

Pioneer notes from the diaries of Judge Benjamin Hayes, 1849-1875

PIONEER NOTES

MRS. EMILY MARTHA HAYES AND SON CHAUNCEY *For whose entertainment the Notes were written .*

PIONEER NOTES FROM THE DIARIES OF JUDGE BENJAMIN HAYES 1849-1875

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Foreword

Benjamin Ignatius Hayes was born in Baltimore, Maryland, on February 14, 1815. He graduated from St. Mary's College, Baltimore, and was admitted to the Maryland bar at the age of twenty-four. Shortly afterwards he went to Missouri, practising law at Liberty during the early forties. With two associates he then commenced the publication of a temperance journal at St. Louis. Many years were to pass before the Eighteenth Amendment, and the little fledgling seems to have died of malnutrition. Friendships were formed, however, during the Missouri days with many men who later attained national prominence.

Arriving in Los Angeles in February, 1850, Mr. Hayes was elected County Attorney, a prosecuting officer then provided by law. A month after his arrival he formed a partnership with Jonathan R. Scott, resigning as County Attorney in September, 1851. At the election of 1852, he was elected the first Judge of the Southern District of California, including Los Angeles and San Diego counties. He held the office until January 1, 1864, when he was succeeded by Don Pablo de la Guerra, and when Santa Barbara and San Luis Obispo counties were added to the district. There were three towns in Southern California at that time, Los Angeles, San Diego, and San Bernardino. The district Court convened on the third Mondays of March, July, and November in Los Angeles, of April, August, and December in San Diego, and of February, May, and October in San Bernardino. There were no railroads, and the District Judge journeyed about by carriage, on horseback, or on

the steamer *Senator* . It was his duty to administer justice during the difficult transition period following the years in which Mexican authority had broken down completely. He remained a highly respected jurist after leaving the bench, spending much of his time at San Diego during his later years, but eventually returning to his former home at the Hotel Lafayette in Los Angeles, where he died at the age of sixty-two, On August 4, 1877.

Judge Hayes was married on November 15, 1848, at x St. Louis, Missouri, to Emily Martha Chauncey, daughter of John and Cordelia F. Chauncey. Mrs. Hayes was born in Harford County, Maryland, and was taken when a small child to Missouri, where her father resided for many years. She died in Los Angeles on September 12, 1857, at the age of thirty-six. They were the parents of two children. A little daughter, Sarah Louisa, born on April 22, 1855, lived only a few hours. John Chauncey Hayes, born in Los Angeles on April 27, 1853, is now residing at Oceanside, where he has been City Judge for many years. He married Doña Felipa, a daughter of Don Sylvester Marron of Rancho Agua Hedionda, and they have a large family.

Two of Judge Hayes's sisters also came to Los Angeles. Helena J. Hayes married Benjamin S. Eaton at Liberty, Missouri, in 1848, and died in Los Angeles in 1859. Mr. Eaton was the first District Attorney of Los Angeles County and shared with B. D. Wilson the title Father of Pasadena. Their son Fred is a former Mayor of Los Angeles. After teaching in the first public school in the city, Louisa Hayes became the wife of Dr. John S. Griffin, another prominent pioneer.

On August 2, 1866, Judge Hayes and Doña Adeleida Serrano were married at Old San Diego by the Rev. Father N. Duran. Doña Adeleida was a daughter of Don José António Serrano and Doña Nieves Aguilar de Serranò. Their only child, Mary Adeleida, survived her parents but died in early womanhood.

The notebooks from which these *Notes* are taken are in the possession of J. Chauncey Hayes, Jr. The mind of Judge Hayes was an encyclopedia of information about California history. He made upwards of a hundred scrapbooks, none of which deals with any one period of time and all of which contain interesting material, although many are clippings only. The collection was secured by H.

H. Bancroft, including some of the material in these *Notes* , which Judge Hayes rewrote at Mr. Bancroft's request. To study, edit, and publish the entire collection will be an arduous and expensive task.

Everything of possible interest in the notebooks mentioned is included. There is considerable repetition in the xi *Notes* , as there was in the life of their author. Although they contain only a small part of his vast knowledge of California, they clearly reflect the nature of the man who wrote them. He turned from scenes of violence to transplant yellow violets from the hills to his little garden and to admire the sunset on the mountain tops. A marked simplicity of character was combined in him with one of California's most brilliant legal minds.

It was Judge Hayes's habit to make rough notes and to rewrite them at the first opportunity. After several years he frequently reread them and added a date or a name, occasionally a paragraph. When there was a possibility that an unfavorable opinion might be formed of the person mentioned, the name was omitted; this was almost never necessary, so amiable was his attitude towards humanity. The notebooks were commenced to entertain Mrs. Hayes, who was an invalid. After her death, they were continued for Chauncey, and later their historical value became apparent. The text is reproduced as it was written. It will be noted that there is some variation in the spelling of names and the use of italics and accents in Spanish words.

At the time of Judge Hayes's death, Judge Ygnacio Sepúlveda said of him:

“I saw him in the early days, manfully struggling with adversity, until fate smiled upon him and he reached the District Court bench and then for many years I saw him preside in the District Court, which then embraced nearly all of Southern California. I see him now, the frail form, patient, quiet, indefatigable, pursuing his vocation uncomplainingly and in silence, treating his friends with rare attachment and villifying not his enemies. Charitable and gentle, his overworked mind is at rest, passing away in the full vigor of his faculties. Many, many will miss the friend whose patient labors were always freely bestowed for the benefit of others. To him the sordid acquisition of means was nothing. With the poor he was sympathetic and liberal. His heart ever beat responsive to every

noble appeal. He made an upright judge. As a lawyer he was learned. As a man he was unassuming, gentle, and good.”

—MARJORIE T. WOLCOTT.

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PIONEER NOTES FROM THE DIARIES OF JUDGE BENJAMIN HAYES THE PIONEER
COMES WEST

The Clay company started from Liberty on August 12, 1849, and left the line of the State on the 15th. They reached Council Grove on the 21st. This was the place of rendezvous. Here they united with the Daviess County company, and with the Platte City company at Diamond Spring. Jeffreys was wounded on September 12th at the Lower Spring, in consequence of which they stayed there three days. They then moved fifteen miles further and stayed three days, for the same reason. At the Middle Spring they remained nine days, and again afterward, from the same cause. They reached Galisteo on the 12th October. Between the line and Council Grove, they had a great deal of rain; again at Lost Spring, and at Lower Spring. At the upper crossing of the Cimarron, they had a tremendous storm, with thunder and lightning; same at Ash Point, 2 miles from Pawnee Fork, and on the Cottonwood; a light snow on Red River the first frost at Rabbit Ear Creek, near the Round Mound. These rains made the road very heavy for them. They notice that they have had about as much rain as is common in Upper Missouri, at this season. Hunting buffalo broke down many of their animals. At Cottonwood one horse was stolen by Indians, and several ropes cut at the same time.

I started from Independence on September 10th, Lewis, a slave belonging to the family, accompanying me six miles, to aid in getting a fair start for the mules. He led the pack mule. I then said goodbye to Lewis, who seemed affected, and threw myself, alone, upon the road to “El Dorado.” I had not gone far, before I found myself going over the head of my mule, my gun going one way, and the mule 14 another. I caught the pack mule, who had turned its pack under its belly, and a servant at a neighboring house ran after the other and caught it at a creek where it had stopped

to drink. This occasioned considerable delay; in fine, I was off again. Just after dark I made for a light—having taken the wrong road—at a nearby place just below the house another stampede of the riding-mule; over his head again. In the meantime, my right hand had become very sore, “burnt” by the new rope running through it. I went up to the house—made known my disasters—could lodge there for the night—and the proprietor, for five dollars, went back for the mule, while his good lady, with some preparation she had, attended to my hand. In the morning, mule and hand all right again, and my host guided me to the main road three or four miles distant. I remember an observation of his as we rode along:

“How easy I could kill you now, and nobody would ever know it!”

A lonesome ride all day, after I left him and turned to say Adieu to my State and *all* I left behind. I stayed this night very comfortably at the house of a Shawnee. Had to go about a good deal to find him, which I did finally at a log-raising. Treated with much politeness and good fare, charge only one dollar. Just as I was packing up, Shields, who was my messmate to Council Grove, came along.

“Do you know,” he said one night when we were in the “Indian country,” “I am, for a little man, one of the stoutest in this part of the country.” Shields, a very hard swearer, but “a mule tries a man's patience.”

Joining Houck at 2 P.M. of the 14th, encamped at Dickerson's Spring. (Dickerson is with us, the finder of this water several years since.) Next night camped on a ridge, the next on Turkey Creek. Found mosquitoes bad here, had to raise a fire against them. To-day had passed Cottonwood-large cottonwood trees—2 antelope in sight—17th crossed Little and Big Turkey Creeks. Halted at 10 A.M. for breakfast. There saw the first buffalo, three small herds at some distance. Crossed the Little Arkansas; camped at Owl Creek. 18th crossed Little and Big Cow 15 Creeks; breakfast; start at 2 P.M.; many buffalo in sight, Capt. Houck shot one, my hatchet ruined in the butchering. Camped on Big Arkansas. Mode of marching after leaving Council Grove—corral-guard duty, etc.

Sept. 19th: Capt. H. shot another buffalo. Crossed Walnut Creek and breakfasted on Arkansas. Started at 2 P.M. Commenced raining late in the afternoon. Pawnee Rock in sight for a long time, camped near it. Next day crossed Pawnee Fork. Jones's creek too high to cross to-night. Camped.

Sept. 21st: Camped on Coon Creek. Indian alarm—double the guard—had to lend Shields some percussion caps—his delay in sallying out with the rest. Was it wolves that caused the alarm? Some of the old travellers along thought so. I will have singular impressions of that anxious night. Habits of the buffalo—jerking the meat—dog villages—a hawk—the flowers.

22nd: Travelled up the Arkansas, overtook the troops. Next day encamped for breakfast within five miles of Fort Mann. The person for whom it was named will be well recollected by those acquainted at Weston, Mo. Incident of the Mexican War here. In the afternoon passed the Fort, getting some wood there. Camped five miles beyond it.

24th: Breakfasted within six miles of the crossing of the Arkansas. Crossed it, camped on other side. Merritt Young. Shields remains.

25th: Stay here till late in afternoon. Old friends. Returning emigrants. Sam Hayes must go back to his beautiful wife. Rumors from California. Buffalo grass. Houck was with the first waggon that ever passed this road. Former profitable commerce, for this and all other matters, see Gregg's *Commerce of the Prairies*. To-night camped five miles from Arkansas.

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26th: Here commences a Jornada. Waggon trains give animation to the road, frequently meet them returning to Independence. Buffalo killed by Capt. H. The hunting scene was pretty. Passed the battle-ground, breakfasted, journeyed till 10 P.M. Next day travelled up Sand Creek and breakfasted. Camped on Cimarron. Perils of the plains. The John McDaniel affair. Maj. Gilpin's winter campaign. All next day on the Cimarron. Near our camp found a human skull. Next day breakfasted at the lower spring and camped again on the Cimarron. Moonlight travelling in hot weather—buffalo makes all merry—Dr. Houston.

BENJAMIN HAYES TO MRS. HAYES Arkansas River, Friday, Sept. 20th, 1849.

