of Sonora. When I do this, I shall wind up my career. My brothers, we will then be revenged for our wrongs, and some little, too, for the wrongs done to our poor, bleeding country. Then we will divide our substance and spend the rest of our days in peace. I am now preparing for this grand climax, and this is the reason, Valenzuela, that I have kept you so busy collecting horses."

The *banditti* shouted in loud applause of their gallant leader. Their eyes kindled with enthusiasm at the magnificent prospect that he presented to them, and they could scarcely contain themselves in view of the astounding revelations that he had made. They had entertained no adequate idea of the splendid genius that belonged to their chief, although they had loved and admired him throughout his dangerous career. They were fired with new energy, and more than ever willing and anxious to obey him at all hazards and under the most disadvantageous circumstances.

On this same day he dispatched a remittance of $50,000 to his secret partner in

Sonora under a strong force commanded by Valenzuela. He directed Three Fingered Jack, with fifty men, to drive off to the same state a thousand head of the horses that had been collected.

Joaquín was accordingly left at the rendezvous with twenty-five men, who had nothing to do but kill game, attend to their horses, and clean their arms. The wife of González was there, who had consoled her widowhood by accepting a huge fellow as her husband by the name of Guerra, who looked more like a grizzly bear than a human being. He was not so kind to her as González had been, and one night while he was asleep, she was about to cut his throat when Joaquín, who was lying in the same tent, fiercely told her to behave herself and assured her with an emphasis that he would hold her responsible if Guerra was ever found dead about camp. She threw her knife spitefully towards Joaquín and lay down again by her adorable spouse, who snored in blissful ignorance of his wife's affectionate purpose.

Lounging in his tent one misty day – for the rainy season had set in – Joaquín was aroused from the luxurious lap of his mistress by one

of his sentinels, who galloped up and informed him that he had just discovered a fresh trail through the grass, about a mile and a half below on the Cantoova Creek, and from appearances, he should judge there were eight or ten men. It was important to keep a sharp lookout and to allow no Americans to leave that valley with the knowledge that it was occupied by any body of men whatever, as such a circumstance would materially interfere with the gigantic plans projected. Accordingly, it was not long before Joaquín was mounted upon one of his swiftest horses and accompanied by fifteen picked men. They proceeded to the trail indicated by the sentinel and rode rapidly for two hours, which brought them in sight of ten Americans, who halted in curious surprise and waited for them to come up.

"Who are you?" said Joaquín, "and what is your business in these parts?"

They replied that they were hunters in search of bears and deer.

"We are hunters, also," rejoined the bandit, "and are camped just across the plain here. Come over with us, and let us have a chat.

Besides, we have some first-rate liquor at our camp."

Suspecting nothing wrong, the hunters accompanied them, and having dismounted at the tents and turned out their horses to graze, found themselves suddenly in a very doubtful position. They were surrounded by a company more than double their own who made demonstrations not at all grateful to their sight, and in a few moments they realized the bitter fact that they were driven to the extremity of a hopeless struggle for their lives. They remonstrated with Joaquín against so shameless an act as the cold-blooded murder of men who had never injured him.

"You have found me here," he replied, "and I have no guarantee that you will not betray me. If I do not tell you who I am, you will think it no harm to say that you have seen a man of my description; and if I do tell you, then you will be certain to mention it at the first opportunity."

At this moment a young man, originally from the wilds of Arkansas, not more than eighteen years of age, advanced in front of his

trembling comrades and, standing face-to-face with the robber chief, addressed him in a firm voice to the following effect:

"I suspect strongly who you are, sir. I am satisfied that you are Joaquín Murieta. I am also satisfied that you are a brave man who would not unnecessarily commit murder. You would not wish to take our lives unless your own safety demanded it. I do not blame you, following the business you do, for desiring to put an effectual seal of silence on our tongues. But listen to me just a moment. You see that I am no coward. I do not look at you with the aspect of a man who would tell a falsehood to save his life. I promise you faithfully for myself, and in behalf of my companions, that if you spare our lives, which are completely in your power, not a word shall be breathed of your whereabouts. I will myself kill the first man who says a word in regard to it. Under different circumstances I should take a different course, but now, I am conscious that to spare our lives will be an act of magnanimity on your part, and I stake my honor – not as an American citizen, but as a man who is simply bound by justice to himself, under circumstances in which no

other considerations can prevail – that you shall not be betrayed. If you say you will spare us, we thank you. If you say no, we can only fight till we die, and you must lose some of your lives in the conflict."

Joaquín drew his hand across his brow, and looked thoughtful and undecided. A beautiful female approached him from the tent near by and touched him on the shoulder.

"Spare them, Joaquín," she tremulously whispered, and looking at him with pleading eyes, retired softly to her seat again.

Raising his fine head with a lofty look, he bent his large clear eyes upon the young American, as if he would read him like an outspread page. The young American answered his glance with a look so royally sincere that Joaquín exclaimed with sudden energy:

"I will spare you. Your countrymen have injured me, they have made me what I am, but I scorn to take the advantage of so brave a man. I will risk a look and a voice like yours, if it should lead to perdition. Saddle their horses for them," he said to his followers, "and let them depart in peace."

The party was very soon mounted again, and showering blessings on Joaquín, who had become suddenly transformed into an angel in their estimation, they took their leave. I have never learned that the young man – or any of his party – broke their singular compact, and indeed, it seems to me that it would have been very questionable morality in them to have done so; for certainly, however much they owed to society, it would have been a suicidal act to refuse to enter into such an agreement; and as nothing but a firm conviction that they intended to keep their word could have induced Joaquín to run so great a risk, they were bound to preserve their faith inviolate. If they had a right to purchase their lives at the price of silence, they had an equal right – and not only that, but were morally bound – to stand up to their bargain. It would be well if men were never forced into such a position, but society has no right – after it has happened – to wring from them a secret that belongs to *them* and not to the world. In such matters God is the only judge.

Chapter Six

THE MONTH OF DECEMBER was drawing to a close, and the busy brain of the accomplished chief had mapped out the full plan of his operations for the new year just at hand. It was the year that would close his short and tragic career with a crowning glory - a deed of daring and of power that would redeem with its refulgent light the darkness of his previous history and show him to aftertimes not as a mere outlaw committing petty depredations and robberies, but as a *hero* who has revenged his country's wrongs and washed out her disgrace with the blood of her enemies.

It was time for Three Fingered Jack and Valenzuela to return from Sonora, and Joaquín waited patiently for their arrival in order to replenish his purse during the first

months of the new year so that he might execute his magnificent purpose without embarrassment or obstruction. In a few days, García and Valenzuela returned, accompanied by an old guerrilla comrade of the latter named Luis Viñuela. The two had lost five men from their bands, killed in several skirmishes on their way back with the citizens of Los Angeles County. Further than this, they had received no injury and were in fine health and spirits, although their horses were somewhat jaded. Each leader handed to Joaquín a well-filled purse of gold coin.

Having rested two days, the major portion of the *banditti* mounted fresh horses, and leaving the remainder, numbering twenty-five men, at the rendezvous under the command of Guerra - with whom they also left the females, not thinking it prudent to take them along in view of the bloody scenes that would be enacted - they set out for Calaveras County.

They had not been gone more than three days before a quarrel arose between Guerra and his affectionate wife, which ended in his giving her a wholesome thrashing. She submitted to the infliction with great apparent humility, but the next morning at

breakfast time when Guerra was called and did not come, several of his companions went into his tent to arouse him and found him stone dead. There was no sign of violence on his body, and it remained a complete mystery how he died. He had been a hard drinker, and finally his death was attributed to an over indulgence the night before. But the fact of the case was that unconscious sleeper had received at midnight just one drop of hot lead into his ear, tipped from a ladle by a small and skillful hand.

Byron has said in one of his misanthropic verses:

"Woman's tears, produced at will, Deceive in life, unman in death."

The truth of this bitter asseveration was partially illustrated when the inconsolable widow wept so long and well over the husband whom she, like a second, nay, the thousandth jezebel, had made a corpse. It is barely possible, however, that her tears were those of remorse. She accepted for her third husband a young fellow in the band at the rendezvous named Isidoro Conejo, who loved her much

more tenderly than did the brutal Guerra, whom she so skillfully put out of the way.

This young man was a few years her junior, but she looked as youthful as himself. Twice widowed, her sorrows had not dimmed the luster of her eyes, or taken the gloss from her rich dark hair, or the rose from her cheeks. Her step was as buoyant as ever, the play of her limbs as graceful, the heave of her impulsive bosom as entrancing, and her voice as full of music as if she had never lost González or murdered Guerra. There are some women who seem never to grow old. As each successive spring renews the plumage of the birds, so with them the passing years add fresh beauty to their forms, and decay long lingers ere he has the heart to touch their transcendent loveliness with his cold and withering fingers. The fascinating Margarita was one of these.

Joaquín with his party, fully bent on the most extensive mischief, entered Calaveras County about the middle of December. This county was then, as it is now, one of the richest in the State of California. Its mountains were veined with gold - the beds of its clear and far rushing streams concealed

the yellow grains in abundance - and the large quartz leads, like the golden tree of the *Hesperides*, spread their fruitful branches abroad through the hills. Its fertile valleys bloomed with voluptuous flowers over which you might walk as on a carpet woven of rainbows, or waved with the green and mellow harvests, whose ready music charmed the ear. The busy wheels of the sawmills with their glittering teeth rived the mighty pines, which stood like green and spiral towers, one above another, from base to summit of the majestic peaks. Long tunnels, dimly lighted with swinging lamps or flickering candles, searched far into the bowels of the earth for her hidden secrets. Those that were abandoned served as dens for the cougar and wolf, or more frequently, the dens of thieves.

Over this attractive field for his enterprises, Joaquín scattered his party in different directions. He entrusted Reis with the command of twenty men, Luis Viñuela with that of twenty-five, retaining about fifteen for his own use among whom was the terrible Three Fingered Jack and the no less valuable Valenzuela, and employed the remainder as spies and bearers of news from one point of

action to another. Reis went up to the headwaters of the Stanislaus River between whose forks the rich valleys, covered with horses, afforded a fine theater for his operations.

On all the mountain-fed branches and springs of these forks, the picks and shovels of a thousand miners were busy, and the industrious Chinese had pitched their little, cloth villages in a hundred spots, and each day hurried to and fro like innumerable ants, picking up the small but precious grains. Luis Viñuela - as daring a man as Claudio and as cunning - proceeded to the headwaters of the Mokelumne River and detached portions of these two bands, at intervals, ranged the intermediate space.

Joaquín himself had no particular sphere but chose his ground according to circumstances. Keeping Three Fingered Jack with him most of the time, he yet once in a while gave him the charge of a small party with liberty to do as he pleased - a favor that the bloody monster made good use of so much so that scarcely a man whom he ever met, rich or poor, escaped with his life.

The horse that this hideous fellow rode might have rivaled *Bucephalus* in breadth of chest, high spirit, and strength of limb, united with swiftness. No one but a powerful man could have rode him, but Three Fingered Jack, with a fine Mexican saddle (the best saddles in the world) fastened securely with a broad girth made of horse hair as strong as a band of iron, and curbing him with a huge Spanish bit - with which he might have rent his jaw - managed the royal animal with ease. To see this man, with his large and rugged frame in which the strength of a dozen common men slumbered - his face and forehead scarred with bullets and grooved with the wrinkles of grim thoughts, and his intensely lighted eyes glaring maliciously like caged demons under his shaggy brows - to see such a man mounted upon a raven black horse whose nostrils drew the air like a gust of wind into his broad chest, whose wrathful hoof pawed the ground as if the spirit of his rider inspired him, and whose wild orbs rolled from side to side in untameable fire - would aptly remind one of old Satan himself mounted upon a hell-born beast, after he had been "let loose for a thousand years."

Among the many thrilling instances of the daring and recklessness of spirit that belonged to Joaquín, there is one that I do not feel at liberty to omit - especially as it comes naturally and properly in this connection. Shortly after he parted from Reis and Luis Viñuela, he went up into the extreme north of the county. There, at the head of a branch of the South Fork of the Mokelumne River, in a wild and desolate region near the boundary line of Calaveras and El Dorado Counties, were located a company of miners, consisting of twenty five men. They were at a long distance from any neighbors, having gone there well armed on a prospecting tour that resulted in their finding diggings so rich they were persuaded to pitch their tents and remain. One morning while they were eating their breakfast on a flat rock - a natural table that stood in front of their tents, armed as usual with their revolvers, a young fellow with very dark hair and eyes rode up and saluted them. He spoke very good English and they could scarcely make out whether he was a Mexican or an American. They requested him to get down and eat with them, but he politely declined. He sat with one leg crossed

over his horse's neck very much at his ease, conversing very freely on various subjects, until Jim Boyce, one of the partners who had been to the spring after water, appeared in sight. At the first glance on him, the young horseman flung his reclining leg back over the saddle and spurred his horse.

Boyce roared out:

"Boys, that fellow is *Joaquín!* Damn it, shoot him!" At the same instant, he himself fired but without effect.

