

California sketches, with recollections of the gold mines. By Leonard Kip

CALIFORNIA CENTENNIAL SERIES

LEONARD KIP

CALIFORNIA SKETCHES with recollections of the GOLD MINES WITH AN INTRODUCTION
BY LYLE H. WRIGHT

N.A.KOVACH LOS ANGELES

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INTRODUCTION

Leonard Kip's *California Sketches* is an extremely rare item of Californiana. It is a concise, yet interesting, narrative of the observations and experiences of a well educated young man in the gold rush of '49, and deserves its place with the contemporary literature of that colorful period.

Kip did not aspire to literary fame when he wrote the account of his trip to the mines. The prefatory "notice" establishes the fact by being quite honest in stating that the sketches were intended for newspaper publication. Nevertheless, *California Sketches* captured, to some extent, the feeling of hustle and bustle which Kip encountered in San Francisco. An occasional passage, such as the one concerning the crowd at an auction, "the comical conjunction of red shirts, gold epaulettes, Spanish Panchoes, long queues, and coonskin caps gave it almost a carnival aspect," indicates a potential

power of descriptive writing which does not quite crystalize in the sketches. His summation of the night activities of San Francisco, "the town seemed running wild after amusement," is a little gem.

As a prognosticator, Kip was a failure. Contrary to his predictions, the Forty-Niners, for the most part, did not return to their homes, but remained in California to form and develop a new state. Furthermore, he did not know that the tide of humanity, sparked with gold hysteria, was yet to follow him and had not, as he thought, reached its crest.

Leonard Kip, unlike his older brother William Ingraham Kip, Bishop of California, made no name for himself in the state. Inasmuch as his sojourn was of short duration, he was more of a spectator of, than a participant in, the important events that were transpiring. If he had remained to practice law, his name might have become as well known in the legal history of California as his brother's is in the church history.

The author of *California Sketches* was born in New York City, September 13, 1826, the youngest of two boys and three girls. He was a descendant of one of the oldest families in New York. The Kip family, with the Stuyvesants, Delanceys, Depeytestess, and other noted Dutch and Huguenot families, was instrumental in setting and developing New Amsterdam; and later, exerted much influence in the colony, following the conquest of New Netherlands by the British.

The Kip lineage traces back to Ruloff De Kype, who fled from France to the Low Countries during the religious wars of the sixteenth century. Hendrik Hype, grandson of Ruloff - the De has by now been dropped from the name which was anglicized to Kip following the surrender of New Netherland -- brought his family to New Amsterdam in 1635. He later returned to Holland, but his sons remained to become landed proprietors and important citizens.

Leonard Kip's grandfather was a loyalist during the War of Independence, but was unable to take any active part due to ill health. As his sympathies were well known the greater part of his property was confiscated. Leonard's father attempted to recover at least part of the property, but after an unsuccessful lawsuit in which Alexander Hamilton was his counsel, he gave up for fear of involving the remainder. The father soon re-established

Facsimile of the John B. Goodman Copy

ix the family fortunes by his business ability, and achieved an outstanding reputation for his integrity. About 1841, he retired, to Hartford, Connecticut, where he died July 2, 1846.

Leonard did not choose his brother's college (Yale, 1831), but enrolled at Trinity College, was graduated in 1846, the year of his father's death. Shortly thereafter, he moved to Albany, New York, where his brother was now rector of St. Paul's Church. There he studied law and was admitted to the bar. With the exception of his trip to California 1849, Kip remained in Albany to the time of his death, February 15, 1906.

What prompted Kip to make the trip to California is not known. It is conceivable, however, that the youth responded to the extraordinary news that was beginning to appear in the eastern newspapers in the fall of 1848, concerning the fabulous riches being taken from the gold mines. This, coupled with the fact that he was from a stock who were not daunted by the prospects of hardship, could easily have led him to seek adventure in the West. From his narrative, it is evident that he fared no better than the average miner in the diggings, either in the way of bodily comfort, or returns for his drudgery of mining.

Kip could have had an ulterior motive in coming to California. He was trained in the legal profession, although not yet established in Albany, and without family responsibilities. A new country, purportedly wealthy, offered possibilities of a lucrative practice for a young man who desired to open a law office. His erroneous conclusion, however, as to the future of San Francisco and adjacent country, and his adverse reaction to the administration x of the law then practiced in the mining regions, as reflected in his short story, “ *The Volcano Diggings, a Tale of California Law* ,” published in 1851, would be sufficient to cause him to abandon such a project.

Upon his return to Albany, Kip opened a law office, and also engaged in writing. It is recorded that he had started writing when only seventeen, but *California Sketches* is his first separately published

work. On October 26, 1852, he was married to Harriet L. Van Rensselaer, the daughter of John S. Van Rensselaer, of Albany. They had no children.

The stories of life and conditions in San Francisco and at the mines that Leonard, no doubt, related to his brother, may have been the deciding factor which prompted William to leave St. Paul's church in order to accept his election, by the General Convention, as missionary bishop of California. Bishop Kip arrived in San Francisco, January 29, 1854, to find that the Episcopal Church in California was very weak indeed. The tremendous amount of pioneering work that he accomplished, and the innumerable improvements that he was instrumental in bringing about, throughout his diocese, prior to his death in San Francisco, April 7, 1893, are a matter of record. The Bishop was a frequent contributor to periodicals, and wrote several books, primarily on ecclesiastical subjects, many of which went to several editions, and were also published in England.

Leonard Kip's literary efforts continued as the years passed, but without winning the acclaim that his brother's writings achieved. He produced at least ten novels by 1890, in addition to a steady flow of tales and articles to periodicals. At best, he was a "pleasing story teller." Kip's cultural interests and knowledge, however, were much broader than his writings indicated. He was a trustee of Albany Academy, and in 1885, was elected president of the Albany Institute. He maintained his membership in the Author's Club, and was affiliated with several literary and scientific societies. In 1893, he received an honorary degree of L.H.D. from Trinity College, and that of LL.D. from Hobart College. He retired from all activities about this time, and died twelve years later. LYLE H. WRIGHT. *February 15, 1946.*

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CALIFORNIA SKETCHES, WITH **RECOLLECTIONS OF THE GOLD MINES.**

ALBANY: ERASTUS H. PEASE & Co., No. 82 State Street. 1850.

NOTICE

The Author of these Sketches being applied to by friends, who wished *reliable* information on California, hastily compiled these Recollections Of the Country. They were intended for one of the daily papers, but the friend to whom they were sent (in the absence of the author), has assumed the responsibility of publishing them in this form, for the benefit of those who are meditating a voyage to the El Dorado of the West.

Albany, February, 1850.

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CALIFORNIA SKETCHES CHAPTER I. SAN FRANCISCO

“TUMBLE up, men! tumble up!” sung out our mate, going to the fore-castle. “Don't you hear me? tumble up, I say!”

The next thing we noticed, as we lay in our berths, was, that the captain seemed particularly cross, the mate swore very much, while the third officer, as he passed through the saloon, grimly smiled, as though mightily tickled by something that had just taken place.

“What's the matter?” we said.

“Merely that if you wish to take your observations in San Francisco to-day, you will have to row yourselves ashore, as all the men have left.”

“Indeed!”

“Went off last night--on the sly--laughing at us on shore now -- next week, in the mines. And he passed on.

It was indeed so. It was not possible that our vessel could escape the luck of all which had preceded her; and during the night, the whole crew had leisurely taken one of the boats and rowed ashore.

A few minutes after, and while some of our party were lowering the remaining quarter-boat, I was enabled to take a good look at the surrounding panorama. The sun was just peeping up, and, for a wonder, it rose upon an almost fogless morning; so that we could not only plainly see the single bluff of Goat Island, lying two miles from us, but could dimly detect the opposite shore of the bay, composed of a barren naked range of not very high hills. Towards the upper end the hills gradually sank, and parting, left the channel through which access could be gained to the smaller bays and the rivers. A little sloop was at the moment coming down, and we pictured it well filled with heavily-laden happy miners.

Letting the eye sweep round, a fine view could be obtained of the nearest end of the seaward passage, lined with a series of loftier and more broken rocks than those which encircled the rest of the bay. On the further side, at the base of one of these stupendous hills, lay the U. S. vessels Ohio and Savannah, snugly anchored too far from the town to suffer much from desertion.

Once more I turned my eyes, and peering through the hundred ships which sprinkled the bay between, looked upon the city itself. Yes, there lay the foundation of our future fortunes, spreading over the hill which rose gradually from the bay, and stretching along the shore in either direction, until checked by two opposite elevations, which, standing out into the water, held it in a crescent-

like embrace. Early as it was, I could already hear the noise of hammers and the rumbling of wagons, mingling with the ripple of the in-coming tide, as it splashed up against our vessel's side.

“Now then! Are any more coming?”

Looking down, I saw the well filled quarter-boat in the water, just ready to push off. I jumped in, and in a minute we were dodging among the intervening ships on our way to the shore.

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What a puzzling place it was to comprehend ! I sat upon a box at the corner of the street, and was for a time bewildered with the bustle which surrounded me. Wall-street itself never presented a busier aspect. Launches were constantly arriving from the various ships; well filled teams were every moment dropping their freight beside the several stores; a continual stream of active population was winding among the casks and barrels which blocked up the place where the sidewalks ought to have been; and in front, an auctioneer was knocking down goods to a crowd, which every nation helped to compose: principally Americans, but liberally sprinkled with Chinese, Chilians, Negroes, Indians and Kanakas; while the comical conjunction of red shirts, gold epaulettes, Spanish panchoes, long queues and coonskin caps gave it almost a carnival aspect.