My dear wife:— I could not write to you from Council Grove, as I expected, having arrived there at noon after a hard ride, just as Mr. Houck's company were leaving. So, I was obliged to take up the line of march. Fortunately, about ten miles before I reached the Grove, I met Mr. Tapp returning, who promised to see you and let you know that I was getting on well.

I had a pleasant trip to the Grove, although my pack mule was much galled; so much so, that Mr. Houck very kindly offered to divide my load, taking part of it himself, and getting a Mr. Marshall to carry the rest; I agreed to let the latter ride my pack mule. My mules are both doing very well. My pack mule has been driven for the last three days in a buggy by a Mr. Shields, who overtook me 25 miles this side of the state line, and whose horse's broke down. We could not leave him in Indian country, and either Mr. Houck, or myself, had to help him on, till we overtake the troops, whom we expected to overtake to-day, but will not.

On Wednesday last we camped at night near the Pawnee Rock; yesterday, 17 miles this side of it; and now we have travelled ten miles to-day. The weather is too hot to travel in the middle of the day, and we commonly lay by from two to three hours. We approached Pawnee Rock with a storm threatening, which, however, ended in a slow rain through the night, except on my watch. I stood guard two hours and a half, and then, wrapped up in my soldier's coat, with my oilcloth over me, slept soundly on the ground under a carriage.

Camping out agreed with me from the first, and agrees with me better every day. We are obliged to keep a strict guard, of course, and last night the wolves howled very close to us, just before break of day. Mr. Houck told the guard to keep a good look-out, as they might not be wolves; the Indians, as you know, very successfully imitating the sounds of birds and animals, to deceive a camp.

I cannot now enter into the detail of my journey. It has been pleasant, by no means fatiguing. My strength increases every day. The only trouble I have is with my riding mule, which is not well yet; in a few days, I hope, I will effect a cure. I use my coffee altogether without sugar, and like it very

well. My bread has held out admirably. I still have left a few of your biscuit, and Mr. Shields has flour along which he will commence baking to-night. I furnished him and son with bread

BENJAMIN HAYES

17 all the way to this point, and each of them ate twice as much as I did. I have Not yet resorted to my meal, saving it till we cross the Arkansas, which will be, probably, on Sunday. We will then be half way.

I have given away all my bacon, except a small piece, which will suffice, as I have plenty Of buffalo meat on hand, to last me several days. I have not touched yet my coffee, nor tea, so, you see, I am well provided.

My stock of money is \$38.50.

My design is, if everything is right when Mr. Shields leaves me (which he will be obliged to do when we reach the troops) to keep on with Mr. Houck, who travels very fast, in the hope of overtaking the Clay company and going with them direct to California. I do not know whether I can overtake them, or not. In a few days we may meet persons returning and information of the progress they have made.

I will be very careful of my mules, as I do not want to stay at Santa Fé if I can help it.

It has been a great consolation to me, my dear wife, that I went to confession before I left; it keeps me cheerful and composed, patient, and ready, I trust, to meet any difficulty that may present itself. I put my prayer-book in my pocket to-day, to read at my leisure moments.

Last night, as I lay wrapped in my blanket, I dreamt of home and of my dear wife. Do not ask me if I ever cease to think of you. Never. How much I desire success, for your sake. You must always pray for me, dearest. Take care of your health this winter. Look lightly, if possible, upon my absence, in view of all the important considerations that have led me to undertake this expedition.

Here, dearest, I must close. If no opportunity offers to send this, I will add to it. Farewell, my dear wife, for a little while.

BENJAMIN HAYES TO MRS. HAYES Friday, Sept. 24th, 1849, Arkansas crossing.

My dear wife: About sunset last evening we crossed the Arkansas without the least difficulty, the water being only knee-deep for the animals, and camped about a mile from the bank, with plenty of grass, The night was somewhat COOL, though I suffered no inconvenience. I wore my soldier's overcoat, and with my two blankets around me, slept till very late this morning.

In the middle of the night a train of some nineteen wagons, with many loose mules, passed through our camp, and stopped about 600 yards from us. It was Ben Thompson's train. Two of the men came into our camp this morning, of whom I learned they had with them two of the Clay company. I went down immediately and there found Meritt Young, of Weston and Samuel Hayes, of Platte City—a most agreeable surprise to all. They were just having breakfast; invited me to partake. I had a *splendid breakfast*, fine bread, good coffee and fresh antelope, the best meal I have had on the road. You may well believe my modesty did not restrain me from availing myself fully of their hospitality.

Merritt Young informs me that —— Jeffrys, of Grand River, a member of the Clay company, was badly wounded by a pistol going off, in mounting his horse. The wound was so bad as to delay the company, who are now 70 miles from here. We shall overtake them very easily in a few days, although Mr. Houck will not travel now as fast as he has done. His animals have suffered somewhat from the trip.

My mules are in tolerable order, considering all circumstances. We have averaged about 28 miles, or a little more, a day.

On Saturday night we reached the troops, but started ahead of them 18 on Sunday morning. They move very slowly, and rested last Sunday. With them are some Tennessee emigrants under Capt. Anderson.

The Clay company, I learn, consumed 40 days in reaching the crossing where we now are. Thomas Clark is captain. When I reach them, I will get all the particulars of their march, and send the facts to the Liberty paper.

To-day I determined to commence my pinole. It will last easily to Santa Fé, in fact, I mean to save a large portion of it, as I cannot get any so good there for my California trip. If I can get both my mules through, I will be fortunate.

I have not yet decided to join the Clay company. The men in the train that passed through us last night, say there is a constant stream of emigration, men, women, and children, from Santa Fé to California, by all routes. Of course some turn back, discouraged. 30th: Passed the Bone-yard. Origin of the name. Sudden snow-storms are likely at this point. Quite cool this afternoon and cloudy. Camped at the crossing of the Cimarron. Next day camped 2 miles beyond Cold Spring. Next day passed Cedar Spring and camped on McNee's Creek—origin of this name—his death by Indians. Next day breakfasted on a small creek, camped on Rabbit Ear Creek, in sight of the mound of that name.

Oct. 4th: This day we reached what we called “Houck's Retreat,” a little creek flowing between high banks or bluffs. The weather looked like a snowstorm. Remained here for this reason all the 5th. Evidently a place of resort for Indians seeking shelter from bad weather or for other cause. Good grass here, weather very cold but our animals well protected. Flowers in bloom—amusements—immense number of rabbits—songs, “Carry Me Back to Old Virginny,” etc. I wrote a letter here.

6th: Breakfasted at Whetstone Creek. Dined on a small creek near Point of Rocks, started, a grave, spring, antelope chase, camped at a pond just beyond Point of Rocks.

7th: White frost. Crossed Red River and Ocaté. A cross on the hill (we are near civilization). Waggon—mound—McWilliams' alarm—whole camp aroused—a poor black dog killed by him—merriment. I was one of the guard at the time.

9th: 12 miles to breakfast on a branch. Wood plenty for the first time since we left Fort Mann. Camped at the Moro, Mexican women washing in creek, pleasant to see any women! Houck's anxiety here about Indians—careful guard—settlers—adventure of Lt. Beale and Andrew Sublette here once—the Taos “insurrection”—Romulus Culver—At the branch where we camped to-day much stunted cedar along cañon, picturesque.

10th: Started before daylight, breakfasted at eight, hence to Bagos, and dined. Staid two hours. Sight of the Star Spangled Banner. Troops here, near the Moro a small detachment of dragoons passed us going out on the plains scouting. We also met Mann and two others going in with mail near Waggon Mound. At Bagos fandango, intemperance, visit to look at the Church.

11th: Breakfasted at Tacoloté. Six miles further, camped at Bernal Spring. Rested here till 3 P.M. of next day, visit to a family, pictures. Thence to San Miguel; here we had rain. Crops of corn and wheat here. Next day camped six miles beyond San José. 14th: At light drove up the mules to start, when it began to snow quite hard. Snowed till mid-day, when the sun appeared for awhile. Late in the afternoon drove the mules amongst the cedars, some 200 yards from the road, for shelter and fresh grass. Snow by this time nearly gone in the valley. Made large fires; got along pleasantly enough.

15th: Travelled to Old Pecos. Ruins—Montezuma—visit to ruins (see Emory etc). Met Hon. —— Smith and company going to Washington City. Passed the forks of the road, One of which leads to Santa Fé, took the one to Galisteo. Camped on the top of the hill or mountain. Grand grass.

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16th: Ground frozen, some ice in our camp, in kettle standing out last night ice 1/2 inch thick. Aroused early, fed the mules on corn. Three miles down the mountain for breakfast. Camped for the night without travelling far.

17th: Fed on corn, after five miles bore off from the road some 200 yards for grass, camped within a mile of Galisteo. Remained till near night, then moved further for better grass.

18th: In camp. Wind quite high. Snowed fast till dark.

19th: Morning quite cold but by midday the snow, that had been three inches deep, melted off. Crops of corn in this neighborhood. My acquaintance with Señor Baca, pleasant. Difficult to get anything here. The Clay company—Cooper's company—refitting—sale of waggons—pleasure of meeting so many old acquaintances—intervisits—errors of emigrants—losses—our dinner of parched corn—fine grazing here.

Memorandum : After leaving Council Grove, we did not see an Indian. Glorious mirage when near the Arkansas one afternoon. Entrance of John Phillips and young Clay into our camp, and the alarm, the night before we camped at Ocaté The life of John subsequently at San Francisco and Los Angeles; shared crackers with him when he left Ocaté for Santa Fé. Houck's extreme *caution* . Meeting with Judge Brown, alone, on the road. Houck's account of the fate of a number of the early traders he had known.

Distance, 775 miles from Independence to Galisteo).

On the morning of October 17th, we arrived within two miles of Galisteo. A small train of waggons was passing over the hill as we approached. This was a portion of the Clay company on their way to Santa Fé to dispose of their waggons and prepare for packing. Our camp having been formed, several of the company soon left for the capital to procure the necessary supplies for our further progress. 21 With a single exception or two the people of Galisteo possess little more than a sufficiency for their own wants. In the whole town a sheep could not be bought, nor flour, nor bread, not even the onion so constantly offered you at other places. There is fine water here. The wood for our fires had been brought in the waggons. As in most other villages on the Rio Grande, it is sold in the town three or four small sticks for a dime. One of our number estimated this to be about \$150 per cord. We found better grass in the afternoon, by moving the camp a quarter of a mile. The air was pleasant all day.

During the day some gentlemen of the Clay company came over to make arrangement for joining us, from whom we learned that most of them had determined to pack from Santa Fé, while a few thought of buying Mexican oxen here, to be driven as far as possible, in the meantime turning out their jaded mules to recruit for the residue of the journey, if the oxen should fail. The New Mexicans asked \$40 a yoke, a price three times beyond what they had been led to expect by the erroneous impressions made in the States in regard to every thing that interests the emigrant.

Four messes finally joined our trains, first lightening their waggons somewhat. The rest sold their wagons and harness for from four to six mules, for \$40, the cost of the harness alone. The original cost of such waggons was from \$120 to \$150. A few minutes after such a sale the New Mexican purchaser would demand \$20 for a single set of harness. Their delays upon the road had already caused them considerable losses.