Joaquín dashed down to the creek below with headlong speed and crossed with the intention, no doubt, to escape over the hills that ran parallel with the stream. But his way was blocked by perpendicular rocks, and his only practicable path was a narrow digger trail that led along the side of a huge mountain, and directly over a ledge of rocks a hundred yards in length, which hung over the rushing stream beneath in a direct line of the hill upon which the miners had pitched their tents, and not more than forty yards distant. It was a fearful gauntlet for any man to run. Not only was there danger of falling a hundred feet from the rocks, but also he must

run in a parallel line with his enemies, and in pistol range, for a hundred yards. In fair view of him stood the whole company with their revolvers drawn.

He dashed along that fearful trail as if he had been mounted upon a spirit steed, shouting as he passed:

"I am Joaquín! Kill me if you can!"

Shot after shot came clanging around his head, and bullet after bullet flattened on the wall of slate at his right. In the midst of the first firing, his hat was knocked from his head, and left his long black hair streaming behind him. He had no time to use his own pistol, but knowing that his only chance lay in the swiftness of his sure footed animal, he drew his keenly polished bowie knife in proud defiance of the danger and waved it in scorn as he rode on. It was perfectly sublime to see such super human daring and recklessness. At each report, which came fast and thick, he kissed the flashing blade and waved it at his foes. He passed the ordeal, as awful and harrowing to a man's nerves as can be conceived, untouched by a ball and otherwise unharmed. In a few moments, a loud whoop rang out in the woods a quarter of a mile distant, and the bold rider was safe!

Joaquín, knowing well the determined character of Jim Boyce, and deeming it more than probable that he had heard of the different large rewards offered for his capture or death, which amounted in the aggregate to $15,000 or $20,000, he made up his mind speedily that an attack would be made upon

him by the whole party of miners if he remained at his encampment, which was some five miles distant from their tents. Concluding that they could not collect their horses together and prepare their arms and ammunition in a proper manner for an attack or pursuit before night, he conceived a plan, the most brilliant and ingenious that ever entered an outlaw's brain, by which to defeat their purposes and carry out his own original intention of robbing them.

Knowing that a trail could very well be made in the night but that it could only be followed in the daytime, he ordered his men, numbering fifteen, to saddle up and make ready for a ride. They obeyed with alacrity and without question, and in a few moments were on their horses and ready to move forward. The chief led the way in silence, proceeding over the pine ridges in an easterly direction. He rode on vigorously until night over very rough ground, having traversed a distance of twenty miles. But wishing to place a still greater distance between him and the encampment that he had left, he did not come to final halt until a late hour.

Building a huge fire and hitching their animals near by, the wearied bandits hastily threw their blankets down and stretched their limbs upon them for repose. Sentinels alternately sat up until daylight, so that at the first touch of dawn the whole band arose and again started, having lost only four hours in sleep. They journeyed on in the same course as briskly as possible until noon, when they reached a nice little valley, distant about twenty miles from their last encampment. It was covered with grass and wild clover and watered by a beautiful spring, which bubbled up from the roots of a clump of evergreen oaks. There they stopped for two hours to let their horses graze and to refresh their own rather empty stomachs with the sardines and crackers they generally carried with them.

Here they left strong indications that they had spent the night but established the contrary fact by riding on for the remainder of the day, whose close found them at another distance of twenty miles. Building fires as before and eating a hasty supper, they again mounted, and having made a circle of five miles in their course, suddenly turned to the westward and encamped about three o'clock

A.M. at a spot distant another day's journey from their last starting point. Thus traveling and resting, after the lapse of a few days they found themselves on the original trail upon which they had started.

Jim Boyce and company had struck the path of the robbers on the next morning after their departure and had camped each night at the fires that the *banditti* had left, expecting as was natural, that they would come to a final stopping place when they had proceeded as far as they liked. Joaquín smiled with exquisite satisfaction when he perceived that Boyce was certainly ahead of him and, from every indication, unsuspecting in the remotest degree that his archenemy was at that moment in his rear.

At night, after a long day's ride over rugged mountains and deep gulches, Jim Boyce and his company, numbering twenty five men including himself, were seated around one of Joaquín's late fires, which they had rekindled. They quietly enjoyed smoking their pipes and laughing over the numerous stereotyped jokes, which had descended, like Shakespeare, from one gentleman to another and are too good ever to be worn out. The

Heavens were cloudy, and a boundary of solid darkness lay around the lighted ring in which they sat. In the ragged clouds a few stars dimly struggled, and the lonesome scream of the cougar, like the wail of a lost spirit benighted in the infinity of darkness, gave a wild terror to the surrounding woods.

Suddenly and startlingly, the simultaneous reports of fifteen pistols rent the air, the dark outer wall of the fire circle blazed, as if a cloud had unleashed its lightnings. The astonished survivors of the company bounded up to see fifteen of their number stretched upon the earth and to meet with the deadly repetition of the fifteen revolvers. Panic stricken and bewildered, the survivors of the second discharge, numbering three men among whom was Jim Boyce, fled head long into the darkness, and taking no time to choose their ground, hurried madly and distractedly away from the horrible scene.

Joaquín stepped quietly into the circle to see if Jim Boyce was killed, but Three Fingered Jack leaped in like a demon with his huge knife in his mutilated hand, which had lost none of its strength, and did its Three Fingered work far better than many other

whole hands could do it, and soon quenched the last spark of beating life in the pale forms around him. Everyone must know that death from a bullet flings a sudden and extreme paleness over the countenance, and thus the light from the fire, falling upon the ghastly faces around, displayed a sight so hideous and harrowing that Joaquín exclaimed with a shudder:

"Let's leave here, we will camp tonight somewhere else."

Searching the bundles upon which the company had been seated, he found in different buckskin purses a sum amounting to not less than thirty thousand dollars. He also added fifteen excellent horses and ten powerful mules to his livestock.

Jim Boyce and his surviving companions wandered to the distant settlements, which after many hardships, they reached in safety. It is pleasant to add that in a short time they raised another company with whom they went back to their rich diggings, and in spite of their immense loss by Joaquín's robbery, they made for themselves ample fortunes with which they returned to the Eastern states.

Should Jim Boyce chance to read this humble narrative of mine, I beg him to receive my warmest congratulations.

Chapter Seven

ON ONE OF THE HEAD BRANCHES of the Mokelumne River, on the last day of December, a large crowd was gathered in and around a cloth building in a little mining town, which looked like a half venture towards civilization in the midst of that wild and savage region. A tall, dark skinned man sat in the middle of the room, with a huge log-chain around one of his legs. His brow was tall and massive, and his large gray eyes looked forth with that calm, cold light that unmistakably expresses a deep, calculating intellect, divested of all feeling and independent of all motives that might arise from mere impulse or passion - an intellect that is sole in itself, looking at the result merely in all its actions, not considering the question of right or wrong, and working out a scheme of unmitigated villainy as it would a

mathematical problem. To the right of this man sat a huge, old fellow with blue eyes, sandy hair, and a severe look, whose scattered law books and papers on the table nearby proclaimed him the justice of the peace in that district - an office, by the way, as important at that time in California and possessing a jurisdiction as extensive as many of the county courts in other and older states of the union.

The prisoner was none other than Luis Viñuela, who had been arrested upon a charge of murder and robbery in that town on the day before, under the following circumstances:

A German, living by himself in an isolated tent, was heard to scream "murder!" three times. Hearing that horrible cry, five or six men some two hundred yards off ran up to the place and at a glance comprehended the whole scene. The German lay with his throat cut from ear to ear and his pockets turned inside out. Looking hastily around on the outside, they discovered two men, apparently Mexicans, who dodged on the further side of a deserted cabin and disappeared behind some rocks. Going to the rocks and finding no further trace of the fugitives, they went back

and alarmed the whole town with a statement of the circumstances. Every eye was vigilant in every quarter, and just as Luis Viñuela, who had observed the fast increasing excitement and guessed pretty nearly the character of its cause, was mounting his horse in front of a liquor shop. He was suddenly knocked down with a bludgeon, disarmed, and securely bound. The people en masse securely guarded him during the night - which was just at hand - intending to hang him without a trial on the morrow. But they were dissuaded by Justice Brown, the tall severe looking man above spoken of, who being a man of influence and a good speaker withal, convinced them that it was better to proceed with him legally, as there was but little doubt of his being found guilty as one of the murderers, in which case he would deliver him over to their just vengeance. Thus the case stood up to the moment in which the subject is introduced.

The witnesses, who ran at the cry of murder to the tent and saw the two Mexicans dodging around the house, could swear no further than that one of them was of about the same size and shape as the prisoner. The barkeeper of the liquor shop testified, in addition to this,

that the prisoner rode up to his door and dismounted just a few moments before his arrest. It was well known, also, that a dozen or more robberies had lately been committed in that neighborhood and that various persons had met upon the roads a gang of suspicious looking Mexicans armed to the teeth. This constituted all the testimony against Viñuela, whose person was unknown to the community, but whose name was familiar to all by reputation. Had he been recognized as that noted character, no further inquiry would have been made, but he would have been hurried to the first convenient tree and hung instantly.

He stood on a dangerous brink. Being asked by the justice if he had any proof to offer in his own behalf, he replied that he depended upon some of his acquaintances coming in during the day, who would establish his character as an honest man to the satisfaction of the court. He affirmed his innocence in a calm tone and an unflinching manner, looking at the immense crowd who stood scowling upon him from every side; although, could his heart have been read, he relied little upon the possibility of a rescue by his comrades, which

was indeed a feeble hope. A silence of one half hour rested in the court while the justice was engaged in drawing up a transcript of the case as far as it had proceeded, when a young man superbly dressed and adorned with splendid gold chain and watch, entered the room with gentlemanly dignity and politely addressed the Justice, to the following effect:

"My name, your Honor, is Samuel Harrington. I am a merchant and packer in the town of San José, and I am just now on my return from the more northern mines, to which I have been packing flour and other provisions. I am encamped within five miles of this place, and having heard from a citizen of your town this morning that a dark skinned man with gray eyes was in custody on a charge of murder and that, although there was no positive proof against him, yet there was so strong a prejudice against Mexicans that there was great danger of his being hung by the infuriated populace. It just struck me that the prisoner might be one of my hired men, a Mexican, whom I sent into town last night, and who - much to my astonishment - did not return. I find that it is indeed the case. Your prisoner is none other than my packer

and consequently cannot be connected with any robbing or thieving band around here. He has been with me four years and no man ever sustained a better character. I shall wish, your Honor, to testify in his behalf, but before I take my oath, I would like to prove my identity as Mr. Harrington of San José. Please examine these letters."

He here presented to the justice, who was already favorably impressed, five or six letters addressed in different hands to "Mr. Samuel Harrington, San José," and bearing the marks of various post offices in the state. The justice showed these letters to several of the crowd, whose countenances immediately relaxed towards the prisoner.

"Mr. Harrington," said Squire Brown, "your evidence will be taken without a moment's scruple."

Harrington accordingly testified to the facts that he had already related and the prisoner was discharged. Many apologies were made to Mr. Harrington for detaining his hired man so long, and after many compliments, he and Viñuela departed. As soon as they were

clearly out of town, the both indulged in a hearty laugh.

"How came it," said Viñuela to Joaquín, "that you arrived in such good time? I had no expectation but to be hung."

"I happened to reach your camp out here in the mountains last night, having met some of our spies who guided me to it. I had not been there more than two hours before two of your men came in and reported that they had killed a man in that little cloth town, and inquired for you. Your being absent immediately created apprehension, and having waited for you anxiously till morning, we were at once convinced that you had been captured. Having most fortunately in my possession a package of letters addressed to Samuel Harrington, San José - which I had the good sense, thank God, to preserve at the time I got them into my hands - it immediately flashed on me that in case I found you arrested, that I could pass myself off for a respectable merchant and so save your life. It worked to a charm as you see. I make it a practice to preserve documents of this kind, and I find that they come in pretty good play."

"But how did you come by them!" inquired Viñuela.

"Oh, easy enough. I killed a fellow on my way down here the other day and found them in his pockets - and damned little besides, too!"

"You remind me," said Viñuela, "very much of Padre Jurado, God rest his soul! He saved many of his followers by being present at their trials, or introducing witnesses to prove an alibi, or presenting forged pardons on the day of execution, signed in the exact hands of the provincial governors. His knowledge was extensive, and during his monkish life, the confessional had given him so many important and vital secrets connected with great personages that he could frequently command the services of the wealthiest men and the best born dames of Mexico. Besides this, he sometimes officiated as one of the Fathers in the remote towns and villages."

Thus conversing, they rode on to Viñuela's camp, some ten miles in the mountains, and were met by a welcome shout from their subordinates.

While at this camp, resting his horses, Joaquín received a messenger from Reis on the Stanislaus with the news that he had killed one hundred and fifty Chinamen and had sent to the Arroyo Cantoova two hundred horses since he had last seen his chief.