At length rising, I strolled up one of the streets to the Plaza, an open place, delightfully studded with provision booths and piles of building materials. On one side was a long low Spanish building, constructed of sun-dried brick, with broad wooden porticoes. It was then performing duty as a custom-house. Near it stood a little wooden fabric of more modern date, in which the Alcalde reigned, the supreme judge of law and order. Opposite was the celebrated Parker House, a two story woden building, very much resembling the better sort of country residences. Every one has heard of this building, with its enormous rent of \$ 175,000. It is sufficient here to state, that the tenant who paid such a sum made a liberal profit in under- letting the rooms and corners of rooms. Though it was ostensibly a hotel, yet boarding and lodging were but a secondary part of its business. It was from its well filled bar, and from the several rooms appropriated to gambling, that the chief profits were realized.

With the exception of the Custom House, all the buildings which fronted upon the square were of wood, and, in most of them, gambling was the chief business: openly practised, because legalized by the city council. Each building had its name painted conspicuously upon the front; and the El Dorado, Alhambra, Verandah, Bella Union, &c. severally presented their claims for patronage. I peeped into many, and was surprised to see how easily French paper, fine matting, and a small chandelier, can convert the rough ribs of an old barn into an elegant hall. At the end was generally the bar, to and from which a continual stream of thirsty souls was pouring. Along the sides, faro, roulette, and more especially monte, displayed their charms - not unsuccessfully, it would seem, by the crowds with which they were all surrounded. Merchants and laborers, navy officers and sailors, Yankees, Hoosiers, Irish, Mexicans, Chilians, Negroes, Chinese and Sandwich Islanders all united here, and lost their money with singular complacency; and as fast as any left the place, the music of harps and violins continually tempted others in to try their luck.

Leaving these dens, which are open night and day, nor even yield respect to the sabbath, I passed down one of the side streets, an avenue which seemed, by some prescriptive rights, to be dedicated exclusively to restaurants. These were very numerous, and, in many cases, not very cleanly. Many of them had the walls lined with bunks, for the sleeping accommodation of such as had not a store or office in which to pass the night; and one of these berths was furnished at the moderate charge of a dollar. Thus, as a single room contained all the elements of board and lodging, many of the proprietors arrogated for their houses the title of hotels, and accordingly chose the highest sounding names in the scope of their memory. The first one naturally named his place the Astor House; the next displayed the magic name of Delmonico on his sign; then followed a numerous collection of shanty eating houses, dignified by the titles of Irving House, Revere House, St. Charles, American, United States, &c.; until the list comers were very much mortified to find that all the finer names had been monopolized, and that it was necessary to descend to less startling titles.

And now, passing through these gastronomic regions, the houses became more scattered, and the more luxurious tenements of clap-board and shingle give place to slight frames, covered with canvas or even with calico. At intervals, a snug dwelling had been constructed from some ship's

caboose, and in one place, a large packing-box, by the application of plenty of clean straw, had been hastily turned into a pleasant little bed-room, somewhat resembling a kennel to be sure, but not for all that a whit the less comfortable inside.

A few minutes walk, and these gave place to tents, where resided those who were preparing to go to the mines, and choose to board and lodge themselves, in preference to paying the exorbitant charges of the hotels. The several encampments were in three little hollows at the outskirts of the city, named severally, "Happy, Pleasant, and Contented 6 valleys;" probably by poetic license, as the dusty prickly shrubs which grow near, and the heads and horns of slaughtered oxen which lay thickly around, certainly did not tend to make them inviting places for country residences.

The last row of tents, with its accompaniment of kettles and camp-fires at length was passed, and the city lay behind me. I climbed to the top of the nearest hill and sitting upon the stump of what had once been a flag-staff, saw the surrounding sea and country unfolded for miles away. The city, lying apparently so close below, that it seemed as though one could throw a stone within its plaza, the bay, with its hundreds of ships, which, from my elevation, I could easily count, the entrance from the sea, up which two vessels were slowly beating; all these formed a scene of great beauty. And while I gazed toward the ocean, the desire seized me of continuing my walk in that direction, and making a circuit back to the city.

Descending the hill and passing two or three ranchoes, each flanked by a well filled enclosure of cattle, I came to the Praesidio, the old barracks of the country. Mexican soldiers no longer stood sentinel around it, nor indeed, did it at first sight appear habitable. The rains of winter had melted away the clumsy brick in many places, and what had once been a compact range of buildings, enclosing the three sides of a handsome square now more resembled a detached mass of ugly huts. Some of the rooms were occupied by workmen, and the only signs of war were the few guns and mortars which stood exposed in front. Two of them were long and cumbersome, and emblazoned with the arms of Spain, presenting a marked contrast to the Saxon simplicity of the American pieces beside them.

A mile further, and the wagon ruts upon the turf, insensibly led me to the old fort, which commands the entrance to the bay. Had nature consulted a bevy of army officers before beginning her work, she could scarcely have formed a better location. It is at the narrowest part of the channel, and from the southern side, a circular rock of considerable extent rises over a hundred feet from the water, being connected with the main land by a causeway just wide enough for two wagons to pass. The rock being naturally level on top a bulwark of adobe brick around the edge was all that had been left for man to construct; and at the expense of a few hundred dollars, the Mexican government had thus built up a battery as stout and impregnable as many an one which had cost millions elsewhere.

From the fort it was a walk of many miles over the country to the old mission of San Francisco. Its former flourishing appearance had departed. Of the many old priests who had spent their lives in a noble object, but one remained; and the influence of strangers had almost counteracted the work which his brothers in the cause had so well performed. The adobe church was falling rapidly into ruins, as well as the few houses which clustered about it. The once beautiful gardens were almost broken up and destroyed, and, of the natives who once had congregated for instruction, but a few remained. Even these lingered, not that they loved the locality, but because all connection with their tribes had long since been broken off, and they had not elsewhere to go.

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One thing forced itself upon me in my walk. I had seen much to interest me, but I had met little which could give future prosperity to the country. The soil seemed poorly adapted to cultivation, being but seldom irrigated, and timber was entirely wanting; the only vegetation being a species of scrub bush, unavailable for any useful purpose.

Night had begun to fall as I reentered the city, and, as light after light appeared, I could easily distinguish, in every direction, the drinking and gaming houses crowded with their votaries. There were also a circus, a fancy ball, and a negro concert, each in successful performance. The town seemed running wild after amusement, and the lower the tastes to which any of them pandered the better it was sustained.

But the thing most worthy of attention was a political meeting, which was being held upon the plaza. Orators were in full gesticulation upon a staging and rudely painted transparencies threw a yellow light upon the surrounding crowd. At the close of every sentence, fierce yells and hurrahs arose, not so much from admiration of the speaker, as from a wish to copy the United States in all things; and when the opposition managed to pull down the staging, the shouts grew louder than ever, and even the party attacked seemed delighted at the success of the imitation. And so closed the day.

SAN FRANCISCO BAY IN 1849 Approximately 200 ships were tied up due to their crews leaving for the mines *Courtesy Huntington Library*

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CHAPTER II. TO STOCKTON

Having spent sufficient time in San Francisco to decide upon which particular branch of the mines should enrich us, the next thing was to engage passage up the river. Accordingly, we diligently studied all the hand bills setting forth the superior attractions of the different sloops and schooners running up the San Joachin,* for at that time, the only steamboat was running on the Sacramento, and we finally came to the conclusion, that the fast sailing, copper-bottomed schooner Elizabeth, which would punctually sail on the following morning, was the craft for us. Acting upon this determination, we speedily engaged passage, upon the stipulation that we should be called for at the ship, and in the morning, were up early upon the look-out.

*Pronounced, San War-keen.

True enough, the schooner was alongside at a proper hour, and we quickly prepared for departure. She was rather small, being about twenty-five paces long and eight broad, and was moreover pretty well filled with passengers and crew, in the shape of twenty or thirty Chilians and Kanakas. Consequently, little room was left for freight, but having with considerable difficulty stowed our three barrels in the hatches, we piled the rest of our baggage upon the deck, and gaily cast off.

With full canvas and flowing sea, we swept through the waters, passing Goat Island and skirting 10 along the western shore, which, in the absence of any growth of valuable timber, presented a sorry aspect. A short interval of time, and we were in Suisan bay, while San Francisco had faded from our sight. And here the view was dotted with groups of round topped rocks, which, peeping above the water, formed resting places for multitudes of pelicans. There were eight of these rocks, in groups of two, fancifully named by the boatmen, the "Two Brothers," "Two Sisters," the "Father and Mother," and the "Uncle and Aunt."

"A rough place this!" said our helmsman, as after a couple of hours we were about entering the mouth of Pablo bay. "Many accidents happened here."

In truth it was as rough a place as one can well find on an inland sea. The passage was very narrow and the tide was running out, which made the water boil with an energy to which Hell-gate itself never aspired. Our boat pitched violently, and shipped water at every plunge, while our helmsman beguiled the time by relating the accident through which, a few years ago, a United States frigate had there lost a boat with eight men.

So we passed on; the channel gradually widening as we passed up the bay. A very few trees now appeared, but not of kinds valuable as timber. Some wild cattle could be seen on shore; and occasionally, as we approached Benecia, which lay a few miles in advance, we could discern a stray rancho on shore, flanked by enclosures of mules and oxen.