At midnight the sky was thickly clouded. The snow began to fall early next morning and continued through the day, covering the ground an inch deep. A *carreta* was procured and a volunteer corps soon from the neighboring mountain brought in wood enough to last during our stay. A cold day, with a strong wind. McWilliams and Higgins dug them a burrow in the sandy soil, some two or three feet deep and about eight feet square, over which was spread a piece of sheeting; a patent chimney carried off the smoke, and neither snow nor wind reached them. I sat there very comfortably without a fire and finished the latter 22 half of Col. Cooke's interesting journal. Most of us assembled around the 'large fire of Capt. 'H. and made a hearty dinner of parched corn, for we had no flour. Afterward, one introduced pinole, another rice and tea, and another ventured on a little bacon and coffee. The afternoon wore away pleasantly, with the stories of adventure on mountain and plain, of which many a one might have said *magna pars fui* . Before night the corral was formed in the shape of a half-moon, and all the stocks, without their lariats, brought up close behind it to shield them from the storm. About dark they were moved over to a large corral hired in town, under a guard of eight men. The rest of us remained at camp. The night quite cold; the snow had ceased, and an occasional glimpse of the stars gave promise of a fair day.

Oct. 19th: The sky clear, the air pleasant, and the snow entirely melted before noon. We would have moved to-day, but provisions did not arrive till late at night.

The animals were twice fed yesterday on corn chopped on the cob, the soft cob being nearly as good as grass. At this season all the corn is soft enough to admit being fed in this manner. The corn was excellent, even the sandy hollows producing well. They had a great deal of rain this year. This corn land had not been irrigated. The immediate neighborhood of Galisteo is not so desirable for grazing as formerly, but within 10 miles, on any other part of this plain, there is an abundance of the best ground. Hence this point will generally be made by emigrants on this route, with the view of recruiting their stock. They cannot go to Santa Fé for that purpose, and this is near enough to obtain from that city many of the supplies they may need, although we did not succeed over well in this respect. We had been led to suppose that we would be able to buy of the officers of the U. S. good American flour and bacon. The latter article we did get, but in the place of the former a musty article wholly unfit for use. I saw 200 lbs. bought for Mr. Houck, which, when sifted, turned out about one-third dirt, no doubt condemned flour. I recommend the emigrant to bring with him sufficient bacon for the whole trip. Making 23 “a virtue of necessity,” we bought the flour manufactured in New Mexico at all the principal towns from Santa Fé to San Antonio. When sifted it makes good bread; will answer very well when not sifted. It is wholesome and one soon becomes reconciled to it.

The following prices were paid for some articles bought at Santa Fé, viz: American flour, per lb., 8 cents.; bacon, 18 3/4; coffee, 20; sugar, 25; tea, \$1.50; saleratus, 37 1/2; buckshot 37 1/2; a small tin cup, 25; pack-saddles, \$4.50, inferior at that. These are the ordinary prices and, all things considered, are not high. An emigrant will have to decide whether he cannot better afford to pay them, than to pack such articles from the States as he may require for the journey from Santa Fé to San Diego, Los Angeles, or the nearest mines.

The road immediately along the river presents inducements to some, but I doubt if it be advantageous either to the purse or the discipline of a company, owing to the numerous delays so apt to occur. Mr. Houck preferred what is called the Manzana route. This strikes the Rio Grande a

short distance above La Joya. It is nearer, and better on account of being less sandy, and also free from the irrigating canals that cut up the cultivated country on the river.

At Galisteo we got no fresh meat. I made here the acquaintance of Don Manuel Baca, whom I found to be very gentlemanly. He speaks English well, and Latin. In reference to the composition of our company, it is worthy of remark that Marshall, when 17 years of age, had crossed with Becknell, 1822, three years after Capt. Houck went with the first waggon train, the same that mainly made the present Santa Fé trail. Capt. Houck has travelled the road in all 16 times, Harry Miller 5 times, Hambright often and has often trapped amongst the Crows and Blackfeet. At Galisteo I found the people pleasant and polite, hospitable and kind. Here I ate my first *tortilla*, and when I was hungry too. What with what Rumor said of the cholera at Chihuahua and of the Indians having cut off some bands of emigrants, our prospect was a little tinged with evil.

The messes of Thos. Burnett, F. Smith, Garrett Long, and W. Hines finally joined us, and on the morning of the 24th, watering our animals at Galisteo creek, we set out for the south. Made 18 miles, having nooned by the way. Good grass, but no water; day warm. Good road to our nooning, same in the afternoon with saline encrustations. Several of the company were still behind, delayed by the “fascinations” of Galisteo. I had a severe headache and a cold, the first since leaving Independence.

The next day in nine miles nooned, with good grass; water was found in a small lake 2 1/2 miles to the left of the road. Stinking Spring is a mile further. Moved on ten miles and made the night on excellent grass, without water. We obtained it next morning within two miles from a spring immediately upon the road; this feeds a large pond a few miles off. Stopping only to fill canteens, proceeded five miles to the next spring, of the same character, surrounded by capital grass, where we nooned. The night camp, fifteen miles beyond, was again without water but with fine grass.

This is a Jornada, at least for us who keep the travelled road. It is a nearly level plain or table-land for nearly sixty miles, encircled by low ridges giving it about the same width and containing thousands of acres admirably adapted to the raising of sheep. The timber is upon these hills, where

also are the shepherds's huts, whose fires even at a great distance relieved the loneliness of the cold night watch. The plain is subject to the incursions of the Navajoes and is now abandoned to the antelope and other wild game. Of the former we saw many large herds, but had no shot. The road now and then is sandy. The vegetation is wild sage and cacti, and these so scanty that the waggons carried wood most of the way. Some large brush drifted from the mountains down the hollows proved very acceptable as we were leaving the plain. The mountain of Santa Fé was still in full view and two snowy peaks beyond, making a glorious spectacle at sunset and sunrise. At night we had the moon, with cloudless skies, but cold; day always warm. As we journey along Doniphan's men "fight their battles o'er." A present of dried apples from my old friend Housely. At one nooning-place I made and baked five 25 pounds of biscuit, my first experiment in that line and a failure, so the mess pronounced.

Upon the plain we have passed the time will come when wells will be dug, timber planted, and a pastoral people flourish in comfort and happiness, where now all is a vast solitude.

On the 23d with clear and pleasant weather we proceeded eight miles to Quarra. This is an old Indian village, inhabited by a couple of families and situated in a body of piñon, cedar, and long-leaved pine. Some onions, a brace of chickens, and five eggs were all the provisions they had to spare. A few piñon nuts were offered by men from a neighboring rancho. The Church is built of small rocks and the lofty walls are still standing, their purpose only discoverable from the form of the building and a wooden cross erected in the middle of the grass-carpeted floor. A beautiful rivulet and an excellent spring supply the water for household use and their single cornfield. The principal reason for stopping here was to visit Manzana, an Indian village of about one hundred families distant 2 1/2 miles. There abundance reigns, it is said—at least of corn, every house full of it, piles out of doors, and the *carretas* continually bringing in more from the fields. Enough was obtained for our company (but some of it frostbitten) at \$2 per *fanega*. The animals were fed regularly on corn, in addition to the fine grass of this region. The cross-roads here might induce one to think we were in a thickly-settled country. Cooper's company had already passed in advance of us. A *fanega* is about three bushels. The church at Quarra is said to have been built 150 years ago. In the afternoon, proceeded over the uneven road eight miles and camped among the thick cedar,

kindling large fires to aid the guard, as the mules were prone to wander off through the trees and bushes. Completely sheltered, we passed a comfortable night. No water.

The next morning, in seven miles, we breakfasted at the deserted village of Abo. Its church is similar to that of Quarra; the walls of some of the houses remain. It must have been a laborious undertaking to build these two 26 churches. The town was on a hill, at the foot of which flows a rock-bed stream of pure water, lined by the broad-spreading bitter cottonwood, whose branches bend low down and almost hide the stream. One involuntarily remarks, “a most beautiful spot!”

Leaving the stream, which is soon lost in the sand, the cañon gradually widens out, displaying a level bottom through which winds our road. The hills on either side thrown about in confusion, sometimes dotted with cedar, again looking like bare masses of iron. After a toilsome ride of twenty miles from Abo, we reached the valley of the Rio Grande, and camped about eight miles from the river. The remarkable rocky basin called, I believe, Juan Lujan, and sometimes the Hole in the Rock, sunk many feet deep, probably by a volcanic convulsion, supplies good water in two large pools, and there is a little grass around its brim. This is the only water between Abo and the river. With the exception of the pass by which it descends to the river the road is very good. Two trains of *carretas* freighted with *chile* passed us on their way from El Paso to the Salinas. On the road we picked up a human skull—no other sign of mortality near—doubtless a victim of Indian hostility. As we sat on our mules, it was passed from hand to hand for examination and left sticking on a branch of cactus!

The air was soft, with a gentle breeze in the cañon that seemed fresher as we proceeded. Vegetation grease-wood, cactus (two species), and wild squash. We soon came in sight of the Socorro Mountain. The road is good, yet with occasional sand and a small portion of it gravelly. The saline efflorescence is abundant between Abo and Juan Lujan, and in the midst of it we found Cooper's company encamped, on account of one of the party having been attacked with pneumonia.

Leaving Juan Lujan, the road ascends gently westward, through hills singularly and variously shaped. When near to the top of the pass the waggons halted to gather dry cedar branches for the

valley encampment beyond, where we could not have wood, a precaution well thought of, as the 27 night proved cool. The mules had a tolerable patch of winter grain, the first we had yet seen. We had expected to find a good encampment at the river itself, but it had been ruined by the frequent freshets. The 25th was warm and we did not start until 3 o'clock P. M. for La Joya. There is another road to that place, which has good water and grass; it leaves the Santa Fé trail at Bagos.

The people of La Joya had apples sweet to the taste; sold us some sheep at a reasonable rate; and asked \$25 for a cow. After so much cedar, the green cottonwood and the peach trees afforded a pleasant variety. Camp was chosen a mile below the town, and the mules turned upon a shuck field, after being fed with corn. The price of corn was \$2.50 per *fanega*. The night clear and pleasant. A duck and crane shot. Many of the company with which I subsequently travelled fitted out at this place, encamping on the opposite Side, and speak well of "its advantages for this purpose. We are careful to keep the mules from the saline ground.

From Galisteo to La Joya we had travelled 115 miles. Thence to Socorro the distance is 20 miles, passing through La Joyita, Sabino, and Parida, where corn and flour can be obtained, as well as eggs, chickens, milk, grapes, etc. The Road is occasionally uneven, with much sand, the soil often good. Proper encampments present themselves among the trees that fringe the river, but the main dependence here is upon corn. At Sabino Capt. Houck lost a favorite horse by a cap being carelessly left on a gun in a waggon, and I shall the better remember the incident from the fact that only a moment before I had been behind the waggon, in such a position that I could have escaped the shot by the help of Providence alone. The messes from Galisteo left us at La Joya for the purpose of disposing of their waggons, etc.; at Parida came up Dr. Crawford E. Smith, Troup Smith, John Peterson, and Robert Christian, part of the company from Saline county going to El Paso.