"Tell him," said Joaquín, "it is all right and to go ahead. I will send him word before long. Tell him hereafter to send his horses for safe keeping to the Quién Sabe Rancho, Rancho Muños, or Joaquín Guerra's Rancho, any of the three."

Reis had managed most cunningly. Hid in an old abandoned tunnel, out of which he had whipped a pack of wolves, neither he nor any of his party had been seen by daylight at all. All his thefts and robberies had been done in the night. The miserable Chinamen were mostly the sufferers, and they lay along the highways like so many sheep with their throats cut by the wolves. It was a politic stroke in Reis to kill Chinamen in preference to Americans, for no one cared for so alien a class, and they were left to shift for themselves.

One moonlight night at the hour of twelve when silence had fallen upon the world of mountains, woods, and valleys, and all quiet spirits were asleep, Reis issued from his tunnel, three hundred feet under ground, with three men, and getting out their horses from the corral of a friendly ranchero near by - who was kind enough to take care of them, no doubt from very disinterested motives - they started on a pleasure trip up a rather lonesome road that led along a branch of the South Fork of the Stanislaus River.

Coming in sight of a neat looking frame house. Reis, bent upon an adventure, dismounted, as did also his followers, and hitching their horses on the roadside, walked stealthily up to the house. At the first, there appeared to be a dead silence about the premises but going around on the east side, Reis discovered a light burning at a window, and drawing nearer, heard the murmuring of voices. Not caring particularly what he did, curiosity led him to look in.

The sight that met him was something no less ravishing than a love scene. Upon a settee on the further side of the room, half reclining, sat a blushing girl of seventeen

years, her golden ringlets showered down upon her neck and shoulders, and her bosom heaving as if it would burst its gauzy covering and strike the gazer blind with its unspeakable loveliness.

At her feet, upon the carpeted floor knelt a handsome young man, not more than twenty years of age, holding her small white hand in his, which ever and anon, he hurried to his lips and seemed to devour it with kisses. She could not restrain his wild transports, for he caught her with a lover's fierceness around her beautiful neck and breathed his soul upon her lips. He sprang to her side and pressed her to his bosom as if he would blend his very body with her own.

She looked bewildered, the beautiful creature! One moment gently striving to wrest herself from his arms, at another leaning her head upon his bosom with a sigh of unutterable love. It was a sight that might well disturb the equanimity of any man, and it is not to be wondered at that Reis looked on like one bewitched. Fate at last had some mercy on the bandit, for after he had swallowed his uprising heart a hundred times with looking on the enchanting beauty of the

passionate girl in her lover's arms, the latter finally tore himself away and started forth from the house. One of the bandits followed him, as a matter of course, while Reis hastily concerted with the others how to act, for he was determined to abduct the beauty at all hazards.

The young man was walking very leisurely along in a bend of the road when he heard a sharp click just behind him. With sudden surprise he looked around, and there, face-to-face with him, stood a man, or devil, or whatever it might be, with a cocked pistol pointed within six inches of his head.

"Down on your knees or I will blow your brains out."

The young man knelt now from a different motive to that which made him kneel a short time before.

"Shell out, you dastardly scoundrel!" said the accomplished highwayman.

"There, take it," said the young man and threw his purse a few feet from him on the ground.

The robber stooped to pick it up, and while he was bent, the young man drew a small

dagger from his bootleg and plunged it into his back. It struck him directly in the spine, and the huge bodied villain sunk without a groan.

The young man, vaguely suspecting that there might be danger lurking near his Rosalie, went back to the house. To his horror, his ears were saluted with a loud and piercing scream. Like a madman he rushed to the house, and had just entered the door of Rosalie's room and taken one glance, which showed him the terrified girl struggling in the hands of a savage looking monster, when he was knocked senseless to the floor. The gray old mother, a lonely widow whose only pleasure was her daughter, dung to the robber's arm and in the trembling accents of extreme old age, beseeched him while the tears flooded the wrinkled channels of her face, to spare her child, her only child.

"Cease your gabbling," said one of Reis' men, who knocked the old woman speechless at his feet.

"Who told you to do that?" said Reis and instantly shot the officious scoundrel through the heart.

"Now, my pretty duck, you can come along with me," he said, turning to his captive.

But at the sight of the ruffian's blow, which felled her mother, Rosalie's blue eyes had dosed in a swoon, and paleness, as of death, had overspread her features.

"It makes no difference," said Reis to his surviving companion, "she will soon get over it. Anyhow, let us go along."

"I don't know that I care about going just now," the cutthroat replied, looking as black as a thundercloud, "after what you have done to poor Francisco there," laying his hand on his pistol at the same time.

"You don't, eh!" said Reis, drawing his revolver, "then you are as trifling a scoundrel as he is."

The two fired at once. The subordinate fell dead, and Reis was grazed on his right cheek by a piece of hot lead, which made him blush, if his own villainy did not.

"Blast the two miserable scoundrels," said he, "it actually seems as if some men had no humanity at all."

Tying the rounded wrists of his lovely, drooping captive with his handkerchief, he proceeded to the spot where the horses were hitched, cut them loose, all but his own, and mounted into his saddle with his precious booty before him. The loosened horses dashed back to the corral from which they had been taken, and Reis rode on by himself till within a quarter of a mile of his tunnel, when he got down with his now weeping burden, turned his horse loose, which followed the others, and proceeded on foot at his leisure.

Rosalie begged him to release her with so much sorrowful sweetness in her voice, with so beautiful an agony expressive in her whole enchanting form that the rocky-hearted Reis almost repented of what he had done.

"It won't do," he thought, "to let her go now, for I will have nothing to show for my night's work, and how should I account to the band for the missing members?"

"You shan't be hurt," said he, turning mildly towards the trembling maiden, "I am going to keep you only a few days until I can get a ransom for you, which some of your

friends will no doubt pay when you send them word by one of our number."

They soon reached the entrance of the tunnel into which he dragged the shuddering girl and led her, half-dead with terror, into the extreme end, where sat his fierce looking companions in a well lighted apartment.

The bandits, much interested, gathered around their captain, who informed them:

"That he had attacked a certain house on the road and succeeded in entering, but found no money, which disappointed him so much that he took this very beautiful girl in the place of it;" and further stated, "that in the struggle at the house, two of his men were killed before his face, and one was missing, he being probably killed, as well as the others. As for this handsome girl," he concluded, "we may as well keep her for a ransom, or one of us may marry her, just as we see fit."

Poor, poor Rosalie! May Heaven protect you, for man cannot!

Rosalie, on the second night after her capture, resolved to help herself. Rising from a warm couch of blankets already dressed, and unperceived by the bandits, who lay

slumbering around, she started into the throat of the tunnel in order to find her way out. Pressing her hand to her heart to still its loud beatings, she stepped noiselessly along until she had left the sleeping apartment. When looking forward, she saw that every light in front of her had been extinguished. Pausing with indefinable dread at the thought of walking that fearful passage alone, she heard a loud yawn from one of the sleepers as if he were waking, and with a sudden movement that was scarcely voluntary, she shot like an arrow into the blackness that lay before her. On and on and on she moved with trembling footsteps, feeling her way on the sides of the tunnel and placing her feet each time with the indescribable terrible feeling that she might be stepping off into some deep abyss below. It seemed ages to her before she could reach the entrance. Oh, that she might but catch one friendly glimpse of light! It appears - a faint, flickering gleam in the distance.

With hurrying feet she approaches it. Larger and larger it grows until she sees the lamp, like a full blown rose of light, swinging from the arch, joy! her escape is certain. She

stands now in the full blaze, she sees no one, and with a more confident heart, pursues her way. She was now near the entrance. She saw the moonlight flooding the world without and rushed eagerly forward. A huge figure started suddenly before her, and the beautiful girl fainted. It was a bad time to swoon, but how could so delicate an organization, fit only to be played upon by the subtlest flashes of thought, sporting in rainbow fancies, sustain so rude a shock? She fell gasping for breath, and the sentinel - for it was he - carried her to the apartment that she had left, tenderly laid her upon her couch without disturbing anyone in the room, and hurried back to his post.

So tenderly delicate was this innocent creature, so divine the appealing spirit of her eyes as she looked into his face, that Reis could not find it in his heart to treat her with anything but the profoundest respect. He had seized her in a moment of passion, stung with her voluptuous beauty, and would at that moment have fought for her as for a conquest of so much of Heaven itself. Such is the maddening effect of beauty upon the hearts of men!

But on sober reflection, he banished the vain idea, which he had been foolish enough to vaguely entertain that she could ever love a man like him, rude and uncouth as he was. And he seriously contemplated restoring her to her aged and widowed mother, and one whom he knew that she loved. Confused and tormented with doubt, she was a continual trouble on his hands. He was not scoundrel enough to force her into a vile position, and he was afraid to leave her for a moment in the hands of his less scrupulous comrades. Already had they began to murmur at him for his weakness, and he had been forced to threaten some of their lives if they did not keep their distance from the girl. There was danger of a mutiny, and so critical was his situation that notwithstanding he dreaded Joaquín's opinion of his conduct in this specific matter, he longed to see him.

Reis was sitting one night, moping in his tunnel like a grim wolf and scowling discontentedly around him, for he had done nothing for a week, when the sentinel came in, attended by two persons whom he left standing before Reis and returned to his post. The melancholy bandit raised his head and

beheld his now dreaded chief before him. Joaquín glanced hastily around the room and beholding the captive girl reclining mournfully upon her couch, he started. And with a sudden fierceness that made every man in his presence quail, he turned to Reis and said with a look that rived his soul:

"How is this? Did I ever instruct you to engage in a business of this kind? Explain yourself, or by God, it will not be well for you."

Reis begged him to listen patiently and related every circumstance connected with the girl's capture, his killing his two comrades at the time, and everything that followed subsequently.

Joaquín was in a tempest of anger.

"So you have done nothing but mope for the past week - essential service you have rendered to our organization. Reis," he continued, convulsively clutching his pistol handle, "if it was any other man but you, I would kill him on the spot. I would shoot him like a dog. But damn you," he exclaimed with sudden vehemence, while his eyes blazed as none but his could, "have you done her any

injury? Have you taken any advantage of that girl, sir?"

"No, no. You know I would scorn to do that," replied Reis.

"I believe you, and it is well that it is so. Reis," he continued, in a calmer tone, "I am surprised at you. I have never done a thing of this kind. I have higher purposes in view than to torture innocent females. I would have no woman's person without her consent. I have read of robbers who deliberately ravished tender and delicate females and, afterwards, cut their throats, but I despise them. I am no such robber, and I never will be. Reis - I ought to kill you, but since you have had some honor and manhood about you in this rascally matter, I will let you off this time. Get you in readiness, and we will - you and I alone - return this girl to her mother, if the poor old woman be alive, and forthwith set this matter right. I wouldn't at such a time as this be bothered by a frivolous matter of this kind for all the women in the world, spread out in a perfect sea of bosoms and lips!"

Rosalie, who had been listening with intense interest to every word, at this moment

sprang towards the young chief, whose appearance was far from forbidding even to the most refined female, and in a fit of uncontrollable gratitude and rapture at the prospect of her deliverance, threw her arms around his neck before she thought. Recovering herself instantly, she thanked him in a dignified manner for his noble conduct and told him that she respected him from the bottom of her heart, robber as he was.

Joaquín looked at her proudly, as he laid his hand upon his breast, and said:

"Yes, Señorita, I am a man. I was once as noble a man as ever breathed, and if I am not so now, it is because men would not allow me to be as I wished. You shall return to your mother and to your lover, if I die in bringing it about."

On this same night at eleven o'clock, stood the frame house on the road that leads up on a branch of the South Fork of the Stanislaus River, the same as it was on that happy, sorrowful night when Rosalie was embraced by her lover and torn from his presence. In one of the rooms sat her old, disconsolate mother, whose withering life was alone

sustained by the hope of seeing her daughter again, and near her the young man, Edward.

He was comforting the old lady with assurances, which did not quiet his own heart, for he had ridden day and night over one half of the county, making inquiries in every quarter, but not a trace could he find of the missing girl or her abductor. His face was pale and thin with anxiety, and his voice had something hollow in it, as though the vampire of despair was sucking his heart's blood. He began to believe that his adored Rosalie was lost to him forever and was doomed to a fate he could not contemplate without a shuddering chill.

After soothing the feeble brain of the old woman with what he knew to be the merest illusions, he had subsided into silence, and was eating his heart in bitter regret when a sudden tap was heard on the door and, in a moment, leaped into the room the very object of his thoughts.

The meeting was such as might be expected. But I will not fill this sheet with an attempt at a description of it:

Edward's rapture, astonishment, and bewilderment of joy - the old decrepit mother's scarce audible syllables and her far more expressive tears. Rapidly was her story recounted by Rosalie, and with such enthusiasm did she dwell on the heroic conduct of Joaquín that her lover almost became jealous of the young robber. She made him swear that he would never injure that man, whatever he might do to others.