Benecia was a settlement of from fifty to a hundred houses, many of them connected with the government works. The site was, upon the whole, 11 level. Twenty or thirty vessels lay before it, undergoing repairs, many of them belonging to the government.

The little schooner Elizabeth, however, was not presuming enough to run in among vessels of greater tonnage, but modestly moved over to the opposite shore, and there dropped her anchor for the night, which was at hand. We eagerly seized the opportunity of getting on land, but finding nothing except a few small trees, a deserted house, and a dead eagle extended upon the banks, we

returned for the night, pursued all the way by vast armies of the most voracious musketoos ever encountered.

After a cold uncomfortable night, passed in the folds of the mainsail, the upper boom of which had been lowered for the purpose, we rose up early, made a hasty meal from our hampers, and pursued our way. The passage gradually widened as we proceeded. All signs of vegetation disappeared, with the exception of long grass studding the bay, and growing in the swamps which lined its sides. And such was the difficulty experienced from shoals, that, notwithstanding our light draught, we were obliged to advance cautiously, sounding our way as we went.

“There's New York,” said the helmsman, as we came to the mouths of the rivers.

“Where?”

“Don't know as you can see it now, by reason of a ship before it.”

We looked and did see it -- a bare piece of timberless land, with two little houses built upon it. In front, were seven empty ships; probably bought up at a low price, as being worth nothing but to stand 12 in front of a new city for effect. We looked in vain for the four public squares as were advertised, nor did we see anything of the city hall and other buildings, which were to be constructed from the proceeds of the land round them.

That night we slept on board the vessel, about ten miles above New York, somewhat disgusted with our progress, as we were not yet more than half way. The low melodious whistling of a moose among the tall grass ever and anon lulled us to sleep, and the sharp voracity of musketoos and fleas as repeatedly awoke us, so that the night was passed in continued rounds of slumber and wakefulness.

But it is useless to depict our progress so systematically. From this point to Stockton, a distance of nearly an hundred miles, nothing was to be seen but the long grass, which grew to the height of twelve feet, close to the water's edge on each side, now and then interspersed with some small

shrubs, or the flower of the yellow lotus. So uniform and uninterrupted was this prairie scene, that for miles up we could see the top-masts of vessels in the other river. And so tortuous were the windings of the stream, that many a time we met a vessel, and passing on for more than a league, found ourselves not half a mile off. This rendered our sails of but little use, for a wind aft might the next minute be contrary, so that we were compelled to make the most of our progress by rowing.

One circumstance must be mentioned. On the third day our helmsman enquired of a downward bound vessel, how far we were from "the tree." The answer was "twenty miles;" and accordingly, after proceeding that distance, we came to an over grown willow upon the river's bank. It was the 13 only tree we saw for an hundred miles.

At length, as the stream grew narrower, a rope was rigged out from the bows, and our Sandwich Island crew being set on shore, towed us up at a quick run. And so, by dint of rowing and towing, on the afternoon of the fourth day we turned up a little creek, and came at last to Stockton.

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CHAPTER III. STOCKTON

Stockton was founded by a Mr. Weber, a German, who, if report speaks truly, is scarcely a less distinguished individual than Sutter himself. It is said that many years ago, when California was almost unknown, except to the Indian tribes which infested it, Weber travelled alone up the San Joachin, as Sutter a little before had explored the Sacramento; that after several days' progress he fell in with the celebrated Indian chief Cacoux; and that Cacoux, though at that time rather shy about forming intimacies, yet finding in the stranger an experienced hunter, as well as a hardy pioneer, would not let his acquaintance drop, but introduced him to his tribe, accompanied him in the chase, and paid him various little attentions, until eventually they became sworn friends. The veritable legend also goes on to relate, that one day, when Weber was wandering about after elk, he was met by an affrighted Mexican, who, having been attacked by the natives, had, after considerable personal risk, seen his cattle driven off and his rancho partially burnt, and was then about to abandon the country, being unwilling to remain longer in a place where such assaults

were every day becoming more and more frequent; that Weber, taking advantage of the fugitive's terror, easily made such a pecuniary arrangement, that for a few hundred dollars, he came into possession of 15 the whole estate and fixtures; that the friendship of the good chief Cacoux caused the plundered cattle to be restored and preserved the rancho from future outrages; and that, better yet, it was upon part of this estate Stockton arose, thereby changing cattle pastures into city lots, and, in a few months, making the lucky owner, one of the wealthiest nabobs of the country. Whether the story is true in all its details I know not. I merely tell it as it was related to me. In all probability it has a considerable foundation. This fact is certain, that Weber had a fair title to miles of barren country and acres of city lots, and was looked upon by all, as the grand lord of the district.

Stockton was not as large as San Francisco, nor by any means as well built. There were but few board houses, while those of canvas comprised four-fifths of the city. The only hotel was canvas covered, and consisted merely of a bar, gambling saloon, and dining room, sleeping accommodations being a luxury which the proprietor either had not the funds or the inclination to provide. Sundry old vessels, which, having come up under foreign colors, had only been allowed to discharge upon condition of not returning, were tied close to the shore and converted into fine roomy stores; and in these, together with a few warehouses upon land, all the business of the city was transacted. Stockton had not a particularly busy appearance, however, being merely a way station between San Francisco and the mines.

But from being the connecting link between the budding civilization of the one place and the whimsical barbarism of the other, it had acquired certain characteristics, which were displayed by 16 none of the cities below. One feature was the superior disrepute in which any elegance of attire was held; whereas, in San Francisco, a particularly new coat was looked upon as the offspring of unworthy pride, any coat at all was here liable to the same imputation. The Alcalde himself rode about on his mule, in all the republican simplicity of uncovered shirt sleeves.

Moreover, the utter freedom from the trammels of fashion had given birth to many singularities of dress; though in general, those who departed from their native style, affected to imitate the costume displayed by the Mexican muleteers, who swarmed in the streets. Thus, many a man, whose light

hair betokened his northern origin, cultivate the most luxuriant beard and mustache; beavers were unknown and even the rough California hats were frequently looped up at the side with a silver tasselled cord; there was a wonderful prevalence of red and yellow silk sashes; and many a man, whose legs never crossed a mule, stalked along with most terrific spurs clattering at his heels.

Yet these honors were alone worn with ease and grace by the native Californians, who by the way, constituted a very useful class of citizens. Some performed duty as muleteers, while others gained their livelihood by their skill in hunting up stray cattle, and a third class owed their subsistence to the dexterity with which they could use the lasso.

The manner in which these latter would bring an ox to the ground, was a most beautiful exhibition of grace and skill, which, during our stay in Stockton, we had many opportunities of witnessing. A dozen Mexicans in black leather hats, flowing ponchos, broad trowsers open and looped at the

HEAD OF THE CHANNEL, STOCKTON, CALIF. Freight in background waiting to be hauled to the mines *Courtesy Huntington Library*

17 sides, and long jingling spurs, would mount their horses and ride out upon the neighboring plain, to some enclosure, where, perhaps, a hundred cattle were confined. One of the party, letting down the bars, would ride slowly in and drive out the herd, and then the sport would begin. The cattle, half wild by nature and rendered wholly so by terror, plunging along in every direction, so swiftly as sometimes to outstrip the fastest horse, lashing the air with their tails and sprinkling the ground with the foam from their distended jaws, and the Mexicans, coolly yet recklessly riding in among them, now throwing the lariat from a distance behind, and now wheeling in front of the victim, so close as almost to slip the noose over the horns by hand, -formed a most striking scene. A few minutes, however, always ended it. An ox having been caught by the horns, other coils were thrown over the legs and so twisted about, that, at the first bound, the unfortunate animal fell to the ground. A stroke of a knife across the throat then finished the business, and when three or four were thus slain, the herd was driven back to the enclosure, the Mexicans rode away, the crowd of spectators dispersed, and all that remained were the bleeding carcasses, awaiting the dissecting care of the butcher.

It was after one of these exhibitions, that I strolled away and found myself almost under the gallows, which stood at the end of a long street. "The sight of it does more good for law and order than three churches," a friend afterwards remarked, and, considering the state of society, I could hardly doubt it. Certainly, the newly made graves of two men, who had been executed the week before for stealing, and had been hastily 18 buried beneath, showed that the structure was not meant as an empty threat.

From the gallows to the Court-house was an easy digression, and safer than is sometimes the reverse. No carved image of Justice pointed the way to the temple of law. The City Hall consisted of an unpretending brig. The poop-deck was the Court-room, the cabin the jury-room, the hold the prison, and, by way of having all the city institutions nicely combined, the fore-castle had been converted into an hospital.

No trial was in progress at the time, and a row of boys were sitting round the court-room fishing. The very chair of the judge was monopolized, and his water-stand converted into a bait-box. But I learned that a most exciting murder-case would come up in a few days, the result of which, as I afterward heard it, I will here relate.

The district attorney was full of hope, ardently expecting a verdict for the state. Eight lawyers for the accused were also as hopeful on their side; wisely considering, that numbers might perplex a jury and make a bad cause a good one. The testimony had been heard, the lawyers were all primed with long speeches, and the judge was beginning to think over his charge; when the foreman arose, and, in as many words, stated, that, as the jury were already decided, it was entirely useless to talk upon the subject. A short consultation was entered into, the arguments for the state and prisoner omitted, and a verdict of acquittal rendered.

And so the man was not hanged.