To-day the story was that the Apaches had lately killed 30 U. S. soldiers near Doña Ana. Another version 28 represented the fallen as New Mexicans. But at Socorro it assumed another shape, and it appeared that a packing party of Missourians were attacked in a cañon of the Gila, and of twenty-nine only one escaped. Bad news, but generally discredited before we left Socorro.

Another rumor represented a certain Dr. Lemon as being in Upper Sonora at the head of a formidable band of robbers. His exact locality was not known, but it was said that Col. Jack Hays was out after him with a “spry company,” and that his tracks had been found. Dr. Lemon, whoever he may be, may feel flattered by the particular inquiry made touching his personal appearance, former character, habits, and birthplace, about which it was not hard to find people who could give us all the details, although he ought to have trembled in his moccasins, if he could have heard the vengeance threatened by many a holder of trusty rifle, if bead were ever drawn upon him.

On the 27th we encamped within a mile and a half of Socorro, and the next day (Sunday) went over to the town, at a good ford. The river is fordable at many places above. Hiring a corral and house, we returned to take leave of the pleasant companions of a long journey thus far safely accomplished, whose way we could not but regret was now different from ours. The kind “God bless you” is not forgotten as we parted, each to encounter new and less known difficulties, if not perils.

(Memorandum; I have since learned that Mr. Houck returned to Missouri from El Paso, and the rest of the company went by Chihuahua to Mazatlan, shipping from that point to San Francisco. May good fortune attend them ever!)

Sunday, Oct. 28th: Arrived at Socorro.

During the sixteen days we sojourned here, we had little opportunity to see as much as we could have desired of New Mexican society. The better class of Señoras do not attend the fandangos managed by the rowdy soldiery; and, as they judge the mass of Americans, perhaps, by the conduct of the soldiers and teamsters that represent us here, 29 (the emigrant commonly “minds his own business” and takes care of his stock, molesting none of the people), a caution is observed in the approach to the more respectable families that requires time to overcome. Many of these, disgusted and worn out by their treatment since the peace, when they had a right to expect protection, instead of insult and oppression, are preparing to leave immediately, promising themselves better security even under the ill-regulated government of Mexico.

What we did see of them, however, left no unfavorable opinion, when the proper allowance is made for the circumstances that have heretofore surrounded them, all so unpropitious to improvement. They are a polite, kind, mild, well-meaning people, respecting the laws, and eminently religious in their feelings. 'tis a contracted pedant who would blame them for their want of education. If government should continue to keep troops in the towns, they ought not to be too few for defence, while just enough to be an intolerable nuisance to the inhabitants.

Socorro is prettily situated on the second bank of the river, at the foot of a mountain towering to the height of 2,700 feet, embosomed in vineyards and orchards, and boasting 8 good many large and commodious dwellings, as well as a spacious church.

Almost every house has a corral connected with it, which can be rented, (with rooms adjacent), for from \$4 to \$7 per week. Here the stock are brought for safekeeping at night, being grazed during the day on the bottom under the charge of a herder, at the rate of 50 cents per day. The practice is to give them corn in the morning and again upon their return, with fodder at night. Prices are as follows: Corn, \$3 per *fanega* ; flour, \$6 per cwt.; sugar, 37 1/2 cts. per lb.; coffee, 25 cts.; gourds, 50 cts. each; tree for pack-saddle, \$2; shoeing a mule around \$5; Osnaburgh 10 cts. per yd.; there are three stores. Within four miles of the town in the hills are the hot springs and fine graina grass, to which our herd was frequently driven under a guard. Beef, milk, fruit, etc., can be had at reasonable rates. This being, as we supposed, about the last chance, 30 old clothes and every other superfluity were gotten rid of for corn and such other things as we needed. It is found convenient to buy bread of the families, a white, sweet article at 10 cents for a couple of small loaves.

As the various fragments arrived that were to compose the company, great activity was displayed in the various corrals in rigging out pack-saddles, collecting and weighing provisions, and the other necessary preparations. Col. Cooke's idea is that the trip from the last New Mexico settlement can be accomplished with pack-mules in 40 days, and in 60 with waggons. To be on the safe side, our aim was to take supplies for 50 days at least; some provided for 60. I believe the average allowance was about 60 lbs. of flour and 25 lbs. of bacon to the man. I consider this more than sufficient, with the economy that ought to be observed on an expedition of such length and liable to so many

unforeseen accidents. A Mexican will put 200 lbs. or more upon a mule for very long trips. My pack mule had but 80 lbs., including all my provisions, which were ample for one man, especially with three opportunities for laying in supplies on the road. The weather was delightful during our stay. Socorro, however, has little to interest one after the bustle of preparation for a campaign is over, notwithstanding the frequent religious processions at this season, the fandangos, and the fracas between the soldiery and the people. One day promised a serious affair, perhaps nothing less than an attack on the town by the daring Apaches. It ended in a 24-hour expedition of the eighteen dragoons then here, and their speedy return with a report that the Indians had run off 60 head of government cattle from Holt's rancho, below San Antonio. Their tracks were followed some sixty miles—so said the soldiers—and six head were found, one with an arrow in it. It seems that in the hurry the soldiers had forgotten to take their overcoats or sufficient provisions for further pursuit.

Among the emigrants already here was a small company from Chicago, Ill., consisting of Mr. James McDougal, Dr. Heath, and thirteen others. They had been on the 31 road a long time. In September they had endeavored to take a short cut to the El Dorado that was said to be on the river Prieto. With a New Mexican guide they left the Rio Grande at Samitar, On the 26th, on a course a little south of west, passing Several ridges or spurs of mountains running nearly north and south, between which generally were dry, gravelly valleys, some miles in extent; the hills mostly covered with a dwarf growth of pine and cedar. Water was very scarce—one day they had to travel 30 miles to reach it. The country gradually rose until they reached the dividing ridge between the waters of the Pacific and those of the Atlantic, at the distance of 120 miles from Rio Grande. The pass is very easy of ascent.

A few miles further are the first waters of the Gila. The Rio Francisco is 40 miles from the dividing ridge. This is a rapid mountain stream about 50 feet broad, and Dr. Heath considers it to be the main Gila. Twenty-five miles further west was another nearly as large, running through a deep cañon. The guide called it the Bonito. Differing with him in opinion, and supposing it to be the desired Prieto, big with their fortunes, they encamped for several days while half the men went up the stream 35 or 40 miles. They discovered no sign of gold. In the meantime came up a party of New

Mexicans who had been trading with the Apaches. They called this stream the Rio Petria, and said the Prieto was six days' journey to the southwest. Their bright anticipations were all thus ruined, as they had no provisions to stay longer.

They had found the country to become more broken and mountainous as they proceeded west, the nights very cold, ice frequently forming an inch thick. Very little of the land can be cultivated, and that only by irrigation. On their return they saw two Indians who fled as they approached. There was little game; they succeeded in killing two mountain goats and one antelope. They were absent 30 days in all, going 180 miles in a direction generally some 20° or 25° south of west. On November 9th arrived a party with ox teams, 14 men, the same number of children, and 7 women. Two of 32 the children were born on the road. They started from Dubuque and will be recollected as the company of Twaite, Waddoms, and Smith. They expected to resume their journey in a few days when joined by Gen. Anderson's company.

On the 12th Col. May marched into the town with a respectable force of dragoons. Our various parties were now below at the place of rendezvous. I lingered till morning in the enjoyment of the fare of señora Montoya, not less acceptable for its simplicity and the frank hospitality with which it had been tendered.

I was in a gay assemblage one night about seven days after my arrival at Socorro, when J. Cruise brought the startling news of the massacre of Mr. White's party and the lamentable fate of his wife and child. For me the event had perhaps a deeper interest than for any who were listening to the narrative. When I was on the eve of my departure from Independence, I was introduced to Mr. White, who was going to start a day or two after Mr. Houck. I was recommended to accompany him. That I did not, but persevered in overtaking the others, was it not Providential? Another evidence of the kindness with which the Almighty has watched over, protected, and blessed me through my whole life. I do so consider it.

Leaving Socorro, the road occasionally ascends the bluff, and has a few sandy places, otherwise it is good. There is a great deal of saline efflorescence. The vegetation chiefly cacti and mezquite.

Just beyond Socorro the mountain spurs hem in the river, but soon the bottom widens and continues broad to San Antonio. I went there alone on the 13th. This was the fiesta of the patron saint, and the village was in its merriest mood. A couple of races in the afternoon, later a solemn religious procession, and two fandangos at night, divided the time of this apparently happy people. Ladies were here from Socorro, Los Lopez, San Pedro and Bosquicito. At one of the balls where I spent an hour or more, they made quite as shining a display as do village beauties anywhere. Their dresses and the arrangement of the hair was much after the American fashion. señor Montoya, whose acquaintance I had

The note-books consist of sheets of various kinds of paper pasted into the bindings of legislative journals, from which the pages have been cut. Many letters were copied by Judge Hayes, the majority of purely family interest; the signatures were carefully cut from the originals and pasted in.

33 made at his brother's at Socorro, received me kindly, but he had too many visitors to accomodate me with lodging; he had room and provender for my mules, however. After partaking of some *miel* , that is to say cornstalk molasses, I slept comfortably by the side of my cargo under his porch. Cloudy, but pleasant day.

The company was camped about a mile below the town, On thin grass, the village supplying the want of it with plenty of corn and fodder. The diversity Of opinion between the route of Col. Cooke and that of Gen. Kearny was settled by the vote of the majority in favor of the former. Housen ill. Cooper was chosen captain, an admirable selection.

Next morning breakfasted with my worthy host, a dish of stewed mutton, followed by *chile* , with good bread and water. He offered aguardiente, which I declined, telling him I had drank nothing of the kind for nearly two years. I gave his son a map of the United States, which seemed to please him very much. The youth asked many questions about the States, the road to them, etc. All the ladies wished to see the daguerreotype of my wife and returned it to me with the graceful remark “ *Muy bonita* .” One inquired, “Do you not wish to see her?” and when I replied yes, she smiled, satisfied with the result of her curiosity. To one of them I gave a Catholic picture which I tore out of

my prayer-book. All were kind and attentive and manifested a deep interest in our fortunes, as we were now leaving the last civilized settlement.

The company had long before started. I left with Moree, and late arrived near the Valverde crossing, where all were in camp. The day was clear and windy, but warm. The road is level, rather sandy; winds much through the bottom, and within two miles of the camp running close under the high bluffs. At this place the river is narrow and lined with cottonwood. The grass at the river was indifferent; the stock, however, were herded on it to-night. Next morning a fine patch of grass was found on the hills, and the stock kept upon it under a guard of 12 men. It was on these hills two young volunteers of Doniphan's regiment, while herding sheep, the balance of their company 34 being at our present camp, were surprised and killed by the Apaches. Their names were John Stewart and Charles Spears. We found their graves beneath a large cottonwood. This has always been deemed a dangerous spot for the Indians, In the course of the morning a detachment of U. S. troops crossed the river above us on their way to Doña Ana. In the afternoon arrived those we had been waiting for, and we moved eight miles through the bottom, encamping on the river, but herding the stock on the hills to get the graina. The morning was cool, with a strong wind and dark clouds. Much talk of home and wives and children.