"I won't touch Joaquín," he replied, "if he lets me alone, but as for that other bloody beast, I will kill him the first time I lay my eyes on him."

Joaquín at this moment walked in and stood before the young man. Reis very prudently remained on the outside, after hearing the observation that had just been made respecting him.

"I have done you a favor, sir," said Joaquín, "and now I want you to keep this matter a profound secret. Never breathe my name out of this house. I will be in this county for sometime, but you and yours shall not be troubled. But if you betray me, I will scatter to

the winds all that you have and all that you love."

"It is hard," said the young man "to be under obligations to a man like you, but I will be silent."

"And who are you, pray, that talk as if it were stooping to be under obligations to a man like me?" and the fiery spirit of Joaquín leaped into his eyes. He touched the hilt of his bowie knife, when a supplicating look from Rosalie checked him.

Edward drew his revolver half out, but Rosalie touched his arm, and with a reproachful look, said to him:

"Fie, fie, Edward, you forget yourself. You wouldn't harm the man who has restored me to your arms? Why, Edward, would you make me despise you? I care not if he were a robber a thousand times, he is a noble man - shake hands with him."

And taking his with her left and the robber's with her right, she joined them together with a gentle force.

Sternly, the young men looked at each other for a second, and then with a half friendly, half defiant smile, they parted.

Joaquín and Reis rode off, the one somewhat more reconciled to his subordinate, since the issue had been good, and the other delighted beyond all bounds at the happy turn that things had taken.

"I would have given her up long ago," exclaimed Reis, "but my men would have killed me for it, I am certain. It was fortunate that you came when you did, or the poor girl would have been far worse off than she is now, the beautiful creature that she is!" said he with enthusiasm.

Rosalie and Edward were shortly after married. They kept their secret while Joaquín lived, and for my part, I do not blame them.

Chapter Eight

THE NEW YEAR OPENED, the ever memorable year of 1853, and by the middle of January, the bold and accomplished bandit was ready to enter upon a series of the bloodiest scenes that ever were enacted in the same space of time in any age or country. Calaveras County - as I have said before is the richest, or among the richest at least, in the Golden State - he chose as the theater of his operations, and never was a region so scourged and desolated. Detached parties numbering four, five, or a dozen men were scattered over the face of the whole country.

So diverse were their operations, so numerous and swift, that I shall not attempt to give a minute account of them but shall confine myself particularly to the individual

movements of Joaquín and strictly to those facts that are absolutely known and traceable to their original source. It may be distinctly set down, however, in the outset that though many villainous deeds that transpired in the short period, which I am about to make a sketch of, were mysterious and unaccountable, with many murders committed in parts remote from each other - robberies here, thefts there, and destruction, lightening footed, treading everywhere, invisible in its approach and revealed only in the death trail that it left behind. Yet all this mighty and seemingly chaotic scene had its birth in the dramatic brain of Joaquín - an author who acted out his own tragedies! Divergent as were the innumerable lines of action, yet they were all concentrated upon one point and directed to one purpose - that which existed in the breast of Joaquín.

There was not a town of any importance in that whole region in which he had not a spy - one or more - located. Not one in which he had not his agents and secret friends. He lacked not for harboring places in which to conceal his wounded men and stolen animals. I might here mention numerous ranchos, owned by

wealthy and respectable men (as the world goes), who afforded him refuge and assistance when needed; but for fear that they may have since changed hands, I will for the present, spare them.

Around San Andreas, Calaveritas, and Yaqui Camp, numerous thefts and robberies had been committed for several weeks past. Property was missed, but no one knew whither it was gone. Men were murdered, and the bloody hand remained unseen. Yet everyone knew that thieves and murderers walked unknown in the midst of the community. A strange dread hung over every face and gave vigilance to every eye. The fearful shrunk back from a danger that they could feel but not see. The bold stood forward with their lives in their hands to search into, find, and face the perils that existed around them.

Among the boldest, most firm, and energetic whom the crisis brought forth was Capt. Charles H. Ellas of San Andreas, who in his capacity of deputy sheriff of Calaveras County, took the lead in ferreting out the perpetrators of these foul deeds. He was a young man of fine appearance, slenderly

formed, but making up for the want of superior strength in great activity and astonishing powers of endurance. His eyes were keen, quick, and flashing, touched with a fierceness that at times seemed to scorch where it fell. A chivalrous son of the South, he had grown up under a discipline that taught him that honor was a thing to be maintained at the sacrifice of blood or of life itself, that fear was a feeling too base to harbor in a manly breast, and that he was a coward who would not give the question of his rights to the arbitration of steel or of the deadly ball. Already did his bosom bear the marks of severe and dangerous hard to hand conflicts, a trial of muscle, nerve, and skill in a game whose stake is human life and whose hazard is eternity.

At a juncture so important as the period of which I speak, a man like Ellas was most naturally looked to as a leader and entrusted with a large amount of discretionary power, so necessary to be used in perilous times when the slow forms of law, with their snail-like processes, are altogether useless and inefficient.

The first opportunity that presented itself for anything like determinate action occurred about the middle of January. Some horses were stolen at the town of San Andreas, and a description of the Mexicans who took them had been given to Capt. Ellas, who in the course of a day's ride on the various roads, accidentally discovered the party on the road leading from Yaqui Camp to Chaparral Hill. They had added two to their number, who were not perceived, however, by the Captain at the first glance. Seeing two mounted men on a small hill to the left of the road, he hailed them and requested them to come down, as he had something to say. One of them replied:

"If you want to see us more than we do you, come to us."

Whereupon Ellas advanced, but the intermediate space being marshy - much rain having lately fallen - his mare mired so badly that he dismounted. Proceeding on foot, he heard a rustling in the brush to the right, which sounded very much like an ambush ready to burst forth, but he kept on his way. When within eighty yards of the two to whom he had spoken, he saw that they had drawn their revolvers. This hostile movement and

the rustling in the brush to the right convinced him that he was acting a very imprudent part and that he was even then in very imminent danger.

With much presence of mind, he looked behind him and gave a signal whistle as if he had a company in waiting. The stratagem succeeded so well that the two in open sight rode slowly over the hill, and those who had been concealed precipitately left the thicket. Going to where his mare was feeding, he mounted her and went over to Yaqui Camp - a little mining town a few miles distant - in order to get men to go out with him in further pursuit. He found no one at all prepared to accompany him but a Mexican merchant in the place named Atanacio Moreno, a man who was worth money, and stood well in the community.

Unsuspected by Ellas, this man secretly belonged to the band of Joaquín Murieta, or I should rather say, to the tremendous organization that that bold chieftain had established throughout the country. The Captain had unlimited confidence in this individual, for he had previously assisted him in the capture of a horse thief, and besides

giving him much valuable information, and had furnished men and horses in various expeditions started by the honest portion of the community.

He was treacherous, and though assisting to capture individuals who sometimes belonged to his own fraternity, they were always those whom he hated personally. A dangerous companion on a lonely ride! Moreno, claiming to have watched through his spies the movements of the depredators, led the way over the mountains, valleys, and gulches until sunset, but no trace of the objects sought was found, and the pursuit was here relinquished.

It became known before a great while, for a certainty, that this man was a scoundrel, and leaving the country in a few weeks after his connection with Joaquín was discovered, he joined Sena, a petty robber of some note in the south. He had not been with that leader long before he secretly assassinated him, cut off his head, and delivered it to the civil authorities of the town of Los Angeles for a reward of five hundred dollars, which had been offered for it. This act of treachery did not avail him much, for he was afterwards arrested on a grave

charge and thrown into prison where he now lies, and it is only owing to the delay of the law that he is not already hung.

It was soon ascertained that an organized band of robbers was in the community of San Andreas. Yaqui Camp was discovered to be their rendezvous, situated about two miles and a half from San Andreas. Upon this discovery, Capt. Ellas employed a number of spies to gather all the information that they could in relation to the thieves and robbers, whose leader was not then known.

While these spies were out, Capt. Ellas one day rode into Yaqui Camp and was seated on his horse near a little drinking house, observing matters and things in that very suspicious vicinity, when he perceived a young, black eyed, fine looking fellow standing with his cloak wrapped around him, very intently fixing his gaze upon himself. As soon as their eyes met, the young fellow drew the rim of his hat over his face, and flinging his cloak a little back from his shoulder, dropped his arm down carelessly toward the butt of his pistol. In a moment more, he turned and walked off.

Capt. Ellas will no doubt recollect the circumstance and must not be surprised to learn that this was none other than Joaquín himself, who thus took his daguerreotype upon memory and found it afterwards of much avail in aiding him to escape danger, and to keep out of the way when he saw the original at the head of an armed party or otherwise to direct his movements to the best advantage. The Captain did not, this time, even know Joaquín was in the county, although the renowned robber's name was familiar to his ears by the report of his depredations in other counties for a long time back.

The spies, after the lapse of several days, returned with the information that they had discovered several lurking places of the robbers, among which was Chaparral Hill. A description of this place may be well to give, inasmuch as it was the scene of quite an interesting event.

It lies to the southwest of San Andreas about four miles and is nothing more than an elevated pass between two steep ridges, which are crowned with precipitous rocks whose interstices would effectually conceal a man

from observation. Thickets of chaparral cover various spots on the tops of the ridges, with open spaces between, and in many places the live oak trees, with low branches and crooked, knotty trunks, form a kind of natural fortification almost as perfect as if they had been arranged expressly for the purpose. The pass itself is but a lowering of a long curving wall, (a natural wall) which connects the two ridges together, and between these ridges, a long hollow leads up and terminates at the pass.

By the foot of the hollow runs a clear little stream margined with green grass, called Willow Creek because it is fringed so beautifully with the lithe and graceful trees of that name. Behind the curving wall described, a steep descent goes down to the valley below and is covered with immense greasewood thickets, taller than a man's head and through which a party pursued could make a most safe retreat - and through which it would be dangerous to follow them. A few tall pines stand isolated here and there on the different eminences, which shoot up in rugged majesty from the general outline. One ridge terminates at the connecting wall, but the

other stretches on a mile or two beyond it, marked by a bridle trail that suddenly plunges into a succession of deep ravines and gulches lined with greasewood and low timber - all lonely, and somber looking places! From this pass, or any place adjacent, a view of the country is commanded many miles in extent.

A few days after the return of the spies, a gentleman by the name of Hall, who kept a rancho on the road leading from Mokelumne Hill to San Andreas, called on Ellas and informed him that three Mexicans had passed his house that morning who looked suspicious - they having but two horses and one of the men in consequence mounted behind another. He had detained one of these men briefly at his house, having stopped but a few moments while the others rode on. But he remained no longer than he saw fit, for upon the first movement towards preventing his free agency, he drew a revolver and walked on. Hall and a man named Davis followed the party about a mile and saw where they had left the main road and gone up Murray's Creek.

Ellas mounted his horse, accompanied by his friend, a young lawyer of fine parts by the

name of Wm. J. Latewood, who had practiced on squirrels and turkeys in the woods as much as he had practiced at the bar, and so was as skillful in drawing a "bead" as in drawing a brief. And attended also by Hall, Davis, and another man whose name is not remembered, Ellas rode out.

Hall was provided with a pistol, Davis with a rifle, and the other man with a jaeger. The party numbered five, hastily gotten up and poorly prepared for a combat. But supposing that he was on the track of only three Mexicans, the captain proceeded on their trail. Immediately after starting, he met a gentleman named Peter Woodbeck, whom he requested to ride back a short distance with the company.

Arriving at Murray's Creek, he struck a fresh trail of two horses, as expected about a mile from San Andreas, leading behind a ridge of mountains that skirted that little town - showing that the riders had kept themselves concealed from view of the main road until immediately opposite San Andreas. At which point they had evidently ridden to the top of the ridge, and who, no doubt, saw

their pursuers start out and at the same time counted their number.

The trail from this point led over the mountains towards Yaqui Camp, which gave Ellas to suppose they were a part of the band said to be lurking about Chaparral Hill. He immediately sent Peter Woodbeck to San Andreas with a request to Alcalde Taliaferro to send two parties of men, each numbering five, and have them stationed on the different trails leading from the Chaparral Hill. The Alcalde, being sick, was unable to attend personally to the request but used every exertion in his power by his agents to raise the two parties needed - unfortunately, without success.

Under the impression that the men would be stationed as desired, the Captain rode on. The trail wound along in a very circuitous manner over the roughest possible places so that it was in the afternoon before he reached the foot of the hollow before spoken of, at Willow Creek, only four miles from San Andreas. Ascending the hollow, the pursuing party immediately saw several Mexicans mounted upon fine horses on the curve of the pass of Chaparral Hill. They rode up towards

them until within rifle shot, when they halted. Two or three of the Mexicans rode down behind some bushes and rocks on the slant and commenced firing at them with Colt's heavy pistols, but without effect. Ellas and party immediately shifted their position to a place within fair pistol shot, during which movement Davis leveled his rifle at a fellow partially hid in the rocks and evidently hit him.