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CHAPTER IV. TO THE MINES

At length the day came, when, having seen all the curiosities of Stockton to our utmost satisfaction, we made ready to start for the mines. Having listened attentively to sundry reports concerning the luck of this or that individual in the diggings, we decided that the Mukelumne mines presented the best opening for hard-working, enterprising, men like ourselves. Accordingly, we corded up our tent, put together a few provisions for our journey, prepared our arms, and then had nothing left to do, but to await the arrival of our muleteer and teamster.

The former came at an early hour, driving before him a long string of mules, each of which, with singular sagacity, immediately stepped up to his own particular pack-saddle; a number of which had been brought upon the ground the night before. As the saddles lay in a line, the mules stood in a straight row behind them, strikingly reminding one of a battalion of soldiers facing their grounded arms. A few minutes sufficed for the packing, and then, the train moving off, our only anxiety lay in waiting for the appearance of our teamster, who, having engaged to carry up some barrels and other articles too heavy for the mules, seemed either indisposed or unable to come.

The latter was the case. A dispute had arisen concerning the ownership of the wagon, and the sudden dearth of other unemployed teamsters compelled us to await the issue of the trial. After three days, however, the Alcalde graciously decided in favor of our man, only charging him three oxen by way of a fee, while the other was fined two oxen by way of costs; and then, buckling on our pistols and slinging our rifles and canteens over our shoulders, we departed.

The road was an excellent one, for, though in the winter impassable by reason of the deep mud, yet at the present season of the year, it was dry and hard, running through a very level tract of country. Such a flat unbroken region as the first half of our journey lay through, I never yet had seen. Moreover, being thickly studded with large oaks, too gnarled to be useful, but not for that the less beautiful; it seemed as though we were traveling through some old English park, rather than a wild tract of the western wilderness. So naturally was this idea forced upon us all, that if we had suddenly seen the turrets of an old castle rising between the trees before us, I hardly believe that it would at first have caused any astonishment.

But of course no such building deigned to make its appearance; perhaps because on that road, air-castles enough had been built to compensate for the absence of any earthly one. But when night had fallen around us, and tired of a walk of many miles through the dusty soil, we were beginning to wish for any quiet place of rest and shelter, whether in wigwam or baronial hall, a light suddenly shone ahead of us, increasing in brightness as we advanced, and in a few minutes our lumbering vehicle drew up beside the first tent of the road.

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These tents occurred at average distance along the route in such spots as would afford a moderate supply of water by digging; for in the whole sixty miles, there was no running stream and but few natural springs. They were generally large and well stocked with provisions, thus not only proving a source of wealth to their owners, but of accommodation to travelers. To say that sometimes over two hundred persons would stop in one day, would perhaps be a small estimate of the amount of business done in the most popular of these canvas restaurants.

At this first one, then, we stopped, loosed the oxen, refreshed ourselves with a slight supper, kindled a fire, and spreading our blankets upon the sand, lay down to sleep.

Not, however, without having our first inkling of experience in the wonders of the wilderness. Hardly had we composed ourselves for rest, when the wild cattle which here abound, commenced a stampede, and every few minutes rushed over the neighboring ground in bodies of hundreds, shaking the earth as they passed along, while their loud bellowing, mingling with the crush of dead branches lay thickly strewn about, produced an awful effect, more startling than the cries of more savage beasts. More fires were lighted to restrain them from making our bivouac their race-course and, as the sportive herd gradually became more quiet, we fell asleep.

Not all at once did we come among the collected zoology of California. It seemed reserved for each day to produce some new specimen for our edification; each night added to our knowledge of natural history. Thus, while upon the evening of the first 22 day, the stampede of wild cattle excited our amazement, upon the second our ears were gratified with the howling of the coyote.

This is a small species of wolf, perfectly harmless, except when very much pressed by hunger and collected in large numbers. Then they have been known to attack an unattended traveller; but such instances are rare. This forbearance on the part of the coyote, however, is not owing to any scruples concerning the expediency of feasting upon live food, for in such consists his especial delight. It is rather owing to his indisposition to court unnecessary danger. With the instinct of the vulture, he can discover the whereabouts of a dying man or mule; and, if he ascertains that his victim is helpless, no formal delay for the hour of death restrains his appetite. Woe too, to the unlucky ox, which gets involved in a quagmire where man is not present to help him out. He may be in his full health and vigor, but if he can not lift his legs or turn his horns to the enemy, he is devoured piece-meal. I spoke, however, of the cry of the coyote. I know of no animal which possesses such a powerful compass and delicate flexibility of voice. He may be merely soliloquizing in the distance, without a friend of his tribe near him, and the sound is like that of five hundred cats and dogs in close conflict.

The third day we saw a wild cat, and at night listened to a confused chorus of cats, wolves and panthers. And the fourth night, we had a visit from that monarch of all California animals, a grizzly bear, who left his card near our bivouac in the shape of sundry large foot-prints. We did not see him in person; nor, if we had, should we have attacked him. For grizzly can be a good friend or 23 a terrible foe. If not insulted, he displays a magnanimous soul, and respectfully keeps his distance; but if he is fired upon, such forbearance becomes no longer a virtue. Nothing then can induce him to forgive. And moreover, such is his utter contempt of all physiological laws, that, even with a bullet in his heart, he will live until he has punished the aggressor. Two days before we went up, a traveller had wounded a grizzly in the neck, and been torn to pieces in consequence.

On circumstance connected with our journey must be mentioned. At every tent we saw many from the mines; and on the road not an hour was passed without meeting parties on mules or foot. They uniformly seemed to have been unsuccessful, and their common remark was:

“We will not attempt to dissuade you, for you will not believe what we say. Go on, for you will not be satisfied until you have attempted the mines for a time, and then you will be better contented to try some other occupation.”

These manifestoes occasionally damped our ardor, but we comforted ourselves with the reflection, that such men were those who were too lazy to work, and expected fortune to approach without proper solicitation; and so we went on rejoicing.

After the third day, we stepped beyond the limits of our fine old park, and commenced ascending the mountain. The road became loose and stony; the beautiful oaks began to disappear, giving place to tall gaunt pines; much trouble was experienced from the dry ravines which frequently crossed our route, and moreover, downward-bound parties looked critically at our heavily laden team, and spoke doubtfully concerning our ability to pass a 24 certain side-hill. This side-hill became a perfect bug-bear, from the frequency with which we heard it mentioned; and though we hoped to surmount it safely, yet the next day brought us sad experience of its horrors.

Human road never before passed over such a place. The track was inclined at an angle of fortyfive degrees, and covered with loose sand. On the one side, the hill rose high above us, and on the other, by a very steep descent sought the valley nearly half a mile below. As we looked down the abyss, we trembled for the fate of our groceries, and felt that no caution we could use would be thrown away.

Accordingly, stopping at the end of the passage, we waited until two more teams came up; borrowed their oxen, making a string of seven yoke; fastened to the upper side of the wagon a stout pole, upon which five men were to press to keep the wheels from flying up; passed over the top of the load two ropes, upon each of which three men were to pull for the same purpose; and then advanced. Vain efforts! At the very critical point, the wheels slipped in the soft sand, the pole broke, the ropes slid through our hands, and the wagon rolled completely over.

It is a question whether every member of the party did not for the moment secretly wish, that the unlucky wagon had taken one turn more and gone completely down the side of the mountain, so as to be irrecoverably lost, such an amount of vexation had already accrued from it. But as it only lay upside down in the road, there was no excuse for not attending to it further. So the rest of the day was occupied in taking out the goods, carrying them on

RESIDENCE OF CAPTAIN CHARLES M. WEBER Lumber for house which was built in 1850-51, was brought around the Horn *Courtesy of Huntington Library*

25 our backs for half a mile, until we had passed the unlucky hill, setting up the vehicle, dragging it past the scene of trial, helping the two other teams safely through, in return for their courtesy to us, and then we prepared for our rest with the consciousness of having done some work.

No tent was near, but spreading our blankets upon the sand, we lighted fires to keep off strange animals, examined the larder and found half a biscuit remaining to each individual, sent all the canteens back two miles and obtained sufficient water to drink, but not for washing; and then, lying down, tried to feel comfortable.

Morning brought new trials. Rising stiff, and cold, and hungry, we partially reinstated the goods, leaving the top hamper behind, under care of one of the party, for we knew not what other side hills might be before us, and we were unwilling to task too much the strength of our poor wagon; and so we started.

The road still became worse and worse. Huge stones, which threatened to jolt everything to pieces-- ruts, from which it seemed as if the wagon wheels would never emerge -- gulleys, which at first sight appeared impassable; these were a few of the difficulties which turned up at every step, while more side hills constantly appeared, not as arduous as the first, but requiring the same precaution. At length, after having consumed the day in making the last six miles, we stood upon the hill which over looked the mines - a hill so steep that it seemed as though no vehicle could ever safely descend.

Reckless as we had become, we did not care. The goad was applied to the oxen, and, as the sand slid away from under the wheels, the wagon began to descend. We followed behind, expecting every minute to see the load of goods pitch forward, crush down the oxen and roll to the bottom a perfect wreck. But (for a wonder) all went down safe, and then, worn, bleeding, begrimed with dirt, and half-famished by our thirty-six hours fast, we rushed in a body to the nearest tent and called loudly for dinner.

But alas all was not yet over. Upon inquiry, we found that we had mistaken our situation, and that our friends who had gone before, as well as the goods carried by the mules, were full three miles down the ravine. Night was falling, and it would at any time have been impossible to get the loaded wagon up the hill again. It must be there unloaded, and the goods conveyed through by mules at a future day. So making the best of a bad matter, we strapped our blankets on our backs, plunged through the rocky pass to the lower mine; and arriving late at night, staggered forward into the tents of our friends, feeling but little of that joy which men are accustomed to feel when on the eve of making their fortunes.