Yesterday the talk began to be resumed of a division of the company. This morning (Friday, 16th) two companies were organized. The first, under Capt. Cooper, consisted of H. M. Cooper, S. Cooper, J. P. Vaughn, Henry Hook, Benj. Hayes, Robert Lincoln, R. C. Phelps, A. T. Drake, W. R. Cain, J. Loan, J. Venable, Eli Shepperd, W. Hines, J. F. Hines, J. White Burnett, Thomas Burnett, J. W. Reynolds, W. Morris, Jesse Baxter, J. Edwards, P. Austin, R. Foster Smith, T. J. Morrow, A. Thornton, D. H. Walker, George Harmon, B. O'rear, W. Trotter, T. Chandler, James Daley, J. Williams, T. M. Phelps, J. M. Cose, J. N. Cain, A. Ball, H. M. Wilson, A. Moore, M. D. Hines, J. D. Osborne, W. Nash, M. Haines, James T. Farley, J. Austin, J. S. Martin, M. R. Miller, M. Mitchell, E. S. Moore, J. Riffe, J. C. Chubscales, R. Snediger, B. Spencer, Wm. Johnson, John Chaffin, Geo. Leigau, W. C. Bragg, Jno. Macey, Dr. Clark Houston, John Houston, S. B. Stafford, W. Morrell, Wm. H. Gage, Smith Ely, Ceo. W. Folger, J. Edmondson, H. Clouds, James Winkler,

John Lewis, David Evans, Galloway, —— Galloway, ——Wills, —— Steppe, S. Stevenson, Wm. Pickett, and two colored men.

Those of the other company were Messrs. J. G. Ridge, J. J. Hampton, T. Truebody, E. Page, E. R. Cathlan, W. Allen, W. Nelson, W. White, J. Robinson, G. Gordon, R. I. Barnett, J. H. Bayliss, James Barrett, D. Meek, R. Bayliss, N. V. Starr, L. Larkin, W. R. Davis, T. B. Hale, J. B. Houseley, T. K. Bradley, J. H. Smith, J. Richard Norris, J. Houston (of Clinton Co., Mo.), Dr. Wm. C. Laurence, T. Smiley 35 Harris, Thos. Clark, B. Keizer, J. B. Shields, Caleb Shields, J. Holman, I. Holman, R. Long, Garrett Long, W. Long and one colored man. A Mexican at San Antonio had offered for \$50 to guide them to the Gila river, whence they thought of pursuing Kearny's route, notwithstanding the lateness of the season and all the difficulties which, from Emory's account, seem to attend it even for pack-mules. They wished to avoid the circuit which Cooke made. We parted from our friends, fearful for the result.

Our company was now 77 strong, with 168 animals. The Chicago company of waggons was also with us. We made seventeen miles and camped in a grove on the river. The morning cold; quite warm toward noon; the thermometer at 66° at 3 P. M. Mr. Beall of the waggon company thought it a hard drive for them. We had to dig down the bank of the river in order to water the stock. I saw one flower still in bloom, an aster.

The organization was now complete, consisting simply of a Captain and six sergeants of the guard, without any rules and regulations or constitution, which we commonly considered so much paper wasted on expeditions of this kind. The mode of travelling usually was this. Breakfast was had in camp before daylight; by sunrise Or a little after we were on the road, each mess or individual starting when ready. Sometimes it thus happened, that small parties would be from half a mile to a mile behind the main line, and often the company went straggling along drawn out to a great length. At times many might have easily been cut off in the event of an Indian attack, Of which there is always danger from Socorro, or even from Santa Fé to the Pima villages. Up to the Pimas our camps were commonly made in the middle of the afternoon, the day's journey being completed without unsaddling. It is questionable whether this is as good a plan as to have stopped for several

hours through the heat of the day, and finished the day's journey toward evening or in the night. On the fine *grana* to be found between the Rio Grande and the Guadalupe Pass, I would take the latter course, if I should have to do it again and be at my own disposal.

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Our road the next day for ten miles was over very steep and rocky ascents and descents, bad for the waggons. They stopped to rest, and got into camp an hour late. The road runs very little in the bottom, and the sand is deep; the hills are high, making deep and broad arroyos, dry beds of creeks and torrents of which we crossed several. The chief vegetation is cactus (several varieties), Spanish bayonet, and mezquite; a few cedars on the hills and in the Sandy hollows. I found one flower in bloom. Travelled eighteen miles. To-day we nearly completed the circuit which the river makes round the mountain of Fra Cristobal. The neighboring country presents a most rugged and desolate aspect. We camped immediately opposite a mass of white earth said by Capt. Johnson, I believe, to be chalk. The river here is very narrow. To the north Fra Cristobal reared his rugged brow; behind us rose a lofty side of the cañon up which, half a mile distant, the mules found fine *grana* ; around, a universal growth of mezquite which made good fires for one of our coldest nights. A good watering place at a Short bend in the river, just before reaching camp. In the morning we passed a singular wall of earth, many feet high and three or four in thickness; as it stands, it might be taken for the remains of some ancient and spacious edifice.

Bad colds were now beginning to prevail, the result of the sudden change from the close adobe houses of Socorro to a field life. Three or more were quite sick, although they still kept to their saddles. But to-day Mr. White Burnett had to be carried in a wagon. Thus far we had seen little game, tending to confirm the observation of Emory that game in New Mexico is almost extinct, if it ever existed to any extent.

Some faded groves of cottonwood are in sight up and down the river. There is much speculation as to the luck our friends will have who have attempted Kearny's route down the Gila. We have misgivings, but they were enthusiastic in the belief that they would beat us to the Pimas. The point at which Gen. K. left the Rio Grande is somewhere near our present camp.

Sunday, Nov. 18th:

Heavy frost. Travelling a few hundred yards, we came to water, but the quicksand made it dangerous; soon rose to the table-land by a long, winding ascent, dotted with cedars, and again presently came down into the bottom by steep descents. Fronting the road as you wind up is a high peak on the east side of the river. Toward evening, for a considerable distance we passed through the bottom immediately under the bluff. Very rocky all day and bad for waggons, although they kept up with us better than yesterday. Encamped near a cottonwood grove, with convenient water *at* the river and excellent grass on the hills, distance 20 miles. Five deer seen to-day, many rabbits killed, as well as for the last two or three days. A Mexican quail was shot, a very pretty bird. From the unevenness of the road packs were frequently deranged, which threw their owners considerable behind. In one instance, Henry Hook and myself (who happened to be riding together), scampered up a long hill in double-quick time at the crack after crack of a dozen rifles from the front far out of sight. It turned out, however, to be merely a deer chase and not an Indian charge as we had supposed. The day clear and warm; a strong breeze at 3 A.M.; water froze hard. The river here is not more than 30 yards wide, a Sand bar reducing the channel to one-third. Just as one of the guards was leaving a gun went off, occasioning an alarm, but not serious. Mr. O'rear has recovered his usual health. He was shot through the breast by a messmate who mistook him for an Indian; this occurred in the Saline company, somewhere on the Santa Fé trail. He joined us at Socorro. We have concluded that we must pass General Kearny's turning-off place early to-morrow.

This was our first Sunday. Some had proposed to rest always on that day. Apart from religious considerations, all afterward admitted, when the subject came up, that we might have so regulated all our encampments as to have reposed on Sunday with eminent advantage to the ends of the expedition. The time that might have been supposed to be lost in so doing would have been more than compensated for by the improvement of the stock, a circumstance 38 visible to every eye when their weakness or the sickness of the men, or accident, forced us to stop for even a single day.

By this time all were heartily tired of the Rio Grande. Yet Col. Cooke and Gen. Kearny had met with greater difficulties. Our hunters lamented most, for the scarcity of game where those officers found plenty of geese, turkeys, and deer.

Nov. 19th: About a mile from camp we passed what we supposed to be Gen. K's path, leading up the bluff. Presently came to the bed of a creek, now dry save a rivulet half a foot wide which was making its way slowly over the road, struggling to contribute its mite to the river not distant more than a hundred yards, but which it hardly seemed it would have force enough to reach. Nearer its source doubtless a stream of some size, and dissipated in the sands of the broad cañon through which it flowed.

The road led much through the bottom and skirting the bluffs. The ascent to these was heavy for the waggons now and then. One was accomplished with eight mules to the waggon, and at the steep descent which is met only a few feet further, for greater caution they were let down with strong lariats. The road seeks the bluff to avoid the miry bottom near the river; this is overgrown with tangled cottonwood and cane thickets, in the midst of which are many large pools full of fish. Deer, rabbits, hawks, none killed. In 18 miles we encamped in a break of the hills, where they approach close to the river, opposite to a lofty mountain ridge on the east side. The mules were easily watered and had fine grass. A pleasant day and night. Distance 18 miles. Indians' signs appeared; the Indians doubtless frequent this spot for fish.

We began anxiously to estimate our distance from Socorro, according to our travel, and determined it to be about 110 miles. From Socorro to San Antonio is 12 miles.

Tuesday, 20th: In about 12 miles the appearance of the country strongly indicated that we were soon to bid farewell to the river. At several points plain waggon tracks Seemed to lead off. At length we made a turn toward the hills, hardly perceiving our destination at first, winding up a long cañon of gentle ascent, in general; descending again into a wide bottom; thence over a rolling country covered with *grana* , and at the end of 24 miles from the morning's camp we entered a little cove to the right of the road, where Capt. C. had already found water; abundant grass on the hill-

sides; fuel, a little mezquite and stalks of the Spanish bayonet. This is "Foster's Hole," described by Col. Cooke as "a natural rock-bound wall, thirty feet in diameter and twenty-four feet deep, containing about 55,000 gallons of clear, pure water."

From our camp it can be approached through a narrow opening in the rocks, but the mules are driven over the hills on either side down into the chasm, where they can be watered one or two at a time in two small basins at the foot of the main one, some 15 or 20 feet below it. The process is a long one but easy enough. We had also found abundant water in a large pond on the roadside, three miles from the river. Day clear and pleasant. Our camp was Within a mile of the table-land that stretches, almost without interruption a level plain, to Guadalupe Pass. Ascending from the river, the mountain scenery is various, striking, and grand, comprehending a view of the Organos and El Paso mountains. The river here runs off short to the east, while the emigrant road takes nearly an opposite direction.

Col. Cooke was here Nov. 13th; the next day for him was cold and cloudy, with the appearance of snow at this camp, and on the 15th he did not move, as it was blowing a gale all day and both raining and snowing. We had better weather on Nov. 21st, 1849 when we finally threw ourselves in the track made by him, upon the vast table-land of Sonora. Watering the animals again, we started at 8 o'clock. After a mile or so passed over a very level, firm, but gravelly road ten miles to a small running stream. The water plentiful and good; much mezquite; a grove chiefly of oak off the road, on the right hand. Here the Chicago company were engaged in cooking. Watered the animals 40 with their packs on and went on to the edge of some low mountains that had been before us all the afternoon. The Chicago company stopped 3 hours and came in merrily at 7 1/2 o'clock. Four flowers in bloom to-day. Mesquite for fuel and stalks of Spanish bayonet. Killed a prairie-dog. Some antelope ran towards the train as if aiming to come through it; soon changed their course. The grass along our march green and luxuriant. A swampy hole with many wells of good water in the neighborhood. Whole distance, 27 miles. Turned the mules out on the hills. Cloudy at sunset, a bright moon after 10 o'clock. The moon went down in clouds. Found a thistle to-day and some willows.