The man with the jaeger tried to fire it in vain, but it would not "go off." So the weapon remained useless through the whole fight, as well as the bearer of it who had nothing else with which to do battle. Though sadly needed, he stood neutral as far as any service he could do was concerned but served admirably well as a target for the bandits to practice at, nevertheless.

To aggravate the state of things, Davis, after discharging his rifle, could find no more bullets in his pouch and was thus also rendered unable to do anything. Only three men therefore were left to do the fighting! The Mexicans, noticing this dilemma, dashed along on the curve of the hill, nine in number, splendidly mounted, and well armed. Some

were observed to have two revolvers apiece. While passing, they fired about twenty shots, but were riding so rapidly that they could not shoot with precision. As it was, Gatewood's mule was severely wounded in the neck and bled profusely. A ball passed across Ellas' breast, burning a hole in the side of his vest, and another went through his hair.

After this swoop of theirs, the Mexicans retired to their first position. A portion of them, then dismounting, crept down behind the bushes so as to get near enough to Ellas' party to make a dead shot. They commenced firing but not with the desired certainty, for Ellas and Gatewood had dismounted and were somewhat protected by their animals. The Captain, finding an opportunity for the first time to fire with any chance of hitting, shot at a large Mexican who stood on the edge of a bush, who suddenly retired to the top of the hill. Upon the report of his pistol, his mare - a fine, well trained animal - went down the hollow about four hundred yards towards Willow Creek, upon which one of the mounted Mexicans dashed around as if to secure her. She ran back towards Ellas, and the Mexican followed to within seventy yards and

immediately below him. Ellas fired, and the fellow sunk on the neck of his horse, apparently badly wounded.

Four or five of the Mexicans, noticing this, galloped along the ridge towards the side of the hill to which the wounded Mexican had retired and effectually covered his position, so that it was impossible to approach him without receiving their fire. He was then wrapping his red scarf around his breast, as if endeavoring to stop the blood. Ellas' horse soon dashed to the left of the Mexicans and came to him, when Ellas mounted and led his party around towards the right-hand ridge in order to gain the summit, if possible, which object he hoped to effect while the opposing force was somewhat separated.

In passing under a steep rocky place, Gatewood exclaimed, "There is a Mexican above us!"

And had he scarcely finished the sentence before the fellow commenced firing with his revolver. He fired three distinct shots at a distance of not more than forty yards.

Ellas suddenly wheeled his horse, discovered the Mexican almost

perpendicularly over his head, not more than thirty yards distant, mounted upon a white horse. And, taking a steady aim with his six shooter, he pulled the trigger. The Mexican fell back upon his saddle, wounded in the breast, but soon recovering himself, put spurs to his horse and darted out of sight.

Up to this time, the Captain had concluded to risk this very disadvantageous battle in the hope that the two parties sent by Peter Woodbeck would arrive on the two trails in the rear of the robbers. But finding that they were not likely to come and knowing that he was exposing himself and comrades to be shot down from behind the rocks and bushes, he decided to retire to the foot of the hollow where his opponents could not assail him without exposure to themselves. They did not follow him, and after a short consultation with his comrades, he started back for San Andreas, which he reached without difficulty and immediately preceded to organize a party.

While doing this, word came from Yaqui Camp that six men (evidently of the same band) had come down into that place from the direction of Chaparral Hill, and without a moment's parley, had commenced killing the

few Americans with whom they happened to meet. Joaquín (for it was with him that Ellas had been fighting, without knowing it) rode among the houses during the shooting and remarked:

"This is not my fight - this is Bill's fight," alluding to a fray between one of his friends named Bill, who was a Mexican gambler in the place, and some Americans that had occurred a short time before.

When this remark was made, Three Fingered Jack discharged his pistol at an American, who was standing near, and killed him on the spot. Another American, whom Joaquín recognized, started to run. He was on foot, but ran with as much speed over the rough ground, which had been dug up and ditched in various places by the miners, as did the robber chief, who pursued him on horseback. Leaping and plunging through the holes and ditches, Joaquín shot at him six times without effect, and having thus emptied his six shooter, finally threw at him his two edged sword, which barely missed the poor fellow's neck just as he escaped in a ledge of rocks. It was a trying scene for any man to

pass through and of a character such as he would not soon forget.

Joaquín reloaded his revolver, recovered his sword, and rode back into town, swearing that he would get even on that day's work if it took him twenty years, for he had lost three of his best men on Chaparral Hill.

"God damn that little Sheriff of San Andreas," said he, "I knew him all the time!"

Soon after, having cleared out the Americans in Yaqui Camp, he galloped off with his men, numbering six, over the hills towards the mountains, leaving one wounded horse, which had been shot in the late skirmish at the pass.

Upon receiving this information, Ellas started for Yaqui Camp with his party, consisting of six mounted men, followed by some thirty citizens of San Andreas on foot. Arriving at the tragic scene, they immediately seized the Mexican gambler Bill, who had been foolish enough to remain after Joaquín's remark about him, and having subjected him to a California trial, they sentenced him to be hung "forthwith" as a member of Joaquín's band. He begged them earnestly to spare his

life, but finding it was in vain, his brow darkened, and with an air of proud defiance, he told them to do their work.

"By going to my trunk," said he, "you will find a knife, from whose blade no handkerchief has yet wiped the damned American blood."

This speech did not serve to mollify the state of feeling toward him, and he was jerked up into a tree, and strangled with very little ceremony.

It was now a late hour in the night, but there remained a finishing stroke to be put upon the proceedings before retiring to rest. The harboring places and dens of the robbers were found out, and the enraged citizens went to work tearing down and burning up the houses of this character. The conflagration lit up the vault of heaven, and its sound roared among the mountains for miles around. Joaquín saw and heard it with a laugh.

"If they could only throw us into it now," said he, "it would be fine."

Around the smoldering ruins, guards and pickets were stationed till morning, and the wearied citizens slept. At daylight, three

companies were organized, two mounted and one on foot, whose object was to break up the whole confederacy of robbers and their harborers and never to rest until the neighborhood was free from them.

A man named Henry Scroble took charge of one mounted company, and Ellas of the other. The former proceeded over the mountains, and Ellas over the lower hills in a different direction. At the Phoenix Quartz Mill, a few miles from Yaqui Camp, he and his party were shocked to see two dead bodies, lying mutilated with knives and bullets. The building was perforated in various places with balls; a dead horse with a bullet hole in his side lay near by, and everything bore evidence of a hard fight. One of the murdered men was Peter Woodbeck, who had been marked by the robbers when Ellas sent him back with word to Alcalde Taliaferro. The brave fellow had fought like a true American, long and well, but who can prevail against a league of men and devils in an evil hour? The shot that killed the horse might have saved Woodbeck's life had it been aimed a little higher; so trivial are the circumstances that often determine the fortunes of men!

The trail of the murderers from Quartz Mill was plain, leading over the San Domingo Creek range of mountains, following which Ellas and company met with the foot company, which had been detailed to go through the rougher part of the mountainous section near the Cherokee Flat. They gave him some interesting information, which was that they had found clothing that had evidently been thrown from a wounded man and, upon the discovery, had proceeded immediately to a camp not far off where they found two Mexicans, one of them badly wounded.

The sound one rose to his feet and started at full speed, but was shot and so he died a short time afterwards in an adjacent thicket to which he ran before he fell. This individual was not a "fighting member," but rather a sly and secret friend who had volunteered to take care of one of Joaquín's wounded men hit in the skirmish at Chaparral Hill the day before. They also saw, in a neighboring thicket of chaparral, three other mounted men of the robber band, whom they did not find an opportunity to attack. The wounded man was

still lying at the camp, unable to get out of the way without help.

It was dark when Ellas received this information, but determined to lose no opportunity of meeting with the scoundrels, he stationed men around the chaparral thickets to watch during the night, sent others to arrest the wounded robber at the camp and to convey him to Cherokee Flat, and hurried off two others to two different ferries on the Stanislaus River, with orders to the ferrymen to allow no one to cross. The wounded man being a trouble upon their hands, and no doubt being entertained as to his character, the Cherokee half breeds and others at the Cherokee House concluded to hang him, which very necessary ceremony was soon performed.

Ellas lay watching the camp from which the wounded robber had been taken all night, in the hope that some of his companions might come, but none arrived. Early in the morning, he gathered his party and started on a bush trail over the Bear Mountain, scaling its highest point. In several places along this trail, he found spots where men had

manifestly stopped and thrown up clotted blood from their stomachs.

Tracking on, he reached a Chinese camp, which the Chinamen informed them had just been robbed by three Mexicans who took their last cent and barely allowed them to escape with their lives. Hurrying forward from here, he found that they had crossed the river at Forman's Rancho, despite all efforts to prevent them. Upon the other side, they struck the main road that led along its banks, and their distant trail was lost among the number of tracks common to a public highway.

On the next day, still indefatigably searching through the woods, he again found their trail, which conducted him within a mile of San Andreas, and was again lost in the main road. All trace of them was then lost for three or four days at the expiration of which, as the Captain was riding along with three followers, a friendly Mexican named Jesús Ahedo came up to him and informed him that he had noticed some Mexicans, who looked exceedingly suspicious, leading horses over a mountain near Greaserville on the Calaveras River.

Following Jesús Ahedo as a guide, Ellas and his three comrades rode to the mountain indicated and very readily fell upon the trail. Proceeding a few miles, they found three horses that had been left tied in a sequestered spot between two steep ridges. Further on, they met two or three Americans, who had seen Joaquín and two others pass them not a great while before, riding at full speed down the river, Joaquín being mounted on a thoroughbred American mare.

Ellas, with his usual energy, diligently pursued their trail until the dusk of the evening when he arrived at an isolated drinking house, whose inmates refused to give any information whatever concerning the pursued party. The trail was, however, yet visible and led down to the bank of the Calaveras River, which he crossed, finding the trail again without much difficulty. It ran up the river a short distance and re crossed it. The Captain did the same and found it again upon the first bank. It led out a short distance towards Angel's Camp, a little mining town a few miles off, but doubled upon itself again, and again crossed the river. It was now dark and impossible to find the lost trail, even if it

had been practicable to follow it when found. The pursuit was, accordingly, given up for that night.

The next morning, the Captain rode up to an isolated house in a wild section of the mountains, where lived a rough looking Mexican, solitary and alone, and discovered at his door the tracks of several horses, which he knew were the same horses that had made the trail of the day before, from the peculiarity in one of the hoofs that was very distinctly impressed at every step.

The ill looking fellow denied all knowledge of any mounted men having been to his house. A lariat was speedily attached to his neck, and he was sent up into a tree to see if he could not obtain the desired information. Having been sent up twice, he ascertained the important fact that Joaquín had passed his house the night before with two other men and had told him that he was going to Campo Seco, on his way to the city of Marysville in the northern country - that the neighborhood was getting too warm for him, and he wanted a little fresh air - that he intended to return, for he would never rest satisfied until he had

the heart's blood of Ellas and the Mexican who had put the Captain on his trail, etc.

The next day after this the Captain ascertained that Joaquín had crossed the Stanislaus River at Lancha Plana with his party, forcing the ferrymen to act contrary to orders and put him over. He had scarcely landed on the other side before he was attacked by a party of Americans, (for it must be borne in mind that the whole country was aroused) who, being superior in number, poured hot lead into his midst with such bewildering rapidity that he was compelled to fly with the utmost precipitation, leaving, in his hurry, several very fine horses. It was supposed that he soon after swam the river at another place and was still in the neighborhood.

Accompanied by a gentleman from Angel's Camp, Ellas went to the fastnesses of the Bear Mountain Range in the hope to discover fresh trails and found one of which led towards a camp called Los Muertos. The tracks indicated that there were five mounted men. Being in no condition to follow them, he rode over to Cherokee Flat and requested a number of Cherokees located there to go out

and waylay the different trails between Bear Mountain and San Domingo Range, to which they readily assented.

In the meantime, a meeting was held at Carson's Creek of the citizens to take measures in the pressing exigency, which was upon that district in common with others. A Mexican was noticed in the meeting attentively observing its proceedings, who as soon as it broke up, was seen to go to a bakery, purchase a quantity of bread, and start off on foot in the direction of Bear Mountain.

He was followed and seized on the side of the mountain, and at the same time, his captors discovered three Mexicans riding on the ridge a few hundred yards above them. One of these was Joaquín, and the others were Reis and Valenzuela. The captive Mexican was hurried away to Cherokee Flat, where he was questioned closely in regard to his conduct. He played the part of an idiot, and would have succeeded in convincing the attendant crowd that he was really a poor imbecile, had he not been very well known by some of "the boys." To bring him to his senses, hemp was suggested as a very efficacious

thing in such cases, and he was, accordingly, elevated into the top of a tree to take a view of the surrounding country.

The remedy operated upon his ailment like a charm, and he confessed without hesitation that he knew Joaquín, Reis, Valenzuela, and numerous others of the banditti; and that Joaquín was at this time not far off, and to whom he was taking provisions when he was apprehended.