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CHAPTER V. GOLD DIGGING

Standing upon the brow of the steep hill, which, in an almost uninterrupted range, overlooks this region of the mines, the observer sees the Mukelemne river winding along a quarter of a mile below him: now racing so swiftly through a series of narrow passes, that the water, in its precipitate haste over the huge stones which impede it, becomes but a mass of hissing foam; then sinking away, until it scarcely rivals the merest meadow brook; again, spreading out into a little lake with a scarcely perceptible current. From it, he hears the united sounds of many rockers in full play, strikingly reminding him of the strange rumbling which Rip Van Winkle listened to in the vicinity of the Katterskills. But he sees few signs of the operators or their habitations. Below appears a village of some twenty canvas stores; here and there the white tops of little tents peep out from some friendly nook; a limited number of distant forms can be perceived, moving along the bank of the river, or delving in some spot where the falling water has left the bottom dry -- and these are the sole tokens

of life. "Where, then," is his first thought -- "where are the five or six thousand persons, who are said to have collected at this spot?"

A descent into the valley below resolves the question. He then for the first time notices that the mines extend along the river for several miles, in the course of which are many little villages, like to or larger than the one which he has just looked down upon; and, moreover, that hundreds of scattered tents are pitched along the dry ravines which lead into the river. These ravines, winding between the hills, occur at very short distances, and together give employment to almost as large a population as the river itself.

Such gullies are technically called *golshes* by the miners. In the winter they become the natural conduits of the rains and melted snows, which, collected, form roaring torrents, sweeping everything before them; but in the summer they quickly dry up, and it is seldom that their rocky bottoms retain any water. In a few, slight pools remain stagnating here and there in some natural cavity of the soil, and that is all. These choice spots, and the neighborhood of the river, still continue to them the name of wet diggings: dry diggings being those which are so far removed from water, as to render labor unavailing, except during the rains.

When in his prospecting a miner discovers a *golsh* which appears to promise a fair reward to labor, he pitches his tent at its mouth -- for the nearer the river the better the chance -- marks out the space to which he is entitled, and falls to work. If, after a reasonable time, he has no success, he abandons the place, and it is not then likely to be taken up by others. If, on the contrary, he is reported to have had luck, or even remains there long enough to encourage such reports, others flock in to share in the spoil, and mark out their allotments directly above him: yet more follow, as untraceable stories of individual success begin to float about; what was once a solitude, soon teems with life; and as each new comer takes his place yet higher up, a busy stream of workers is often formed, sometimes many miles in length. Some work singly, and are consequently restricted to the pan; others form into companies of from two to six, and use rockers. The upper earth, for a foot or two in depth, is quickly thrown away as useless; that which lies nearer the rocky foundation is carefully gathered up, freed from the larger stones, and washed out; the bottom is swept clean, that no particles may be

lost; and even the crevices of the rock are laboriously examined with knife or trowel. It is seldom that the golsh is very wide or deep, so that a few weeks serve for its total inspection, in which time the whole extent is dug over like a graveyard. Some other place is then sought out; the miners rapidly depart, and the unfortunate ravine is left to its former solitude. Such I found to be the philosophy and mode of golsh-digging.

The operations in the river itself are more interesting, because generally more extensive. To be sure, single persons sometimes work there, standing waist-deep in the water, and scooping up the earth from its bed; but, generally, whenever gold is supposed to be in any particular part, a company is immediately formed for the purpose of turning the stream, and leaving the bottom dry. The monopoly of such a large portion of valuable soil is always sure to be the occasion of much resentment, and highly inflammatory notices are often posted about, calling for public meetings upon the subject; but, in general, the mass of miners are too busy to attend such conventions, and a few malcontents, seeing the impossibility of driving out a company of fifty or a hundred men, wisely let the subject drop.

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At the time we were at the mine, a very extensive operation of the kind was being carried on. A canal had been dug through the hard soil, for the distance of half a mile beside the river, and, in many places, walled up with great labor. At the upper end, a series of dams had been constructed across the river, so as to shut out the water at any required moment; and below, a company were yet engaged in the same kind of work. Large logs had been piled across for a foundation, and a train of over a hundred Chilian and Mexican laborers were digging out earth from the side of a neighboring hill, and bringing it down in large wooden bowls.

And what was the profit of all these mining operations? In turning the rivers, four out of five of the grand schemes failed - not by any means paying their expenses. Great hopes were entertained of the success of the work I have described; but it is probable, that before it was completed, the rains, which set in so much earlier than was expected, swelled the stream, and swept all the mounds and embankments away.

And in regard to the amount of gold taken out by the miners in general, it is dangerous and inexpedient to listen to the unwarrantable stories which so often fill our newspapers. The only sure and satisfactory basis upon which to form any conjecture, is to take the average of the different steamers' exportation. Allowing then, that each monthly vessel brings half a million of dust, it certainly does not show a very great proportion for each of the 25,000 who have been engaged in digging it. And it was indeed the case, that around where we had pitched our tents, the daily average to the miners did not exceed three dollars; the 31 luckiest man among a hundred hardly averaged ten dollars, many worked hard for two, and some were plodding on in debt for their food and even for the shirts upon their backs. It was not from want of hard work that labor was unattended by success. The two hardest workers I ever saw, who were up before sunrise and never back till after sunset, considered themselves happy when they average four dollars. And a party from the ship to which I belonged had been working for weeks with even less success, though, being most of them practical geologists, they had science to aid them. But such knowledge, perhaps, was not as much of an assistance as might have been expected, since it is a notorious fact that the gold defeats all calculations, and with a strange perversity, is generally found just where it ought not to be; much to the distress of scientific men.

Neither, if we could judge from report, did other mines present a better chance. As far as we could ascertain, the general average was the same. Where one disappointed miner would leave the Mukelumne for the Tuolumne, or any other place about which he had heard fair report, perhaps a dozen unsuccessful Tuolumne diggers would pour into the Mukelumne. And so it ever was. Occasionally, one man would make a moderate sum, and his success would attract hundreds to work near him, and perhaps make nothing. Now and then a prospective party would discover a new gold which promised rich reward, but the secret transpiring, in a week hundreds of miners would flock to the spot and dig it up from end to end, as if a plough had passed through.

But whence then arise such extravagant stories³² about the immense gains of the mines? The answer is, that many of them have been undoubtedly circulated by speculators, for the purpose of drawing people into the country. There are, indeed, men who would scorn to knock a stranger down

and pick his pockets, but do not hesitate to circulate such reports as draw hundreds away from their homes to die. Then, many flaming letters are written, by men who have never been at the mines themselves, but judge from what they see in the settlements. Such write in good faith, and doubtless try to write honestly, but they allow their judgment to be warped. They see in the cities, miners with their pockets full of coin, drinking, gambling, and, indeed, throwing it about like water; and forgetting that such are, perhaps, the only lucky representatives of twenty thousand unlucky ones, the first conclusion is, that the mines are a capital source of wealth.

There are hundreds of other ways in which such reports arise. Some miners themselves fabricate prodigious stories of their own luck; perhaps fearfulness their want of success might be attributed to lack of industry. Others do so from a natural love of lying, or from the unworthy motive of sending their friends upon the same bootless expedition; a trick which would be considered by many, a capital practical joke. Again, A will tell B that he made \$10,000 in the mines, forgetting to state that he did it in trade. B quite innocently will then spread the story, that A *dug* \$10,000. And yet again, you will be told that such a man made an independent fortune by digging. At first the story may astonish you, but upon inquiring what your informer's idea of an independent fortune is, he will probably answer, 1,500 or 2,000 dollars. Such are

STOCKTON WATERFRONT IN 1850 Stockton became the county seat of San Joaquin County in 1850 *Courtesy Huntington Library*

33 some of the hundred ways in which accounts of prodigious success get circulated. And from the facility with which the report of a person's fortune is always augmented in the east, it certainly can not be astonishing, that in California, occasional instances of luck should be quadrupled by fame. Occasionally I heard much more about men who were said to have dug ten or fifteen thousand dollars in one season, but I never saw one of those lucky individuals, or even met with others who had seen them. I was at last forced to believe that the sum in question was considerably augmented by report, or, what is more probable, that the men themselves existed but in the imagination of the mob.

Why then, do men stay at the mines, when these things must become evident at a glance? All do not stay there. There is ever a constant stream of men going up and down from the vessels continually arriving. Perhaps one half of those who try the mines do not remain a month, but take up some other and more profitable operation in the cities. And those who do remain and dig through the season compose several classes, each of which influenced by different motives. There are those to whom mining has all the excitement of gambling, and who, as they would buy a lottery ticket in the hope of drawing the highest prize, so now persevere, in spite of ill luck and the warning of others; fully expecting the advent of the day, when they, and they alone, shall be rewarded with ample soil. There are thousands, who, at home, would be obliged to work for a dollar a day and be under the eye of an overseer; and who, consequently are not disappointed at digging two dollars a day, and 34 being their own masters. There are others, whose vicious temperament leads them to like a life, in which, without fear of punishment, they can drink, fight and gamble, and, indeed, do anything except steal and murder. And lastly, there is a better class of men, who, keeping aloof from all dissipation, and disliking a life that cuts them off from most other society, yet, having been decoyed by specious hopes, are obliged to continue as they have begun, because, being friendless and unknown, no better lot opens before them. These four classes comprise a vast majority of the miners.