November 22d: Mr. John Chaffin had been indisposed since we left Socorro, but always rode out the day's journey. Last night I learned he had become worse; on rising at daylight I was informed that he was dead. We are now in camp waiting for the grave to be finished. The morning is very cold, with a piercing wind from the southwest; a few drops of rain fell at an earlier hour; a genuine November day. Although he died at half past ten o'clock last night, the event made little stir amongst the sleepers round him. It was very sudden; very few imagined that his condition was dangerous. The grave was dug near the roadside; cedar logs were procured on the hills half a mile from the camp. There were no materials to make a coffin. He was wrapped in a blanket, then laid in his overcoat, as if the more to protect him from the chill sod. Cedar logs were laid above and filled with sprigs of cedar; then a layer of earth and in fine large rocks above to prevent the wolves from opening the grave. The rest, like this, was done by friendly hands, and we bade farewell to our worthy companion. He was an amiable and excellent man. He leaves in Platte county, Missouri, a wife and four children. Not one of us, I dare say, but thought of her bright hope for him at home. It will be long ere the sad intelligence shall come to her from this wilderness.

This mournful duty was ended by ten o'clock. At sunset we were camped on the Mimbres, distant 21 miles.

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MY OUTFIT FOR CALIFORNIA

Sept. 10th, 1849

1 Coat and pants (gray) \$ 8.55 Ink powder \$.15 Making same 8.00 Mealbag 60 1 Vest 2.25 Tin box for medicine, etc. .60 1 Pr. Pantaloons (blue) 3.37 Medicine 3.15 Hat \$3, Boots \$3 6.00 Fishing tackle (?) 2 pr. Shoes 3.00 Butcher knife 1.00 5 White shirts 7.00 Large pocket knife 1.00 6 Handkerchiefs 5.00 Hatchet 1.25 Dragoon overcoat 8.00 Belt for pistol 50 2 Pr. Warm Mittens 1.00 Saddle for riding 15.00 1 Pr. buckskin gloves 50 Saddle-bags 5.00 Woolen caps for head, Spurs \$1, lariat \$1 2.00 given me by Dr. Dabney. Canteen 40 cts., strap 6 pr. Socks 1.50 for it 25 cts. .65 3 Blankets 15.00 Pack saddle 3.00 Buffalo robe (present) Shotgun, double barrel 18.50 Oil-cloth 1.50

Shot pouch 1.00 Making shirts 1.12 1/2 Repairing gun 50 Pocket comb .10 Powder horn (present) Tape .10 Allen's revolver 12.00 Jones' bill 5.00 2 lbs. powder 1.00 2 Razors 3.00 2 lbs. buckshot .25 Saddler's awl and strong Lead .25 needles .10 Percussion caps .60 Sewing materials (a 2 Tin cups, frying-pan, present from SLH) coffee-pot, (a present) 2 Small looking-glasses .30 Pepper box .05 Spectacles 25 15 lbs. flour Thread .25 2 “ sugar Needles .10 2 “ rice 11 Yds. Red flannel for 25 “ middling Indians 6.60 1/4 “ pepper 16 Yds. Calico same 2.44 1/2 “ salt Tobacco 2.00 5 “ coffee Wafers .05 A quarter of tea Note-book 1 Peck pinole Foolscrap paper Sqr 1.25 (All these from the house of Ink & inkstand .75 G. L. H.)

The rest G. L. Hughes paid for and charged to me; he was subsequently repaid out of the estate of Emily's father. He also paid for my mules. One of my mules cost \$60.00, the other \$40.00. In addition to the above articles, G. L. Hughes loaned me the sum of \$50.00 in cash. Although I husbanded this carefully, at the crossing of the Colorado I had to borrow five dollars, to pay the ferriage for myself and mules, and five more before reaching Los Angeles. At Galisteo, I had to send to Santa Fé for flour. At Santa Cruz, I remember well that I desired to have about \$20 more in my pocket.

The medicine consisted of calomel, opium, tartar emetic, Cook's Mixture, African cayenne, laudanum, quinine, camphor, spirits of hartshorn, (with a careful prescription by Dr. Dabney, as to the use of each article). I was never sick on the road, but in several instances it was of advantage to my companions.

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[From the incomplete notes of the journey from the Mimbres River to Warner's Ranch, Judge Hayes later wrote a separate diary, which he gave to H. H. Bancroft. The material would fill upwards of a hundred printed pages. Dr. Owen C. Coy has written a scientific study of the road traversed by the little party.* A map accompanies the report of Col. Philip St. George Cooke, whose route Judge Hayes and his associates followed in the main.

The Great Trek: The Story of the Overland Trail. Los Angeles, the L. D. Powell Company, 1929.

On November 23 the party reached the three forks of the Mimbres River and forded the main stream easily, continuing over a level plain to a spring called Ojo de Vacca. Fuel, water, forage, and game were plentiful. A level road was taken in a southwesterly direction, making a gentle descent

“Capt. Hook thinks we passed within 30 miles of Yanos,” commented the diarist. “It is four days packing, he says, from Yanos to the Copper Mine, and about 20 miles to Carratas. The Carratas mountain has been in sight this afternoon . . . The plain we are travelling over, Capt. Hook says, extends to Chihuahua, with no higher ground than ours, except that on which the battle of Sacramento was fought. About 20 miles from Yanos to Fronteras.” A large “dry lake” which had been replenished by winter rains was crossed, “perhaps a mile and a half across,” and provided water. Leaving the canon through a narrow defile a dry branch of the Los Animos was crossed six times. Here the wagons came up.

The party was carefully studying and following the route of Col. Cooke and the Mormon Battalion. A minute description is given of the journey, it apparently having been his intention to send it back to Mrs. Hayes in order that it might be published for the guidance of other emigrants. Passing “the ruins of San Bernardino, covering perhaps 4 or 5 acres, the adobe walls still standing,” camp was made on December 2 near the Bayliss company, and there was much visiting and a hunt took place. Indian signs were found near the camp, and it was thought that the emigrants had been watched for some time and that the presence of the guards prevented an attack. At no time was the party attacked by Indians. Litters were made here for the sick, which were hung between two mules, in order that the party might proceed.

In some way Cooke's road through Sonora was lost and a road which went thirty miles south of it, which bore indications of wagon traffic, was followed. The mistake was soon discovered. “We are satisfied that we are on a new route, when made we know not, probably by the emigrants in this year.” A number of ruined ranchos were seen, “desolated by the ruthless Apaches.”

“Turning around the base of the ridge, a small stream leads us to other fields and gives a glimpse of the church of Santa Cruz, not far distant . . . We entered the walls of the town. Some of us had

supposed this was an Indian village, but a horseman passing us a short distance from the town, saluting us in Spanish, indicated that we should meet with the race with whom we had already spent go much of our time, and gave some assurance of recruiting our supplies. Several polite Mexicans met us at the walls, and we scattered among the houses on the plaza, each seeking to satisfy his wants A singular character, an American, was found here, a rumor that it might be Dr. Lemon. . . Visited the church, a large, long building, its front somewhat defaced. A sort of chapel, with pretty statues . . . Here is the fort; saw six carbines, and one small cannon; about 40 soldiers are stationed here. Some fifteen of them—they are infantry—marched down the road this afternoon towards a neighboring town. A sentinel stands on top of the house, from which the approach of the dreaded Indians could be seen far off. 43 Lofty hills surmount the town on the east, on which they sometimes can discern the enemy, overlooking their plaza, like the hawk over a brood of chickens. In September, 200 Apaches charged down along the town, In view of the redoubtable fort, driving off all the loose stock they could find, and went off unscathed. A citizen informs me that all their small towns along the frontier are now occupied by soldados, very little appearance, however, of what we are accustomed to call by that name in our country There are two roads from here to Tueson, one over the mountains for packs, the other round by the river, for wagons. Bayliss' company seem to have started on the first, and turned back to take the wagon road, said to be 18 miles further.” . . . “Sickly appearance of the people.”

By proceeding carefully along the shorter road, which was merely a path, the descent was accomplished. The San Pedro River was crossed and recrossed, and later in the diary mention is made of the fact that it was flowing eastward.

On December 13 camp was made within a mile of the village of St. Xavier del Bac. The description of the church is an interesting one:

“This morning early went up to the village. Struck with the strange appearance of Indian wigwams on one side, and adobes on the other; still more with the splendid church of solid structure, whose dome and belfreys overlook the town and a wide extent of mountain and plain. Staid there till ten o'clock when finally succeeded in getting a sight of the interior. Our first visit was to the church-

the splendor of the outside, and a glimpse of the beauty of the inside through a high window, exciting our curiosity to the highest. We asked a Mexican to admit us. He told us a Pimo had the key, pointing to the wigwam. On going there, he sent us to another Pimo. Finally, for awhile, we abandoned the attempt, and I traded percussion caps for beans. Fired revolver, which seemed to please them, I mean, the Indians. A Pimo sent for a pistol; it would not stand cocked. Fired it for him, and then an old double-barrelled shot gun, nearly as bad to cock. At length, a Pimo spoke in his language across the plaza to have us admitted, in Spanish, to send two of the *mulieres* with us. They kept us waiting half an hour, meantime I examined the other premises. The delay itself seemed to have been made only to astonish & please us, the more.

“Two belfreys, hexagonal base, then octagonal on it, then smaller dome-shaped, with cross on top of the whole, whole height of the belfry finished perhaps 160 feet. Two bells in completed belfry, one in the other belfry which seems never to have been completed. Dome back of the belfrys, over the altar. Terrace on top of the whole very pretty. Beautiful front, with niches for figures, some of them now defaced a good deal. High wall on the east, enclosing rooms with lofty ceilings, which may once have been a monastery; staircase view from interior gallery, and two galleries outside; floors solid cement, in square blocks. 3 altars. Light and airy appearance of ceiling over altar, with white, pink, and blue colors. Statues innumerable of saints, Apostles, Blessed Virgin, etc. 12 oil paintings by masters, sent no doubt from Europe; appear to be old, and to a connoisseur would be of great value. Besides, numerous fine paintings on the walls, some very large, of Scriptural scenes, and the colors fresh as if painted yesterday. Four old missals In a closet in the sacristy, which the girls, thinking doubtless we would be interested in their treasures, unlocked for us. Oldest printed 1762, another 1769. Parish records of births, etc. Oldest date in the latter 1765. No seats. Side rooms, sacristy, etc., all highly finished. Splendid cornice. Gilded carved pilasters, making the altar, in the light of the sun's rays straying through a lofty window, glitter like a mass of gold. Girls showed us ‘*San Antonio chichito*,’ a very pretty little figure, on 44 which she put a neat little cap of pink silk, and laughed at its beauty. The bier with a coffin. The Padre is to be here in 3 days. I was told by a Mexican that the church was built 200 years ago; a Pimo dissented, saying ‘mas’.