A doubt arising in the minds of some persons not noted for decision of character, as to whether it was right to put the fellow to death, Ellas left him in charge of the two Cherokee half breeds with the request that they would give a good account of him, whereupon the crowd dispersed. At about twelve o'clock in the night, the Cherokees went to Ellas' house in San Andreas and informed him that they were ready to give "a good account" of the Mexican. Nothing more was said on the subject, and the next day he was found hanging on a tree by the side of the road.

Chapter Nine

SEVERAL WEEKS HAD NOW TRANSPIRED since the fight on chaparral hill, and notwithstanding the most diligent pursuit having been made after the robbers, yet during the whole time they had been busily engaged in murder, theft, and plunder. they left a broad and bloody trail wherever they went and committed their outrages, at times, in the very sight of their pursuers. frequently were the harrowing cries of "murder" heard just ahead, and hastening to the spot, citizens were found weltering in their blood while the audacious bandits were seen riding off with no great evidence of fear at being overtaken.

The banditti were divided, the greater portion of the time, into small companies of four or five, and Joaquín was seldom seen

with more than three followers. Three Fingered Jack was his constant attendant. Viñuela was in the field; Reis was active; and Valenzuela was far from idle.

On the fifth of February, a Mexican was arrested by the citizens at Angel's Camp. As soon as it was done, a young Sonoran gambler ran to a horse hitched at a rack and was preparing to mount, no doubt to carry information to Joaquín of what had transpired, when a pistol was cocked in his face and he was stopped. In a few moments, it was ascertained that the man arrested was one of Joaquín's band, and he soon made his exit into eternity from the branch of an oak tree, which yet stands at Angel's Camp as one of its memorials.

Three or four Germans, sleeping in a tent on a rather lonesome ravine near to Angel's Creek a few nights before the event last mentioned, were surprised to find themselves suddenly tied, hand and foot, in their beds and still more horrified when a scowling band of ruffians stood over them with drawn sabers, which they drew across their throats so carelessly that it started the blood. The Germans eagerly delivered up what money

they had, which amounted to the pitiful sum of two hundred dollars. At this, Three Fingered Jack, for he was there with his leader, jumped up with an oath that made the poor fellows quiver where they lay and declared that he would dig their hearts out of them for not having any more. He suited his act to his word by brandishing his knife over their heads and waving it to and fro within an inch of their windpipes. Joaquín, however, interfered and prevented him from executing his threat, remarking that it was better to let them live as he might wish to collect taxes off of them for "Foreign Miners' Licenses," at some other time.

One Alexander Bidenger and his friend, G. J. Mansfield, residing at a little place called Capulope, having learned from two friendly Mexicans that Joaquín had slept there on the night of the second of February, concluded to send word to justice Beatty, the presiding magistrate at Campo Seco, not a great way off, and, having written a letter, dispatcher it by "Digger Express."

(To those unacquainted with California customs, it may be necessary to explain that it is common in the mountains and mining

districts to employ Digger Indians as bearers of letters, or runners upon errands from one point to another, they being very expeditious on foot and willing to travel a considerable distance for a small piece of bread, fresh meat, or a ragged shirt. I have known them to swim rivers when the waters were high and dangerous in order to carry a letter to its destination. They are exceedingly faithful in this business, having a superstitious dread of that mysterious power that makes *a paper talk without a mouth*.)

The naked express man, having been hunted up, was charged by Bidenger to proceed to Campo Seco without delay and to allow no one on the way to read the paper. The digger, as is usual with these native expresses, got him a small stick about two feet long, and splitting the end to the depth of an inch or two, stuck the letter into it, and holding it out in front of him, started off in a fast trot. One of Joaquín's party discovered him on the road about three miles from Campo Seco and wished to speak to him. But the Indian, remembering his charge, broke off at full speed bearing the letter triumphantly before him. The robber fired two shots at the

terrified native, which only accelerated his flight. Arriving at Campo Seco, he entered Beatty's office and handed him the following unique epistle:

> FEBRUARY the 3 1853
>
> I hereby gave notice that there is a thief and robber In this Capulope by the name of wakeen he slep here last night and he Is xpected to sleap heare tonight thar is not men enough here that will Assist in taking him he has horses tide back hear in the hills and six more men
>
> i think it my duty to make it known.
>
> Alexander Bidenger
> and F. J. Mansfield.
>
> Rio Carrillo. Bernardo Carasco.

The justice, having deciphered the hieroglyphic characters of this letter as satisfactorily as he could, sent a messenger to the keepers of the ferry at Winter's Bar to let no one cross during the night, believing that from its proximity, that point would be selected by the robber for the passage of the river in case he was closely pursued. Then he hurried off the constable with a posse to rescue the six unfortunate men whom Joaquín had "tide" out in the hills.

Arriving at Capulope in great heat, the constable ascertained that there were no six men tied out at all, but that the letter had designed to inform the justice that Joaquín's party numbered six men.

"lt's a pity," said Bidenger, "that a man of the Squire's larnin' can't read no better than that."

Nothing was seen of Joaquín in the neighborhood, though diligent search was made for him by the constable from the time he left Campo Seco until dark. At midnight, Joaquín rode up to the ferry at Winter's Bar and requested to be set over. The keepers informed him that they had orders from the civil authorities to let no one pass, not even the governor of the state, whereupon the impatient outlaw made such unequivocal hostile demonstrations that the ferrymen were glad to set aside the civil authorities and - for the time being - to obey martial law.

A few days after this, riding along with Three Fingered Jack and another member named Pedro, Joaquín met two Americans and a German coming on foot from the direction of Murphy's Diggings and bound for

Australia as their final destination. They were laden with gold dust, which they intended to convert into bills of exchange at San Francisco. They committed the great imprudence to run at the approach of the bandits, who - having been hotly pursued a few hours before by a party of citizens - might have passed on without harming them. Seeing them take to flight, Joaquín said:

"Those fellows have money. We must kill them."

The poor, terrified fugitives each took a separate course, and it was not long before they miserably perished under the murderous pistols and knives of the bandits. Dragging them by the heels, the robbers - who had secured their heavy purses - threw them into a hole that had been sunk by some prospectors and covered them partially with leaves and bushes.

Riding on a little farther upon a narrow pack trail that wound along on the bank of a foaming stream that was almost hid in the deep gorge through which it ran, they suddenly come upon a Chinese camp containing six Chinamen. Though each had a

double barreled shotgun, they made no effort to defend themselves but begged for their lives. Joaquín was disposed to spare them, but not wishing to leave his portrait impressed upon too many memories, which might prove some day quite too tenacious for his good, he concluded to kill as well as rob them.

Three Fingered Jack, by a nod from Joaquín, stepped up to each one and led him out by his long tail of hair, repeating the ceremony until they all stood in a row before him. He then tied their tails securely together, searched their pockets while Pedro ransacked their tents. Then drawing his highly prized home made knife, he commenced amid the howling and shrieks of the unfortunate Asiatics, splitting their skulls and severing their neck veins. He was in his element, his eyes blazed, he shouted like a madman and leaped from one to the other, hewing and cutting as if it afforded him the most exquisite satisfaction to revel in human agony.

"Come," said Joaquín, "that's enough. Mount up, and let's be off."

Reaching the main road again in a few hours, they met the mail rider between Jackson and Volcano, who on perceiving them, laid whip to his very fleet animal and narrowly escaped. Three Fingered Jack, on his fine black horse could not in the whole race get nearer to him than fifty yards, and finally halted at that distance and discharged three loads of his revolver at mail rider's slight figure, who leaned forward with an apparent anxiety to go faster than his horse was carrying him.

"By God," said García as he rode back to Joaquín, "I would like to have caught that fellow, if nothing more than to get his horse. He flung dirt into my face faster than I ever saw it fly from a horse's heels before."

While laughing over the very exhilarating race that they had just had, a man came in sight and was within one hundred yards of the brigands before he perceived them. Three Fingered Jack's appearance was enough for him without any further examination, and wheeling his animal - a splendid mare - he proceeded to place as much ground as possible between himself and the dreaded party, which they - on the other hand -undertook to

diminish. Neck and heel they had it for five miles, up the hills and down. Joaquín and Pedro a short distance behind and the "Knight of the Three Fingers" close on to the fugitive. Three Finger Jack spared neither whip or spur, and one time grasping at the fugitive's bridle rein, at another falling behind his horse's tail, and at another shooting at him with an unsuccessful aim.

Straggling travelers on the road, Jew peddlers, almond eyed Chinamen, and deplorably ragged looking Frenchmen, all and everybody who happened to be on the road gave way to the frantic rider and his headlong pursuers, gazing at them with unmitigated astonishment and thanking their stars that they happened to be poor obscure footmen. The fugitive rode on, and on, and on, with unabated ardor on his own part, and no perceptible failure of vigor on the part of his horse until within sight of a thickly populated mining district. Then giving him a farewell shot, which rang in unpleasant proximity to his ear, Three Fingered Jack roared out to him:

"*You deserve* to escape, old fellow, success to you!" and galloped back to his comrades, who

had halted a few minutes before. "There's another fine horse," said he to his leader, "that we've missed getting."

Numerous murders having been committed, and many parties having failed to capture the leading desperadoes, an excitement almost too intense to be borne prevailed in the whole county of Calaveras.

About the 19th of February, a large meeting was held at the town of Jackson, at which it was resolved that everybody should turn out in search of the villain Joaquín. A committee of six men was secretly sent at midnight to Mokelumne Hill to secure a concert of action there, upon whose arrival the citizens immediately assembled.

And before morning, two companies were organized, horse and foot, and placed under the command of Charles A. Clark, Esq., then under sheriff of the county. Thus was the whole country alive with armed parties, whose separate movements it would be impossible without much unnecessary labor to trace. Arrests were continually being made, popular tribunals established in the woods, judge Lynch installed upon the bench.

Criminals were arraigned, tried, and executed upon the limb of a tree. Pursuits, flights, skirmishes, and a topsy turvy, hurly burly mass of events occurred that set narration at defiance. It remains only to give a few touches here and there that an idea may be gathered of the exciting picture, which the state of things then presented.

The Jackson company went down on the west side of the Mokelumne River, while Clark directed his companies to scour the woods and mountains in the direction of Campo Seco. From Campo Seco he went to Winter's Bar, crossed the river, and rode up to Stone and Baker's Rancho, where he met the Jackson company. Learning that Joaquín had lately been seen at Camp Opera, the united parties surrounded that place about daylight and huddled all the inhabitants, who were mostly Mexicans, together in a large tent, depriving them of their arms. Upon questioning them, they ascertained that a Mexican horseman had come into town the day before and inquired of some women, who were washing at the branch near by, if they had seen Joaquín - and that he paid one of

them fifty cents for washing a handkerchief, deeply stained with blood.

Upon closer questioning, it appeared that the Mexican spoken of was himself present in the tent, and he was, accordingly, led forth for the especial consideration of his case. Finding that the trial to which they subjected him was no farce, and that they were actually going to hang him, he confessed that he was one of the brigands and submitted with great composure to be choked to death.

While their comrade was undergoing the penalty of death, Valenzuela and a few others, ignorant of the circumstance, were robbing a Dutchman only a few miles off. They took six hundred dollars in beautiful golf specimens, for which the poor fellow had honestly labored six months in the mines. He was fortunate, however, in meeting with Valenzuela instead of Three Fingered Jack, for he escaped with his life after a long debate between the robbers as to the propriety of letting him live. The Dutchman afterwards acknowledged he was more interested that than in any other question he had ever heard discussed.

Capt. Ellas about this time heard of a suspicious fellow lurking around the little camp of Los Muertos. He mounting his horse, rode over to the tent in which the fellow was harbored, and with a pistol cocked in the villain's face, arrested him and took him to San Andreas. The people of that place appointed a committee to investigate the case and report their judgment as to what should be done. The committee ascertained that he was wounded, a pistol ball having pierced him in such a manner as to make four different holes, from a twisted posture, no doubt, which he had assumed. And, being able to elicit no satisfactory account as to how he had received the wound, they reported to the crowd that it was their opinion that it would not be amiss to hang him and to risk it anyhow, whether he was guilty or not.

Finding that he had to go, he confessed that he was the man whom Ellas had shot on Chaparral Hill while he was endeavoring to catch his mare and that he was with Joaquín when the two Americans, Peter Woodbeck and another, were killed at the Phoenix Quartz Mill. The time honored custom of choking a man to death was soon put into practice, and

the robber stood on nothing, kicking at empty space.

Bah! It is a sight that I never like to see, although I have been civilized for a good many years.

On the 22nd day of the month, one of the pursuing parties mentioned before came upon five Mexicans who were halted a few moments at a place called Forman's Camp and immediately fired upon them, wounding one of them in the hand. Outnumbered, the robbers - among whom was the chief himself - rode off at full speed. The Americans followed and had not proceeded far when pistol shots were heard in rapid succession at a Chinese camp at the foot of a hill, upon which they were riding. Hastening down to the spot, they found three Chinamen dead and five others writhing in their last agonies. The murderers were not more than ten minutes ahead. A dying Chinaman gasped out that they had been robbed of three thousand dollars.