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CHAPTER VI. LIFE IN THE MINES

Leaving all thoughts of gold digging and its prospects, is a curious sight to look around at the end of the day and watch the different pursuits of the miners. As soon as evening closes, all commence straggling back from the golshes, at which they have been working during the day. Leaving their picks in the holes, they carefully bring back the pans, for the wash bowl is a valuable article, serving more uses than one; the least of which is the share it occupies in the preparation of the different meals. It is no uncommon thing to see the same pan used for washing gold, washing clothes, mixing flour cakes, and feeding the mule.

The camp fires are lighted, supper prepared, and then a long evening is ahead, which must be occupied in some way. As to books there are comparatively none at the mines, and indeed they are seldom thought of, for candles being a dollar apiece, their use would be “a pursuit of knowledge under difficulties” to which few Californians are prone. But in lieu of such entertainment, the more sedate and sober miners, gather around their fires, and beguile the evening with conversation, and jests and songs. Whatever is there sung, has generally some reference to the home which all have left behind them. The song wherein an enterprising traveler states that California is the land for him, and announces his intention of proceeding there “with his washbowl on his knee,” I never heard at the 36 mines; but that wherein an aged negro wishes to be carried back to old Virginia, is an especial favorite. Evening after evening it was brought forward, party after party joined in the chorus, and the melody would come pealing round odd corners and from distant tents, in heartfelt strains.

There is, however, a class of miners who take little pleasure in such relaxations, and care little for songs of home; perhaps, because many of them never had any. These can invariably be known at a glance, by their long beards, red sashes, and clattering spurs. As soon as evening comes on, these men leave their tents or the trees beneath which their blankets lie, and repair to the village, there to spend the earnings of the day in maddening riot.

The village, as one might call it, generally consists of two rows of stores, forming a short street between. The stores are mainly tents, before each of which extends a *rustic arbor*, composed of dead boughs and twigs. The effect is certainly rather pretty by candle light, for then all the impurities and dirt of the place are thrown into the shade, and the varied costumes of the occupants are softened down so as to have a somewhat picturesque effect; but in the day time, all this is lost, and the broad glare which penetrates every corner, reveals a spot which few would care to choose for their permanent residence.

Within the borders of this street, the miners throng. Wines and brandy flow freely, dice are brought out and particularly monte enchains eager groups around the different tables; lotteries are in

full blast; occasional fights arise; and, on all sides, commences a scene of riot drunkenness and wrangling.

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So it is also Sunday, except that many then leave the village and go out hunting, or bet high on target shooting. But still, whatever the occupation, strong drink flows freely, and oaths and coarse songs hold a large place in the revels.

A singular misty traditional feeling compels the miners to leave off work upon the Sabbath. He has a faint idea that it is necessary to lay aside his implements, though why, he can hardly tell. You hear one grumbling at his toil and wishing Sunday were come, that he might leave off. Tell him that nothing compels him to abandon work on the Sabbath, or to work on any other day, and he will lean on his pick, stare you in the face, think a moment, and then declare he never thought of it before. He will throw down his tools, swear that in future he will only work when he feels inclined, and then will wander off in search of kindred spirits. Still he gradually falls again into the old track. He can find more boon companions on Sunday than any other day; he must have money too to spend with them; and so he toils through the week, at the hardest work ever known, and at the beginning of the next, spends it perhaps five minutes, his whole accumulated stock of gold.

Such a man seldom thinks upon the future. If, in the midst of his rioting, he lays aside a few pieces for the purchase of a new shirt or a small bag of flour, he looks with complacency upon his own extraordinary providence. As long as he has the slightest, meanest stock of clothing, and a little coarse food, he is contented. He considers the mines an inexhaustible store, which, if not very yielding, will at least manage to support him, and he resolves to pass his life there,--a merry, if a short one. The consequence is, that some day, dysentery or scurvy, 38 the two curses of the mines, attacks, him. He has no money left to pay the doctors, and they will scarcely render him the best attention, without the usual ounce fee. The friends upon whom he has spent his money, miss him at their revels, but hardly enquire about him; for one of the great characteristics of the mines is a dreadful, heartless selfishness, which seems to attach itself to the souls of all. He dies unnoticed in his tent. Perhaps a week afterwards, some one comes to borrow a tool, and for the first time, sees

the dead body. A friend is called in, the two bury the corpse where it lies, and divide the tent and provisions for their trouble, and that is the end of the poor miner. It is a sad death which often is the fate of more worthy and economical persons, who, coming unknown into the mines, fall sick before saving up enough gold with which to purchase proper attentions.

It is perhaps wonderful, that among such a set of men, more frequent outbreaks and outrages do not occur. But at every mine, there is a strict administration of what is called justice; and the celerity with which crimes are punished, deters many who have the will but not the daring to commit them. As an instance;--the week before we arrived, a man was detected about to steal some money from a tent. He had not yet fairly taken it, when seeing he was watched, he bolted out and took to flight. The hue and cry was raised, he was chased nearly a mile, and finally secured. The Alcalde immediately called a jury, and, after a hasty trial, the unhappy victim was adjudged to receive an hundred lashes, have his head shaved, and his ears cut off, and be drummed out of the mines; a sentence which was carried out on the 39 spot. The sequel may be conceived. Driven from the ground without having time to take a few provisions with him, bearing the evidences of his guilt so plainly upon him, that no one would even sell him food, becoming consequently soon faint and famished, he stole a horse, hoping to ride beyond reach of his evil report. He was pursued, overtaken, and shot down like a dog, as one who, having once been taken in fault, did not deserve a trial for a second commission of the deed. Such instances were by no means rare, and deterred many from crime. Severe punishment is, of course, necessary under such circumstances, but would be certainly more commendable if less barbarity were mingled with it.

In civil causes, a jury is not impannelled, but the Alcalde has exclusive jurisdiction, and it is in these cases that justice is most perverted. The Alcalde, being elected by the body of the miners, is of course, generally the greatest rascal in the set; not being always proof against bribery, and certainly seldom disinclined to such proceedings as may put money into his pocket. An ounce or two is his usual fee for deciding a cause, and he often is tempted to find an innocent man guilty, merely for the sake of the fine. Take an instance which was related to me.

A Mexican having lost a mule, found one so similar in the color as well as the brand, that he supposed it was his own, and used it three days before the real owner came. The Mexican apologized for the mistake, but nothing would do but he must come before the Alcalde. "Pay me one hundred dollars or take fifty lashes," said that functionary, when he had heard the case. The defendant 40 had no money, and slowly prepared himself for the alternative, when an Englishman, taking compassion on him, paid the fine. "And this is what they call a free country!" said the Englishman. "What is that you say?" roared the Alcalde, and immediately the speaker, being hauled up for treasonable expressions, was sentenced to pay fifty dollars or take twenty-five lashes.

There is, of course, no appeal against such proceedings. A trial lasts but a few minutes, and when it is over, few sympathize with the offender, and the affair is forgotten. News of such proceedings never reach San Francisco, and there the people say: "How nicely every thing goes on at the mines! No law suits, no troubles. Truly a blessed state of things!"

It must be confessed, that whatever defects there may be in the administration of justice, no better call there be organized, and the mines would be poorly off without it. But it is unfair for any one to make this groundwork of arguments against more substantial forms of law; which, if less speedy, are more in accordance with the strict rules of justice. Many a man at the mines has felt the bitter truth of this, and would have given much if there had been in the district, such things as a fair jury, well weighed decisions to act by, and more than all, such an institution as a Court of Appeals.

MAP OF THE SOUTHERN MINES Kip was on the Mokelumne River ("Rio Moquelumne")

Courtesy Huntington Library

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CHAPTER VII. ANOTHER MINE

Having for two weeks had as bad luck as our most deadly enemy could have desired, not only having laid up nothing, but not even made our expenses while there, some doubts began to be entertained whether it would be profitable to remain much longer, and various calculations were

entered into, as to the number of years it would require to lay up a fortune, by getting ten or twelve dollars in debt each week. The result was that many began to deliberate on a return to San Francisco, when suddenly our ears were assailed with reports of a prodigiously rich mine, only twenty miles off. Two runaway sailors had come down, spending money very freely, and upon being questioned, refused to give any account of the bank from which it was drawn. Their appearance had been followed by that of two others, who at first were similarly obdurate; but upon being liberally treated and made sufficiently intoxicated, had insinuated that not far off was gold enough for all hands, and to spare. It was almost to be had for the asking.

These and similar inquiries being instituted, resulted in the conviction that the favored place had been known to a few of the past year, but studiously kept secret; and that now the secret having transpired, it was each one's loss if he did not seize the golden opportunity and make his fortune. The only drawback was the Indians, who comprised 42 a tribe deadly hostile to the whites; having during the last winter succeeded in cutting off two of the volunteers, besides committing other depredations too numerous to mention.

Some believed the report, but hesitated to trust themselves among the natives; for the name of Polok, their chief, was notorious as that of an unrelenting enemy. Others gave no credence to the story, treating it as a fable cunningly devised by the mule drivers, in order to keep the miners from becoming too settled in their habits. Whether we believed it or not, I can hardly say; but incline to the opinion, that partly a false shame at giving up the mines so soon, partly the spirit of adventure, and partly a slight hope that something to our advantage might turn up, were the causes which induced us to form a party for exploring the new El Dorado.