“The Pimos say they number 500—there are comparatively few Mexicans. The Pimos are christianized. A corral full of good cattle; some bought milk. They have a copper coin, current at Tueson eight for a picayune. They have silver also. Grass huts, wattled fences. Their land around the village produces, they say, fine corn, wheat & beans, one fine garden. No fruit that I saw. The sepulchre of the church. Day very pleasant. They say it is a good year—little snow, but that they sometimes have much snow. A rocky hill just by the village had a cross on it, probably a cemetery, as the old one must be filled up. In the latter, a cross in the niches and over one or two of the graves. I saw a wooden shovel. A small & neat chapel—cement floor—cross over earth on one side of its concave ceiling gives a pleasing echo. Some Apaches in hay wigwams, it is said. 7 1/2 miles to Tueson. They say there is a gold mountain not far to the southwest, but the Apaches range there, and it will not be safe for a small party to go there. Pimos a pleasant, social, lively people. Saw process of grinding wheat, by two women. As fine wheat as I ever saw anywhere. They admired my cloth vest. Many of them have only breech-cloth, bare-legged, with blanket around them, some better clad. Very polite. Children stark naked, fat as pigs.

“Many Pimos, men, women and children around our camp this morning—nothing missed. Carried off the wood cut for our fires as we were about leaving—had to shoulder it for a mile. Playing tricks on each other—a merry, happy race. Plenty to eat, and comfortable in their wigwams—fire in the center—a little door to creep out of—no smoke. Six old fellows setting in two rows in the open air were very polite; gave them tobacco. They have a dried root they gather around here which they call *Choya* and say it is good to eat. They wanted *rolea*, showing pantaloons—we had none to sell. Our camp is in sight of Tueson, unfortunately in the middle of an extensive area of poor grass, with saline efflorescence very thick. Some of the Pimos gathered the feathers of the hawks shot by our men, and put them in their head dress. They admired my hat, and wanted needles. Passed some water flowing through what was once an irrigating canal. I find since that this supplies the town with water. The Jesuits may once have had a flourishing population here. Where have they gone? What has reduced them? Is the soil worn out? . . . There are two blacksmith shops at Tueson, a shoe factory employing seven hands making a very neat shoe like the prinella. Most of the women seem to be diligently occupied at needlework, more than I have seen in New Mexico.”

Mr. Hatcher, of Taos, encountered on the road, “met Lieut. Beall at San Diego, who told him that numbers were leaving California, and others wishing to do so, that few would realize fortunes, who were industrious and did not participate in the vices of the country, that drinking shops, etc. were under almost every tree. Mr. H. says we have 205 miles to go through, wholly destitute of grass, and that it is a perfect swamp. He spoke of the miners having found it necessary to associate, and rout out of the mines some 600 gamblers and robbers.”

On December 19 the party reorganized into smaller groups, the one which Judge Hayes joined including 21 white men and two negroes. On December 20 the “Grand chief” of the Pimos called with an imposing array of certificates of good behavior from emigrants. Supplies were very plentiful. The liveliness and happy natures of the Pimos are noted again. A large party of them accompanied the emigrant party to 45 the village of the chief, whose name was Culo-Azul. “The interpreter accompanied us to shew us the road. The women have a blanket around the waist, shoulders and breast generally naked. The men variously dressed, some soldier's old jacket, some red, or blue, or white blankets, others only shirts. Some summer pantaloons, others legs naked. Feet seldom covered. A company of some sixteen or twenty young men variously accoutred, but all having the bow & arrow, come up this evening for some purpose, and stop in 3 platoons like soldiers. There are eight villages of Pimos, and more than 10,000 souls, so the interpreter (who is a Maricopa) informs us; the villages are all on this side of the river, and of course in Mexican territory . . . The Maricopas, the interpreter says, number a thousand, in three villages. Both are friendly. The Yumas are not friendly with the Pimos, and killed their chief, Juan Antonio, mentioned by Emory. The Yumas attack only in the night, to steal the mules; are not apt to attack in the daytime.”

These Indians proved to be less honest than the first village of their kinsmen encountered. “Their dogs, too, are troublesome. They would seem to be fit subjects for Christian missions, so amiable are they. Many are Catholics at St. Xavier, none here that I learn. . . The chief's name is Sholorn, and a very clever old fellow. While I am writing, a small party have got sight of a book lying by me, and are now examining it with great curiosity. The interpreter was asked if there (are) many

deer or bear in the neighborhood; he replied there were, but the Pimos preferred work to hunting—a remark which indicates the first great step in civilization . . . They manufacture a white blanket, very heavy and large, for which they asked us \$10. Extensive enclosures, good fences; there has once been a numerous people here, as their ruins indicate. The chief who sold us the beef has only two others. He was anxious to get silver for a ten dollar gold piece we gave him. They seem to prefer Mexican money. Each village has a Captain—all are under the command of Azul, Captain-chief.” The Indians appeared to have regular days of work to which they were assigned. Trading with the Maricopas continued for several days.

On Christmas Day the Gila River was reached and camp was made 8 quarter of a mile down its banks. As the party was leaving, “four Maricopa warriors or hunters suddenly made their appearance, and came up to camp. Armed with bows and arrows, not much painted—small arrow-head of stone—shaft of light cane—gourd full of water tight around one's waist, and corn in a handkerchief fastened over his left arm. All pleasant & polite. They were probably part of a regular company which the Maricopas, keep up to guard their frontier against the Incursions of the Apaches.

On December 31 the junction of the Gila and the Colorado was reached. “A ferry boat ready for us, and a gentlemanly, polite Mexican, with red stripes down the sides of his pantaloons, perhaps indicative of a military character, as he turned out to be finally. On the opposite side were some sheds, clothes hanging out to dry, soldiers, Indians mixed. Upon inquiry we found that some sixty soldiers were here, escorting Gen. Garcia Condo, the Mexican commissioner to survey the boundary. The ferryman proposed crossing us at \$2 for each mule, and \$2 for each man. This took us back, as many had no money—had expected to ford, or make a raft. While deliberating what to do, two gentlemen came over in the boat, one of whom spoke our language like an American. Entering into conversation with him, I found he was employed with the Commission, and that his companion was Col. Carasco (?). After some casual chat, I inquired his name, and found it to be señor Iturbide; asking of what family, found him to be the son of the first emperor, and, like myself, a graduate of St. Mary's College. I have seen 46 him there when he was a little boy—his brothers Angelo & Augustine. Presently he said—‘stop, I will try to get the fare reduced.’ In a few minutes

he returned, and reported that they would charge us but \$1 per man. We had to stand it, or delay a couple of days perhaps on the bank, without any food for our animals, until a raft could be made, or go below where we were told the Indians would cross us, perhaps at greater expense. They had been in the habit, we were informed, of crossing part of an emigration at a low price, then leave the balance till they could exact an exorbitant sum

“The Col. estimates the number who have passed here this year at 12,000, of whom about one-half are Sonorians señor Iturbide goes from here to-morrow for San Diego, to compare notes with the American Commissioner (probably Fremont). The point for the line of boundary has been fixed.”

Algodones, Rajadura, and Camp Salvation. on New River, were passed. At Camp Salvation the remnants of the Fremont Association, of New York City, were overtaken, and experiences were compared. Col. Hays, doubtless Jack Hays, had been their leader Their schedule showed Warner's Ranch to be 96 miles away. The American Commissary was stationed here to assist emigrants.

The Gila was followed here, for a time, until the party turned aside upon a plateau. señor Iturbide and his party were encountered on the road and civilities exchanged. On the sixth of January Indians calling themselves the San Diegos were encountered. Supplies were running short and there was much trading among the emigrants who were encountered. Through the kindness of señor Iturbide Judge Hayes replenished his empty provision-bags from the Mexican supply train passed on the road.

After camping at the Laguna, a short march brought the emigrants to sand hills. On the eighth Carizo Creek was reached. on Saturday the twelfth the Hayes party encamped with Col. Agostin Harazthy and W. R. Kerr. “They are sent out with provisions for gratuitous distribution to ‘distressed emigrants.’ The Col. came out here to settle, not for the gold. The provisions seem to be sent on Emory's responsibility, at the earnest instance of the Col. The council of San Diego passed a bye-law appropriating one dollar a day for two men to accompany him. We hear that Burnett is Governor, Fremont and Gwinn Senators. San José is the Capital . .

“When we consider that there are only 200,000 rations for the troops in all California, the government stores having been wrecked on the coast, that there is no Government money to buy more with, and the high price of the same, if there were money (flour now supposed to be \$50 per barrel) Maj. Emory deserves great credit for ‘taking the responsibility,’ Col. H. equally so, for assuming the service . . . They have relieved 22 already, 15 from Missouri, four from New York, 3 from Texas . . . Just above our camp to-day, up the side of the mountain on our left, covering it up, and along the top is a pine forest of large trees—a pretty stream comes meandering down—Indian wigwams—the valley is very fertile though narrow.

“The ‘boys’ are all off—scattered in various directions—the united bands are broken—and, in small squads, or one now and then alone, each seeks his fortune further in this golden region. The accounts from the mines are still glowing, in some respects, but, it is represented that they cannot be worked now, in consequence of the rain and overflowing of the streams, and that hundreds are abandoning them for a better season, and some on account of the scarcity of provisions. Our ‘boys,’ with little money, and the means small of setting to raise it, do not seem to be dispirited. K. B. says if they can do no better, will work 47 for wages—they were clerks at Liberty. Old ‘dad’ proposes to wagon, or do any thing—Kayser is a carpenter and relies upon his trade. . . . I wrote to Maj. Emory thanking him for his timely provision for the emigrants, and recommending these four to him. T. H. started of this morning with his heavy saddle bags over his shoulder, and coffee pot in hand, their other little property divided among them, according to strength.”

On November 13, 1849, while Judge Hayes was at Socorro, his old friend Peter H. Burnett was elected the first civil Governor of California under American rule. On January 29, 1850, seventeen days after he reached the hospitable camp of Colonel Harazthy, Henry Clay introduced the Missouri Compromise into Congress, by which California was admitted as a free state in the following September.—The Editor.]

48

II THE END OF THE EMIGRANT TRAIL

Sunday, Jan. 13th, 1850 (at Harazthy's camp): Last night the wind rose high again, making it difficult To keep on our blankets; we had found the best shelter we Could, under a large tree. This morning cloudy, early; and, after breakfast, much appearance of a snowstorm; wind stronger and colder than it had yet been. Last winter in December (1848) a snow fell through this valley 10 feet deep, through which the soldiers had to dig their way. This morning we have had both rain and snow. At 1 P.M. bidding adieu to our hospitable friends, start for Warner's rancho, Dr. Kerr giving us a direction to a beautiful encampment and desirable grass. Ascend the valley, a violent gale blowing in our faces; soon reach the mountain through which winds the road, lined with evergreen oak, the largest we have yet seen. A pretty, clear stream flows down toward the valley through which we have come; the grass improves as we proceed; the dry grass mixed with the green on the flats of the little creek, and on the hills the bunch grass at the tufts of which our pack mules catch greedily, as they trot along.