Exasperated beyond measure at such audacity, the party rode furiously on in pursuit, but their horses had not the mettle to

compete with those of the brigands, and so they were forced to give it up for that day.

On the twenty third they resumed the pursuit, passing no less than a dozen Chinese camps that had been recently plundered. Towards evening, they caught sight of the rascals on the summit of a hill, engaged at the moment in knocking down some Chinamen and robbing them. With a whoop of defiance, the daring chief led off his men before their faces with such speed that they could not hope on their own common scrub horses to overtake him.

The Chinese, beginning to believe that they were singled out for destruction, were seized with a general panic. By the fifth of March, they were seen flocking from the mining districts in hundreds and thousands to the towns and cities. Mention the name of Joaquín to one of these Chinamen now, and his knees will quake like *Belshazzar's*.

Chapter Ten

HAVING RAVAGED THE COUNTRY for several long and - to the people - distressing weeks, and having lost some of the bravest and most useful members of his band, and having aroused his enemies so that they met him on every trail and surprised him at almost every encampment, and having - besides this - collected by his plunders a large amount of money, Joaquín concluded to abandon Calaveras and try his hand awhile upon the citizens of Mariposa. Of course that county suffered. But it will not be necessary to recount anything like the entire series of his fearful deeds in that devoted region, as it would only be a repetition of the bloody and harrowing scenes that have already sufficiently marked these pages.

His guardian fiend seemed never to desert him, and he came forth from every emergency in triumph. The following incident is but one among many that shows the extraordinary success that attended him, and would almost lead us to adopt the old Cherokee superstition that there were some men who bear charmed lives and whom nothing can kill but a silver bullet.

About the first of April, in the little town of Hornitos, or Little Ovens, an American named Prescott - a very bold and resolute man - was one night informed by a friendly Mexican, who was a miner in that district, that Joaquín and four or five of his men were at that moment sleeping in a house kept by a Mexican woman on the edge of the town.

"If I point him out to you," said he, "be sure and kill him, for if you don't, my life is not worth three cents."

Prescott raised some fifteen men with secrecy and dispatch, and guided by the Mexican, gained the house without raising an alarm. Stationing his men around the house in every necessary direction, he and a few others cautiously entered. Candles were still

burning, and everything was visible in the room.

"There they are," whispered the trembling Mexican, pointing to several separate heaps, rolled up in blankets, and slipping out as soon as he had spoken.

One of the party, holding a candle over Joaquín's face in his anxiety to see if there might not possibly be a mistake, startled the formidable chief from his slumber. He, with the rapid return of consciousness that belongs to men accustomed to danger, rose like lightening to his feet, cocking his pistol as it were in the very act of waking, and fired. The astounded candleholder staggered back, severely wounded in the side. Prescott at this moment discharged both barrels of his shotgun into Joaquín's breast and was amazed to see him stand firm after a momentary stagger and return the fire. Prescott very near fell to the floor, a ball having passed clean through his chest. The other bandits in the meantime having sprung up, blew out the lights, and firing their revolvers, they immediately shifted their positions so that the Americans discharged

their pistols into the space merely where their enemies had stood.

Joaquín shot twice after the lights were extinguished, hitting a man each time. With his pistol dubbed, he trod resolutely for the door, where he met an American, over whose head he shattered his pistol and very nearly killing him on the spot. It happened that at the same time the bandits made their egress, a few Americans were also coming out, and before the two parties could be fairly separated so as to render it safe to fire, the bold robbers had made their escape.

It is significant to add that in a few days after this occurrence, the Mexican informer was found hanging to a tree near the highway, his dead body bearing the marks of a recent terrible scourging.

Joaquín was badly wounded by the discharge of Prescott's double barreled shotgun, and Three Fingered Jack, who was now continually with him, was engaged (as he laughingly remarked to an acquaintance afterwards) for three weeks, off and on, in picking out buckshot from Joaquín's breast.

"How it come not to kill him," said he, "the devil only knows. I'm certain it would have done the job for me."

But subsequent events will show that Three Fingered Jack was himself equally hard to kill. Prescott lay for a long time in a doubtful state, and Joaquín sent spies daily from his own sick bed in the woods, to see if there was any prospect of his dying. Much to his disappointment, Prescott recovered, and surely after all he had suffered, he is entitled to live a long time.

Valenzuela was, at this time, in the county of Yuba, in obedience to the orders of his leader who told him to do his best in the space of two weeks and then to meet him at the Arroyo Cantoova rendezvous.

A description of one or two scenes that happened on Bear River, about twenty miles from the city of Marysville, will serve to give an idea of what he was about. This stream heads in the Sierra Nevada foothills, and crossing a broad plain, empties into the Feather River near the town of Nicolaus Ferry. It waters a fine agricultural and grazing region, and houses in the spring of

1853, as now, were scattered at intervals of four, five, and six miles along its banks.

In one of these houses lived an old widow woman, with her son and daughter. These three, seated in their door on a pleasant evening, were surprised - as they lived off from the public road - to see four huge fellows ride up, splendidly dressed, and armed to the teeth. One of them had four revolvers and a bowie knife. Dismounting, they requested supper. It was soon got in readiness by the brisk young lady - and she is as fresh and rosy a creature as ever one had the happiness to see - and the travelers partook of it most freely. The fellow with the four revolvers, who notwithstanding his fierce look, was quite gentlemanly in his manners, conversing with her agreeably as she politely waited upon them. The old woman looked rather suspiciously at the well dressed eaters from under her spectacles but said nothing.

As soon as they had finished, Valenzuela, for it was that worthy and none other, stepped up to where the young man was sitting and cocking a pistol between his eyes, asked him if he had any objection to having the house

robbed - if so, to name it. The old woman here screamed out:

"Oh, Lord! I knowed it - I seed the cloven foot a'stickin out all the time!" and continued to cry out with such vehemence that they were forced to put a gag in her mouth.

The young lady saved them the trouble of using that precaution in her case by fainting.

The young man, not relishing a cocked pistol in his face with a man carelessly fingering the trigger, very readily gave his consent to have the house searched. Every drawer was ransacked and every trunk burst open, and having obtained a few hundred dollars, the robbers left.

At a late hour in the night, another house was burst open and the terrified inmates were dragged out of their beds and securely bound hand and foot, besides being gagged, before they awoke sufficiently to know whether it was a dream or a reality. There was only one man at the house, the rest were women and children. All the money and jewelry was taken that could be found, and among other things, a gold watch the chain of which Valenzuela very coolly put over his neck.

"Go to that old woman and take the gag out of her mouth," said he to one of his men, "she looks as if she were choking herself to death in the effort to say something."

As soon as the gag was removed, she begged Valenzuela, with many tears, to give her back the watch, as it was a present from a dear friend who was dead and contained a precious lock of hair.

"Certainly," said the robber, "if that's the case, I don't want it," and handed it to her.

Strange as it may seem at the first glance, the aged widow felt a sentiment of gratitude towards the robber, who steeped in villainy as he was, had soul enough to answer an appeal of this kind. The unfortunate family was found the next morning by their neighbors, still lying upon the floor, bound hand and foot.

Such terror possessed that neighborhood for some time afterwards that a traveler, no matter how peaceable his intentions, could no more get a chance to stay all night on that part of Bear River than he could fly. A young fellow from the mountains on his way down the valley, happening to be belated in that vicinity and called one night at every house in

every direction. He was refused admittance or hospitality, with an obstinacy that astonished him. The doors were barred on his approach as if he had been a bearer of pestilence, and to his loud hellos and earnest solicitations for shelter from the night air, he received the response that they had "no accommodation for travelers," and he began to believe that indeed they did have but little accommodation, sure enough!

It was drizzling rain, the hour was waxing late, it was dark, and there were many deep and miry sloughs, which were dangerous to pass unless in broad daylight. Directed, at each refusal of "accommodation" to go to another house "just across the slough" or "jist beyant that pint," the poor fellow wandered around nearly all night, narrowly escaping being drowned a dozen times.

Finally, towards morning, leaving his horse tied on the bank of a slough and crossing to the other side in a canoe, he succeeded - after fighting a pitched battle with a gang of fierce dogs - in reaching an old shanty in a barley field, whose occupant, a bachelor, consented - to his great surprise - to let him stay.

It seems that the young fellow was dark skinned and, unfortunately, not a very amiable looking fellow at the best, and so he was accordingly taken for Joaquín or some one of his band traveling around as a spy.

Chapter Eleven

SO BURDENSOME were the tributes levied upon the citizens of the whole state by the robbers, and so ceaselessly did they commit their depredations that it became a fit subject for legislative action. A petition, numerously signed, was presented to the legislature, praying that body to authorize Captain Harry Love to organize a company of Mounted Rangers in order to capture, drive out of the country, or exterminate the desperate bands of highwaymen who placed in continual jeopardy both life and property. A bill to this effect was passed and signed by the governor on the 17th of May, 1853, and a company was organized by Harry Love on the 28th of the same month. The pay was set down at one hundred and fifty dollars a month per man, and the legal existence of the company limited to three months, while the

number of men was not to exceed twenty. Notwithstanding the small amount of wages allowed, each member was required to furnish his own horse, provisions, and equipments at his individual expense.

Without hesitation, nay, with alacrity, for it was in consonance with his daring spirit, Love immediately took the command of twenty choice men, selected for their well known courage, and led them forth to meet as formidable a man as ever figured in the arena of crime.

This brave - but small - party of Mounted Rangers was looked upon with the anxious eyes of the community, from whose midst they started as almost certainly destined to destruction.

But they forgot that a leader was now in the field and armed with the authority of the state, whose experience was a part of the stormiest histories of the frontier settlements, whose soul was as rugged and severe as the discipline through which it had passed, whose brain was as strong and clear in the midst of dangers as that of the daring robber against whom he was sent, and who possessed a

glance as quick and a hand as sudden in the execution of a deadly purpose.

With untiring energy and the most stealthy movements, Capt. Love set himself to work to obtain a full knowledge of the haunts of the bandit chief, the latest traces of his steps, and all that was necessary to enable him to fall upon him at the best possible time and place.

While on this lookout for him, Joaquín was busy in making his preparations for the grand finale of his career in California. After robbing extensively on the Little Mariposa and the Merced River, he proceeded to the rancho of Joaquín Guerra, near to San José, killing on his way a Frenchman who kept the well known Tivoli Gardens, and there stopped for a few weeks, lying concealed. The Major Domo of this rancho, Francisco Sierro, was secretly connected with his band, and this accounts for Joaquín staying there.

In the meantime, he had dispatched Luis Viñuela to the Arroyo Cantoova, with orders to remove the women to a place of safety in the province of Sonora, and to send Valenzuela - as soon as he should arrive at the rendezvous - to the same place with

remittances of money. There, Valenzuela was to arm and equip his followers and adherents, who stood in waiting. Viñuela himself was to proceed to the different harboring ranchos in California and collected at the Arroyo Cantoova all the horses that had been left upon them.

It was Joaquín's own intention to go to the rendezvous in a short time and wait for the arrival of his forces. The extreme caution with which this wily leader was bringing his plans to a focus is aptly exhibited in the following comparatively little incident:

Feeling, one evening, somewhat inclined for a dram and unwilling to show his own person, he sent from Guerra's Rancho an Indian to bring him a bottle of liquor from San José. After the Digger had started, he became a little uneasy, lest the fellow should betray him, and mounting his horse, he overtook him on the road near to Coyote Creek, and killed him.

On the first day of July, seventy of his followers had arrived at the Arroyo Cantoova with fifteen hundred horses. In another part of the valley, Joaquín with Reis, Three

Fingered Jack, and a few other men, was waiting for the final arrival of all his forces from Sonora and other quarters. His correspondence was arge with many wealthy and influential Mexicans residing in the State of California, and he had received assurances of their earnest cooperation in the movement he contemplated. A shell was about to burst, which was little dreamed of by the mass of the people because they merely looked upon Joaquín as a petty leader of a band of cutthroats!

On the fifth of July, Capt. Love, who had been secretly tracing the bandit in his movements, left with his company the town of San José and camped near San Juan for four or five days, scouring the mountains in that vicinity. From San Juan, he started in the night on the coast route in the direction of Los Angeles and tarried a night or two on the Salinas plains. Thence he went across the Santa Bonita valley, camping just before daylight, without being discovered by any one, in a small valley in the coast range, near to Quién Sabe Rancho.

Leaving this place after a short survey of the neighborhood, he proceeded to the Eagle's

Pass and there came upon a party of Mexicans who were going, or said so at least, into the Tulares to capture the wild mustangs that fed there in great numbers. From this point, the Rangers divided, a portion going to the Panoche Pass and the others taking a course through the mountains. They found trails, which led both divisions to the same point, that is, to the Poca Pradera, or Little Prairie. Before reaching this point, Love stopped a few Mexicans, who were evidently carrying forward the news of his advance into that wild and suspicious region.