Accordingly making up a party of six, hiring mules and purchasing a horse-whose chief recommendation was that he stood in no danger of being stolen, as every tribe had had him in succession, and been obliged to leave him behind because he impeded their flight-we joined ourselves to some Germans who were going the same way, and thus, in a company of fifteen, set off. The road was good, though occasionally mountainous; and as we made two easy stages of the twenty miles, no distress was felt by any of the party, but universal contentment and good humor

were maintained. The only interesting circumstance which occurred upon the route was at the end of the first day, when we passed through an Indian village. Several semicircles of brush-huts formed the town, in front of which the whole population 43 was seated in two long rows; with the exception of a few who were pounding acorns, and of the papooses, which, strapped to their several boards, were carefully hung up overhead. The men were generally clothed in coarse blue shirts, but the women were seldom particular about having any clothes at all. One of the latter was adorned with a white pine stick, stuck through the nose, and projecting about two inches each side. This was the only display of ornament I ever saw among the natives; for, unlike those of other parts of the continent, the California Indians seem to look more to the substantial of life, and hold beads and other trinkets in contempt.

As we approached, the two lines of natives commenced waving their hands, twirling their fists, and beating their breasts; keeping up, in the mean time, a most unearthly howling. We at first thought that they were enacting a ceremony in honor of our arrival, but speedily discovered that the display was on account of the exit of one of their warriors, who had departed this life that morning.

The tribe being a friendly one, we stopped for a few minutes to witness the ceremony. None seemed to take any more notice of us if we had been so many standing trees, but all continued singing the same horrible strain without intermission. We moved on, but the song was not broken off, nor did one of the tribe rise to bid us god-speed. At intervals of a quarter of a mile, we stopped and listened, but there seemed no variation of the music; and when at night we made our bivouac about two miles off, and the wind lulled, we could hear, now and then, the same eternal tune until we fell asleep.

44

The next morning we pursued our way, and arrived at our destination early enough to put up our tents, and take a general observation of the scene of our future labors. The landscape was certainly very pretty. A broad level valley stretched out among the hills, which, rising on every side, were covered to their summits with forests of gigantic pines; and when the morning mist curled up

among them, and gradually shaded off the most distant trees until they appeared like shadowy spectres, the effect was extremely pleasing.

We found about fifty persons at the mine, two- thirds of them Mexicans. Occasionally, also, one or two of the overland teams came in and stopped among us. The huge canvass tops of the wagons would generally be taken off and pitched upon the ground, and thus made to serve for comfortable tents. The oxen were then tethered in a close herd in the middle, and, being sharply watched, were thus generally preserved from the thievishness of the Indians.

It was indeed necessary to keep a sharp watch upon the natives, who, to the number of about three hundred, were encamped, some three miles off; but in what direction, we could not tell. There was no personal danger in the limits of the valley; but many, straying out alone into the neighboring country, never came back, and, in all probability, were there cut off. Still, in the valley itself, it was needful to guard against theft; for each day some twenty Indians would swarm down, carrying their bows and arrows wrapped up in the skins of coyotes; and would stroll about in search of plunder, even entering the tents when they thought themselves unobserved. A sound thrashing was the 45 least penalty incurred upon detection; and, upon one occasion - when, in a sudden night incursion, the natives carried off some mules and oxen - a party of seventeen was immediately formed, who pursued the aggressors thirty miles, shot one, and recovered part of the spoil. After that, further precautions were observed. As soon as night fell, a sharp uninterrupted firing was maintained for several hours, in order to show the savages that we were upon the alert; and, for the same reason, when any miner awoke in the night, it was a duty he owed the settlement to rush out and discharge his piece, before going to sleep again.

We commenced our mining operations in one of the small golshes in this manner. Three dug, two managed the rocker, and, as the water was at some distance, the sixth led the old horse up and down with the earth to be washed out. Many others worked in a larger ravine of the valley, over which, in winter, a considerable volume of water rolled. Square holes were dug in the then dry bed, 15, 20, or even 25 feet deep; so close together, that, from the neighboring hills, the place looked like an immense tanyard. As usual, however, all depended upon luck. Where one hole proved productive,

eight or nine ended in clay, or filled with water before the proper soil was reached; and an instance happened, where two men, having been weeks in digging holes but a foot apart, without success, a third person took out over two thousand dollars from the wall between.

Our own luck is deserving of mention. By unremitting hard work, the six, aided by the horse, washed out about seventy dollars the first week, a sum which just about paid for our two days' travel. 46 The second week bidding fair to be but a repetition of the first, three of our number departed with some Mexicans on a prospecting expedition; while the rest worked on, hoping, but not expecting, that good would come of it.

The third day our prospecting party returned unsuccessful. They had been to the very head waters of the Mukelemne river, climbing many steep mountains, from which they could see the distant peaks of the Snowy Range -- but had found no gold. All were dispirited. Winter too was near at hand, which was not only indicated by a hard rain, but by the thick ice that formed in our pan at night, that the thermometer still stood at an hundred at midday. And reviewing all these circumstances, we entered into a hasty consultation as to the expediency of remaining.

The following circumstances induced us to the contrary. Dysentery had broken out among us again, and slight symptoms of scurvy followed. And, moreover, we could scarcely expect the wet season to pass, without bringing a liberal allowance of rheumatism and fever and ague. Then again, many were already leaving, and the few who would remain would probably be too few to afford proper security against the Indians.

Besides, our provisions were almost expended. It would cost about \$300 for each man to lay in a winter stock, and there was scarcely \$200 in the whole company. And when we considered the necessity of building a log-house and laying up six months fire-wood, together with the perfect impossibility of holding any communication with the settlements below, after the rains commenced, we unanimously resolved to break up.

47

The decisive vote was passed; the chairman jumped up, kicking the wash-pan over the tent and dissolved the meeting; and so ended all our experience in mining.

48

CHAPTER VIII. TENT SCENE

And so we returned to San Francisco, passing the same old line of tents, and being treated to a similar passage on the river.

A night scene at one of these tents, though not presenting any new or statistical information, may not be without interest, as exhibiting one of the many strange pictures of life in California. The scene was substantially the same at each place, and though in this or that it might be wanting in certain particulars here mentioned, yet new features ever found an introduction, to keep up the interest and romance of the journey.

Imagine then a slight hollow among the hills, enclosing a few little patches of woodland. In the midst is a small spring, so excavated and walled in by art, that a sufficient supply of water can be obtained for the use of travelers, though not always for the mules and cattle. I have seen five dollars indignantly refused, for the privilege of watering a yoke of oxen at one of these little oases.

Beside the spring, a confused heap of canvas shines out among the trees, constituting the caravansary. One large tent serves as the bar-room and dining-hall, besides presenting sleeping accommodations for the earliest comers. Behind is a small tent, so connected as to open into the bar. This is the private apartment of the proprietor. And at one side the cook has his separate place for the

A DIVERSIONAL DAM *Courtesy Huntington Library*

49 preparation of the viands.

At one end of the large tent, a rough counter is drawn across from side to side, cutting off a place for the bar. And in the part which remains, a rude table runs down the side, with seats constructed

of narrow boards supported upon small boxes at the ends. Sundry pieces of straw matting piled in the corner, a Mexican saddle hung over the doorway, a few old casks to be used for moveable seats, and several gaudily painted lithographs stuck up here and there complete the furniture of the establishment.

The sun goes down. A few travelers begin to make their appearance, and, inquiring the distance to the next tent, pause in doubt, until the fumes from the kitchen decide them to stay. Others soon join them, and, at length, such a respectable number is collected as induces the host to set out his supper table without further delay. And while the banquet is preparing, the travelers hamper their for the night, or make a hasty toilet at the spring; and, at the ringing of the bell, return and take their places at the table in excellent humor, the day's mules before turning them loose, prepare blankets work being over, and nothing before them but a comfortable chat.

Still but little is yet said. The claims of the banquet engross all to readily to allow much conversation, and it is not until several tables have been succesively prepared for different parties, and night has fairly set in, that sociability commences. Then pipes and cigars are brought out from various pockets, and the company collecting in groups, enter into conversation, broken occasionally by the tardy arrival of new travelers. In 50 one corner the mines are the peculiar topic; in another, a circle of Missourians are criticizing the St. Louis girls; and in the middle, a party of Kentuckian back-woodsmen in buckskin breeches are discussing the game of the country. Every subject interests except politics. The freedom of existence there depends but little upon the election, of this or that man as president, and questions upon the tariff or manufactures of the United States can have no influence upon the life of a California miner.

“If you want game,” says the host to the Kentuckians, “there will be a she grizzly down with two cubs every night to the spring.

“At what hour?”

“About two o'clock.”

“And you've never tried to kill her?” “No, no” with a meaning shake of the head. “I know too much for that. As long as grizzly lets me alone, I'm not a-going to begin the fight. If it was only a wolf, now but a grizzly -- No, no! Catch me!”

Union begets confidence, and the Kentuckians immediately resolve to sit up and shoot grizzly.

A new traveller enters the tent, unbuckling his pistol as he comes in, and inquiring if he can have supper.

“Well--no! The fact is, Sam has been busy all day, and swears he won't cook any more.

“Just then hand him over to me, and I'll soon make him do it.”

“Well, but you won't!” the cook, a stout negro, retorts, turning round with a most provokingly independent leer upon his shiny countenance.

“Good for you, Sam!” roars a runaway volunteer. 51 “Take a drink for that, Sam, I'll pay!”

Sam goes behind the counter, mixes up a huge dose, and, an occasional drink being one of his perquisites, puts the half dollar into his own pocket, and then coolly drawing up among the company resumes his cigar.

A negro cook at the mines is one of the most independent men alive. Being rather a scarce article, he can act pretty much as he pleases, as long as he performs a reasonable amount of work, and he is allowed to enter into certain familiarities, which would ensure him a cow-hiding in almost any other part of the globe.

A party of Mexicans now enter, and retreating into the first corner, take off their ponchos to sit upon. They attract little notice; for, as a class, they carry their provisions with them, and scarcely do much to enrich the proprietors with whom they stop. But still the host undertakes to talk with them,

and accordingly addresses to them those few Spanish inquiries, which every one on the road soon learns.

“Californy bueno, Señores?”

“Ah, no! Señor. Malo, malo!” they answer, in a most dolorous tone.

“No mucho oro?”

The rascals may have plenty, for they are usually the most successful diggers, but in the same melancholy tone they answer:

“No mucho! Poco -- muy poco!”

Thereupon the host having come to the end of his Spanish, relapses into silence; and the Mexicans, taking out their stores of tortillas and aguardiente, proceed to make their meal, without being further noticed.

52

A half hour passes, when a snorting of mule sand jingling of spurs is heard at the door, and in a minute three or four sailors, deserters from some man-of-war, enter.

They have come from the nearest mines for a frolic, and with the customary recklessness of their class, immediately commence throwing away the proceeds of many days hard work. Each puts an ounce in the landlord's hand, merely desiring to know when it is gone, and then the confusion of the evening commences. Every one, strangers and all, are required to drink; and if any one refuses, he is insulted. Throughout the whole, the air is polluted with volleys of the most horrible blasphemies, the study of which in some parts of the mines has become a science; each endeavoring to outdo the others in originating newer and more dreadful imprecations. This, fortunately, lasts but a short time however, for the few ounces which each has are soon spent. The sailors then stagger out, mount

their suffering and ill-treated mules, thrust in their cruelly long spurs, and madly ride off, firing their pistols as they go.

Quiet being at last partially restored, conversation lags, and all prepare for sleep. The Mexicans, having done nothing to sustain the establishment, wisely spread their blankets outside, without waiting to be turned away, while the true patrons find room inside as far as practicable.

Not yet to sleep, however. A yelping, snarling, howling sound is heard outside, gradually approaching; a cry which ranges in varied tones of succession from the very lowest base to the highest treble.

“Coyotes!” mutters the host.

53

Startling sounds arise responsively from the other side of the valley; less varied, but distractedly mournful.

“Wild cats -- panthers!” remarks the host.

We seize our pistols and rifles, and go out. Not far from the Mexican camp-fire lies the stomach of a lately slaughtered ox, and to that we know the animals are hastening. We lie down on the ground, and in a few minutes see the dark forms of the coyotes moving to and fro, until noticing nothing to excite their suspicions, they dart upon the tempting banquet, and commence tearing it with their teeth. We fire, and the creatures scamper away uninjured. We wait long for them to come again, but they do not; and so, returning to the tent, we sleep through the remainder of the night without interruption. The bear is forgotten, even by the Kentuckians, who first fall asleep, and when the morning sun shines in upon us, it is discovered that old grizzly has passed yet another night in safety.

54

CHAPTER IX. CONCLUSION

Returning to San Francisco, I found that less than two months had worked a mighty change in that city. The spirit of speculation having walked abroad uncontrolled during the interval, new streets had been laid out and new houses built in every direction, until the place had grown far up the hill behind it and far down the side ravines. Happy, Pleasant, and Contented Valleys, had been gradually invaded by the laying out of new city lots, and the many tents had already begun to retire before the march of more substantial fabrics of wood. And still the tide rolled on, and still night and day, week-day and Sunday, the noise of hammers could be heard; and, while new houses rise by magic, it seemed as though each month, the city would be doubled in its straggling proportions.

And yet it was easy to see that all this appearance of prosperity, was the effect of an unnatural excitement, which could not last; being founded upon mere speculation, and having no strict abiding laws of commerce or trade, to foster it into a healthy state of being. Fortunes were every day being made, yet oftentimes were fortunes only on paper. Large profits were constantly realized in trade, but too frequently payment was obliged to be taken in land, at a valuation too enormously inflated to last. Proprietors were deriving increasing rents, but could not tell whether a crash in real estate might not come before the first cost of the enterprise could be repaid. Happy was he who was not so entangled in the general speculative net work, but that he could safely withdraw with his profits.

Moreover, there was a general opinion, slowly but surely gaining force, that the time for making fortunes was at its height, and would soon be over. Operations in capital might still command a large premium, but such was only to be gained at constantly increasing hazard, and many who began with their thousands ended with less than hundreds. The honest laborers and artizans also saw their favoring day of fortune fading away, for competition was rapidly lowering the profits of all things. The small fleet of boats, which once had the monopoly of the bay and rivers, was added to by hundreds; teamsters bewailed the number of new wagons, which daily appeared in the streets; and those who in each trade had stood almost alone, now saw themselves surrounded by hosts of others, pursuing the same avocations. Again, beneath all that tide of dishonest speculation and reckless gaiety, there ever and anon bubbled up a deeper current; one of fear and doubt as

to the future. It was a subject which well demanded much solicitude, for already the voice of distress began to be heard. The rains of winter had come on at a too early moment, breaking up the mountain roads, and hundreds of needy miners were left provisionless. For throughout the whole extent of the mines, the import of supplies had been too long delayed, and thousands were closed in with food for hundreds only. Now and then, a train of mules would stagger through, but such 56 chance supplies seemed but a drop in the bucket, while as the difficulties of transportation suddenly increased the freight to a dollar a pound, many, who by timely caution might have even stored up the luxuries of life, now were scarcely able to procure the commonest necessaries. All that could be done was to hope that the evils might be averted; the issue of which hope is yet to be seen.

In the lower country, also, troubles began to thicken. The Sacramento and San Joachin had risen many feet, until their banks would ultimately be submerged. Sickness and disease began to exhale from the wet soil, and, in California, sickness is to be dreaded beyond wild beasts or Indians. For he must have a long purse who can command good attention, and, of those who are too poor to purchase careful treatment, the case is a sad one. They are huddled together in a close room of a hospital, looked at twice a day by a physician, and it is said, if not with truth, yet doubtless with some foundation, that of every ten who are taken into public keeping, but two ever come out alive.

In San Francisco, too, there was much cause for anxiety. Provisions were becoming so scarce as almost to double the price of every article of food. Ships were daily arriving, but they brought few of the actual necessaries of life; and what was worse, they came loaded down with men, most of whom, being almost destitute of money, and arriving too late to go to the mines, were obliged to work for their living at such common drudgery as they could find to do; being able thus to live from hand to mouth, if they kept their health -- if not, obliged to take their chance in the public hospitals. The cholera, too, was slowly working

MINERS AT WORK WITH LONG TOMS *Courtesy Huntington Library*

57 its way up; and it was feared, that in such a stronghold of dysentery, it would make dreadful ravages. In view of all these circumstances, many were retreating to the Sandwich islands and the several Mexican ports; while those who remained, either recklessly thought not of the future, or

endeavored to drown thought by excitement, and pursued the pleasures of gaming and drinking with greater Zest than ever.

Such was the gloomy prospect for the winter and now the question arises, What will be the more remote destiny of California? It is hard to tell; but it scarcely seems probable that the excitement and influx will continue, until any very important western power shall have been formed. Such absurd increase in the valuation of landed property must eventually end in a severe commercial crisis, and a reaction must take place. In emigration, it has certainly begun. The steamers now bring back as many as they take; and hundreds are roaming through the land, who would also return if they had the means. There are, of course, few births in the country, and the number of those persons who now set out to double the Cape will hardly compensate for the deaths. It is to be presumed that few will now attempt the overland passage. The Mexicans who a few months ago crowded to the mines by thousands, have mostly packed their mules and started back to their own country, affirming that they can there dig as profitably, if they work as severely. The Chilians also have been gradually disappearing, being taken back free in vessels chartered by their own government. It may well be doubted whether, in three years, California will have as large a population as at present.

58

A climate presenting the most insufferable extremes of heat and cold in the same twenty-four hours; a soil, nineteen-twentieths of which can not be cultivated; and utter want of valuable timber, except where it can not be used to advantage; such a dearth of water, that one can walk a hundred miles without seeing a running stream, or a single natural spring; and a harbor, which, though large and beautiful, will not tempt away the East India trade if the Panama railroad is ever built: these are some of the advantages of far-famed California. And when we reflect that the gold itself is becoming rapidly more scarce - for though even found in new beds, it is in less quantities, and requires greater labor to obtain it - it will readily be conceived that California can present few inducements to the settler, while our wide-extended Mississippi lands are yet uncolonized.

Some years hence, and it is probable that this may be the picture. A few farms may be scattered through the richer valleys of the country; a few incorporated companies, with heavy steam

machinery, may be successfully pounding out the fine gold, which scarcely now repays the labor of mere unaided hands; a few little towns may be scattered here and there, the inhabitants of which will obtain a living by supplying the thinly settled country; and for the general supply, a few little brigs and schooners may ply up and down from Panama, to which city, and which alone, will roll the gigantic stream of the commerce of the Indies.

THE END.

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ERRATA Page XIII. Bibliographical note "Page 76" should read "Page 59". Page 3, line 29 "woden" should read "wooden". Page 35, line 23 "consversation" should read "conversation". Page 41, line 25 "kep" should read "kept".