Separating again, the company again met at the Panoche Pass, from which they went on in a body to the Arroyo Cantoova. Here they found the seventy or eighty men of Joaquín's band, with the fifteen hundred stolen horses. These men, it would be fair to infer, could have annihilated the small party of twenty men opposed to them had they seen fit. It was a wise act by Capt. Love to deceive them as he did by informing them that he was executing a commission on the part of the state to obtain a list of all the names of those who were engaged in mustang hunting so that a tax might be collected from them for the privilege,

in accordance with a recent act of the legislature.

With this explanation and going through the farce of taking down a list of their names - which were no doubt fictitious - he started on in the direction of San Juan. But he turned about and stopped seven or eight miles off at the head of the Arroyo in order to watch their movements.

It was now the 24th of the month, on the morning of which day he went back to their encampment and found it wholly deserted, not a man or a horse left. Fully convinced from this sudden abandonment of the place that they were nothing less than a portion of Joaquín's band, he resolved to follow their trail.

On the 25th, which was Sunday, at 3 o'clock in the morning, he reached the Tulare plains, where he found they had parted their company - some going south towards the Tejon Pass and others north towards the San Joaquín River. Detailing a portion of the Rangers to proceed to Mariposa County with some stolen horses, which had been recovered on the way, the Captain with the remainder of

his party, numbering only eight men, dauntlessly pursued the southern trail, which led in the more proper direction for finding Joaquín.

Just at daylight, he saw a smoke rising from the plains on his left, and wishing to allow no circumstance, however trivial, to pass unnoticed at a time so much requiring his utmost vigilance, he turned from the trail and rode out towards it. He saw nothing more than some loose horses until within six hundred yards of the spot from which the smoke proceeded. Then, rising a mound, he discovered seven men scattered around a small fire in a little hollow. One was a few steps off, washing a fine looking bay horse out of a pan. Their sentinel, who had just been cooking, at this moment caught sight of the approaching party and gave the alarm to his comrades, who all rushed forth in the direction of their horses, except the man who already held his by the lariat at camp.

Dashing up in hot haste, the Rangers succeeded in stopping every man before he got to his animal. The Captain, riding up to the individual who stood holding the horse, questioned him as to the course upon which

he and the others were traveling. He answered that they were going to Los Angeles. Giving the nod to two of his young men, Henderson and White, they stood watching this individual while the Captain rode towards others of the suspicious looking party - who, I have omitted to say, were all Mexicans, superbly dressed, each wearing over their finery a costly broadcloth cloak.

Addressing one of these others in relation to their destination, he replied in direct contradiction to what the first had just said, who flushing up with an angered look, exclaimed:

"No! We're going to Los Angeles," and, turning to Love, said, "Sir, if you have any questions to ask, address yourself to me. I am the leader of this company."

Love answered that he would address himself to whom he pleased, without consulting him.

The leader, as he called himself, then advanced a few steps towards the saddles and blankets, which lay around the fire, when Love told him to stop. He walked on without heeding the command when the Captain drew

his six shooter and told him if he did not stop in an instant, he would blow his brains out.

With a proud toss of his head and grating his teeth together in rage, he stepped back and laid his hand again upon his horse's mane, which had stood quietly during the moment he was away. This individual was Joaquín Murieta, though Love was ignorant of the fact. He was armed only with a bowie knife and was advancing towards his saddle to get his pistols when Love drew his revolver on him and made him stop.

A short distance off stood Three Fingered Jack, fully armed, and anxiously watching every motion of his chief. Others of the party were separated by the Rangers, surprised and unable to act in concert, and on foot and unable to get to their horses scattered here and there. The danger to Joaquín was great and imminent, yet no sign of fear played upon his countenance. He held his head firmly and looked around him with a cool and unflinching glance, as if he calmly studied the desperate chances of the time. He patted, from time to time, his horse upon the neck, and the fiery steed raised his graceful head, pricked up his sharply pointed ears, and stood

with flashing eyes, as if ready to spring at a moment's warning.

Lieut. Byrnes, who had known the young robber when he was an honest man a few years before soon rode into camp, having fallen behind by order of the Captain. And immediately on his approach, Joaquín, who knew him at the first sight, called out to his followers to make their escape, every man for himself.

Three Fingered Jack bounded off like a mighty stag of the forest. He was shot at by several of the Rangers. Attention being momentarily called away from Joaquín, he mounted his fine, bay horse, already eager to run, and rode off without saddle or bridle at the speed of the wind. A dozen balls from the Colt's repeaters whizzed by him without effect. Rushing along a rough and rocky ravine with that recklessness that belongs to a bold rider and a powerful, high spirited animal, he leaped from a precipice, ten or twelve feet high, and was thrown violently from his horse, which turned a half somersault as he touched the ground and fell on his back with his heels just a few inches of his master's head. Horse and rider recovering

in a moment, Joaquín again mounted with the quickness of lightning, and was again on the wing.

One of his pursuers, named Henderson, fearlessly leapt after him, while others, who were not so close behind, galloped around to head him off at a certain favorable point. Henderson and horse went through the same motions of lofty tumbling as in the example that had preceded him. He was not mounted so soon and Joaquín was some distance ahead before he was fairly ready to renew the chase.

The bold chieftain was fast escaping danger on his swift and beautiful steed, and a few more vigorous bounds would carry him beyond the reach of gunshot, when one of the pursuing party, finding that they could not hit the rider, leveled his rifle at the horse and sent a ball obliquely into his side.

The noble animal sunk a moment but rose again, still vigorous though bleeding, and was bearing his master as if he knew that his life depended upon him, clearly out of all reach of a bullet or any fear of a capture. When alas, the poor beast - with a sudden gush of blood from his mouth and nostrils - fell dead

beneath him. A fortunate shot, whoever aimed that rifle!

Joaquín, still far ahead of his pursuers, ran on, on foot. But they outran him upon their horses, and coming again in pistol shot, discharged several balls into his body. When the third ball struck him, he turned around, faced them, and said:

"Don't shoot any more. The work is done."

He stood still a few moments, turning pale as his lifeblood ebbed away; and sinking slowly to the ground upon his right arm, he surrendered to death.

While their beloved leader was proudly submitting to the inexorable fate that fell upon him - if we may call it fate when it was born from his own extreme carelessness in separating himself from the main body of his men and in a habitual feeling of too much security at his rendezvous - his followers were struggling for their lives against fearful odds in all directions over the plains.

Three Fingered Jack, pursued by Love himself and one or two others, ran five miles before he fell, pierced with nine balls. He leaped over the ground like a wild beast of the chase and frequently gained a considerable distance on his pursuers, whose horses would sometimes tumble in the gopher holes and soft soil of the plain and throw their riders headlong in the dirt. When overtaken, he would wheel with glaring eyes, and with a whoop of defiance, discharge his six shooter. Though a good shot, out of five trials he missed every time.

Circumstances were against him, but he was determined never to be taken alive, and to no proposal of surrender would he listen to for a moment. He ran on as long as his strength would sustain him, and he fought till

he fell dying with his hand on his pistol, from which he had emptied of every load but one. He was, at last, shot through the head by Capt. Love, who had wounded him twice before in the long chase. Three Fingered Jack, anomalous as it may seem to be since he was the very incarnation of cruelty, was at the same time as brave a man as this world ever produced, and he died so, as those who killed him will testify.

Shortly after the chase of Joaquín and Three Fingered Jack commenced, three of the band - not before discovered - galloped out into the plain from a point a little below Joaquín's campfire where they had probably made a small, separate encampment the night before. There, they dismounted in full view of several of the Rangers, who approached them on three sides. They stood still until within reach of pistol shot, when they suddenly sprang into their saddles, and firing their revolvers at the approaching Rangers, rode off. The Rangers returned the fire with effect, wounding two of the men and one of the horses. Their animals being remarkably swift, they distanced their

pursuers and reached the foot of the mountains without further injury.

But just at this point, one of the wounded men grew so faint that he fell back in the flight, and a comrade came back also to assist him, and thus gave the Rangers an opportunity to come within gunshot. As he galloped off with his wounded companion to rejoin his brothers ahead, a skillful marksman leveled a rifle at his retreating figure and sent a ball into his back that made him reel upon his horse, and thus added one more to the wounded list, which now comprised the whole party. They succeeded in escaping, but one of them fell from his horse during the following night and died in a solitary place among the mountains.

The pursuit being ended on all parts of the field, the Rangers returned to the point from which they had started. As yet, all were ignorant of the true character of the party that they had attacked. Byrnes did not happen to be looking at Joaquín when he first rode into camp, and consequently had not recognized him at all. When they all got together, it was ascertained that four Mexicans had been killed and two others

taken prisoners. Going up to the dead bodies, one was immediately recognized by Byrnes as that of Joaquín Murieta and another, by some one else, as that of Three Fingered Jack.

It was important to prove to the satisfaction of the public that the famous and bloody bandit was actually killed, else the fact would be eternally doubted, and many unworthy suspicions would attach to Capt. Love. So he, accordingly, acted as he would not otherwise have done. And I must shock the nerves of the fastidious - much against my will - by stating that he caused the head of the renowned Murieta to be cut off and to be hurried away with the utmost expedition to the nearest place, a distance of one hundred and fifty miles, at which any alcohol could be obtained in which to preserve it.

Three Fingered Jack's head was also cut off, but being shot through, soon became offensive, and was thrown away. His hand, however, was preserved - that terrible, three-fingered hand - which had dyed itself in many a quivering heart, had torn with its ruthless talons the throats of many an agonized victim, and had shadowed itself forth upon the

horrified imaginations of thousands who only knew that it existed.

The head, which for a long time retained a very natural appearance, was carried for exhibition over a large portion of the state and thoroughly identified in every quarter where its owner was known. The hand was also exhibited in a glass case, not to prove its identity (though even that was done) but to give the public the actual sight of an object that had flung a strange, haunting dread over the mind, as if it had been a conscious, voluntary agent of evil.

Many superstitious persons, ignorant of the phenomenon that death presents in the growth of the hair and nails, were seized with a kind of terror to observe that the moustache of the fearful robber had grown longer since his head was cut off and that the nails of Three Fingered Jack's hand had lengthened almost an inch.

The bloody encounter being over, Love gathered up the spoils, which consisted of seven fine animals (afterwards restored to their owners), six elegant Mexican saddles and bridles, six Colt's revolvers, a brace of

holster pistols, and five or six pairs of spurs. Three splendid horses were killed under their riders in the chase. Five or six fine broadcloth cloaks were found at the camp. Money, there was none. One of the prisoners, however, declared that Three Fingered Jack threw away a very large purse of gold, which was encumbering him in his flight. It is probable that others did the same.

Upon the return of the Rangers from this expedition, one of the prisoners, after vainly endeavoring to persuade his companion to follow his example, suddenly broke loose from his captors and, plunging into a deep slough near by, bravely drowned himself. The other was taken to Mariposa County Jail, and there confined until the company was ready to disband, when he was transferred to Martinez.

While there, he made a confession implicating a large number of his countrymen in the villainies that had been perpetrated. And he was prepared to make still more important disclosures - perhaps with the view of making the value of his information weigh against his execution - when he was forestalled in a mysterious manner. The jail

was broken open one night at the dead hours, and the prisoner taken out by an armed mob and hung. The Americans knew nothing of the hanging, so that the most rational conjecture is that he was put out of the way by Mexicans to prevent the damning revelations he would certainly have made.

After a thorough identification of the head of Joaquín, the Governor of California, Colonel John Bigler, caused to be paid to Captain Love the sum of one thousand dollars, which in his official capacity he had offered for the capture of the bandit, dead or alive. And subsequently, on the fifteenth day of May, 1854, the Legislature of California, considering that his truly valuable service in ridding the country of so great a terror was not sufficiently rewarded, passed an act granting him an additional sum of five thousand dollars.

The story is told. Briefly and without ornament, the life and character of Joaquín Murieta have been sketched. His career was short, for he died in his twenty second year; but in the few years that were allowed him, he displayed qualities of mind and heart that marked him as an extraordinary man, and

leaving his name impressed upon the early history of this state.

He also leaves behind him the important lesson that there is nothing so dangerous in its consequences as injustice to individuals - whether it arise from prejudice of color or from any other source. That a wrong done to one man is a wrong to society and to the world.

It is only necessary to add that after the death of its chief, the mighty organization he had established was broken up. It exists now only in scattered fragments over California and Mexico. Its subordinate chiefs, among who is Joaquín Valenzuela, lack the brilliance and unconquerable will of their leader, and thus will never be able to revive it in its full force. And, although all the elements are still in active existence, they will make themselves felt in nothing more - it is probable - than petty outbreaks here and there, and depredations of such a character as can easily be checked by the vigilance of the laws.

Of Rosita, the beautiful and well beloved of Joaquín, nothing further is known than that she remains in Sonora, silently and sadly

working out the slow task of a life forever blighted to her, living under the roof of her aged parents. Alas, how happy might she have been, had man never learned to wrong his fellow man!

Fini