Coming to the forks of the road, we concluded to take that leading directly to Warner's. Winding somewhat, close to the mountain, over the green mounds, we were in half an hour or so hailed from an encampment high up on our left among the oaks. Turning to this point, we found several messes reposing under the shade of the lofty oaks that in part protected them from the rain that was occasionally falling in light, cold showers. As a further shield from the wind, very strong here, they had cut large branches and surrounded their different corrals, as they called them. A cordial, hearty shake of the hand from all; they start tomorrow. Their mules are grazing on the flat, at the bottom of this mountain (it may be termed). The distance is one and one-half miles to Warner's, whence they have obtained good beef and salt; nothing else to be had, they say. Some 49 have been over at the Indian rancheria of Agua Caliente, getting flour at \$2 per *almud* (about 10 lbs.). From the store there, they bought hickory shirts for \$1, coffee at 50 cents per lb., tobacco at 10 cents for a small plug.

Plenty now reigns amongst us. However, Hale, Bradley, and Kayser did not obtain any flour or pork from Col. Harasthy. Warner's beef is disappearing by wholesale. Good cheer at every fire. We soon made a fire, borrowed camp kettles, and before 12 o'clock at night had cooked a large quantity

of beans and rice to carry in sacks on the road. A hearty supper each of us took by invitation of a neighbor, and at that late hour sought our blankets, glad to finish our labor. We had a quite cold ride over here; very chilly here, despite of fire and the shelter afforded by the trees. Through the night, while cooking, frequent light showers fell, and after we had lain down. Pretty comfortable rest, upon the whole.

Monday, 14th: Long search in every direction for the mules; ours remained about the hills to which we had taken them, where the bunch grass is fine, in thick bunches now about 6 inches high, green and tender. They seem to delight in it. Above our camp, within a hundred yards, is an excellent spring; in the valley below runs a small stream for the stock, over a bottom or fiat half a mile broad; beyond, and on each side, rise up low hills, overlooked in the rear by the elevations of Agua Caliente, to any of which we may resort with a certainty of finding this bunch grass. 'Tis a pleasant thought that at length we have reached a spot where our stock will not suffer; the emigrant now throws off the fear that has hourly haunted him. Our animals begin already to evince sign of improvement, "kicking up their heels," full and plump, and prancing about; a grateful sight. To these faithful partners of our journey we owe a debt of gratitude, which we are disposed to pay, in part, by more care and by giving them time to rest.

We went over to Warner's. A tall man, dressed a la California, short blue jacket, trousers broad at bottom of legs, half Californian, half sailor, I thought. When we 50 entered he was seated at breakfast, which had probably put him in his best humor; quite talkative; said he would let us have milk tomorrow morning, and, at some inconvenience to himself, sugar and salt. He examined Maj. S.'s gun, and proffered to mend it. His reception was very polite, and we formed a favorable impression of him. His house is thatched with tule, long, divided into two large rooms, with a shed in front, before which were stretched out several hides, pinned down, in the process of being dressed for market. Several Indians about, also some white men he had hired. His beef was hanging up before the door we entered, in the shade; killed this morning. He says he has no more fit to be slaughtered; cannot go himself to Santa Margarita for them, and his whites are not as yet enough California-ized for Californian labor. I am told he offers to guaranty any man \$100 a thousand, who

will stop here and cut timber. Some of the emigrants, it seems to me, would do better to accept the proposition than to seek the mines.

On going in Major S. noticed a blacksmith's *vice* .

“Yes,” replied Warner, “We have plenty of *that* in California.”

He says he had some three or four hundred hogs when Gen. Kearny passed here, a fact which he thinks Maj. Emory might have mentioned, since he has seen none of them (he says). “Put this and that together,” I thought.

His house is on one of the beautiful high, rolling hills, without vegetation other than the bunch grass, which reminds us now of advanced spring in the prairies of Missouri. It is at the point precisely where the main road branches, one to San Diego, the other to Los Angeles, convenient for the supply of emigrants. He says he will find something to trade to the emigrants, as they come up; none shall starve. Several sold their pistols to him, for food, several who started with plenty of money.

I see little sign of cultivation in the neighborhood, though he calls the place a farm. Our object being to camp a few days on good grass, to recruit, we selected a spot 2 miles from Warner's in the neighborhood of the hot spring (Agua Caliente). Mr. Warner sent an Indian with us as a guide thither. Before sunset we made our camp on the bank of a small, pretty Stream of excellent water, sheltered by a grove of large and lofty evergreen oaks, with good grass; an open bottom extending west of us. Good grass everywhere around, for miles. The Indian village is near where we can get supplies; quail in numbers keep within pistol shot of the camp; many other birds singing in the trees; plenty of dead wood convenient for fires. And, more cheerful than we have been for some time past, we turn out our animals to pasture and proceed to provide an ample supper of pork, beans, rice, and American flour, cooked into “slap-jacks,” promising ourselves tomorrow the luxury of milk, sugar, and beef.

The day pleasant, clear, bright, warm; clear all night.

15th: The land on which Warner's house is situated is called Valle de San José; but he also claims this tract, by a separate grant; the two tracts, and perhaps another, form what is called "Warner's rancho" in common parlance.

Quite a frost. Crowing Of the cocks at the village; tingling of a bell On a mule down in the woods; music of birds everywhere around. At 8 A. M. the weather delightful as on a May morning. Our mules are in sight less than half a mile; an abundance for them last night. Warner's beef for breakfast, and the Major then off for the rancho. Frequent shots at no great distance indicate that some of our friends are finding game; we have been told that the neighboring hills have deer. I remain in camp, bringing up my notes, studying Spanish, and "putting things to rights." To-morrow I expect to make an excursion to examine the country round. In this delightful valley, we feel only the softer breath of the breeze; at Warner's, a much higher point, it is doubtless strong and cold.

I will have to sell a mule, to defray expenses; hence I want to get my two in the best order, before I reach Los Angeles.

The birds sing sweetly. I dreamt last night of home, a delightful dream, awaking, I strove hard before I yielded to the conviction, that it was not reality. I have been half 52 melancholy since. Dr. Laurence and the Phelps boys are camped near at hand; all is quiet, save the singing of birds. They are very tame. No human voice disturbs me. We linger on the confines of the reputed delicious climate, where, I am told, the trees are now loaded with oranges and olives, and the grape is still fresh on the vine. The stream near my feet is clear, pebbly.

Phelps bought fine dried grapes at the Store beyond the village. Warner killed another bullock today, such is the demand. He Says the Indians of the village have never been known to steal anything, except perhaps a lariat. An Indian woman offers us piñole at \$2 the *almud* ; she takes our washing at \$1 for 8 pieces, she finding soap. Honeysuckle abounds about our camp; grass fine, several kinds.

The day clear, night pleasant; we add rice and milk, sent by Warner, to our supper of beef, beans, and pickled pork. Wheat does here finely; not so nearer the coast, on account of the fogs, says Mr. Warner.

16th: Rain during the night, a comfortless awaking in the morning; not very cold, however. Walked over one and a half miles to the village. As I entered, the Indians were flocking to a large house, the largest and that of their Captain, as one of them told me. They all speak Spanish. The house, etc., belonged formerly to the Mission of San Luis Rey, which long maintained an establishment here. There were several good vineyards around it once and one still remains. Some women I noticed were good-looking; an Indian told me all were *Christianos*. They are scattered around the neighboring little valleys; at present many have come in, attending to a *pleito* (law-suit) or some difficulty before the *Capitan*.

I went to the store. It is kept by an American, by the name of Marshall; is pretty well stocked with articles suited to this "market." The goods came from San Francisco. An Indian offered me flour at \$2 the *almud*. While here, occupied in pricing things and inquiries, some 20 Indians rode up briskly on their ponies, in various costumes; one with sword and holsters on his saddle; another was dressed in a really fine blue coat, having a naked sword dangling at his belt. They are a good-looking, pleasant sort of people, and polite enough. Amongst them they bought a handkerchief, a pack of playing cards, etc., and started a game of monte before I left. I observed one come out with a small jug of *aguardiente*.

Visited the hot spring, following down the cold water creek that leads to it from the store. Some women were washing clothes in it; others, and *muchachos*, were paddling about in it. They have thrown up the rocks and sand, making a large pool, in which 30 may bathe conveniently, if they choose; one of the women threw her frock over her shoulders, as I approached. Some of the huts are commodious, one perhaps 25 feet long. The Captain's, and other houses are of adobe, and the Captain's has a large corral formed by a high adobe wall. In the wigwams were bushels of a nut whose kernel has the taste of a peach kernel; they make bread of it. Our mules are scattering a good

deal. Rain in misty showers till about 2 P. M., when the clouds are breaking. For a pint of milk, an Indian charged us *dos reales* (25 cents).

17th: In search of mules; found off toward the mountain in the west. At 10 A.M. clear. Found Warner at breakfast; a plant shewn me which the Indians gather for food. He shewed me a newspaper containing an extract from an essay of his, which he had submitted to the authorities at Washington City. From this it seems that he was the first, or among the first, to agitate the question of a Pacific Railroad. His name is John J. Warner. This dissertation was written in December 1840.

In 1830 he started from Connecticut for his health; went west to St. Louis; could get into no business; spent some time in Illinois. In 1831 got into a wholesale grocery store. Smith, of the Ashley company, took him to Santa Fé in that year. He there joined a party to go to California for mules to be sold in Louisiana. The same year they came by Col. Cooke's subsequent route. In California, he united with a trapping party on the Sacramento River, from 54 Ross up to Klamath River, very bad country; this kept him in California. Removed his family to this rancho some five years ago.

He has never known consumption in San Diego district. His idea is, that the railroad should be completed as it goes, SO as to transport its own timber. He is enthusiastic about the project. He Says Col. Benton is the only public man who seems to well understand what this part of the country wants. Found at Warner's a newspaper of Nov. 7th, the *Dollar Weekly* ; acceptable.

We hear bad news of the emigrants by Salt Lake. The Indians of the village today are ploughing and sowing wheat.

Col. Samuel Whiting, of Texas, is here. Dine at Warner's, soup, corn beef, pumpkin, coffee with milk. Morel [?], Thornton, and Nash come up. Had a plate of dried grapes; very sweet and good; an emigrant considers them equal to the best raisins. The *almud* here is only 8 lbs., corn 62 1/2 cts. per *almud* , tobacco \$1 per lb., Phelps bought an axe for \$3.50. The store has no pepper or salt.

Warner says there is another road across the desert, going close to the mountains on the eastern side, being the same by which Gen. Flores retreated from California. It has not as much water on the sandy part as has the one we came, but in other respects is as easy of ascent. Within 10 miles of this rancho there are places where you can get down immediately to the plain, but they are very precipitous.

The Indians have annoyed Warner a good deal in times past; one reason why he has made so little. Once they stole all his horses and mules, but so steep was the descent they attempted to make in their hurry, they got off with only five. The storekeeper at the village informs me that an Indian was hung on the 16th there, by order of the *Capitan*, for witchcraft! It is said he confessed to having killed seven other Indians by his spells.

Major S. says he has become suspicious of everybody upon the road.

55

18th: While I am writing, the sun makes another effort to break his misty veil; a patch of blue appears in the east; a rainbow, seemingly not a hundred yards off from me, spans the northwest end of our camping-ground; a beautiful sight, and frequent today. Thousands of ducks in the ponds, very fat; Phelps barbecued one last night.

The mules are brought up; look well; improving rapidly. Move our camp a short distance, to a better shelter, where there is more dry wood for fuel. Lay down in our wet blankets. I slept soundly, although poorly protected from the light rain that fell in the early part of the night.

19th: About midnight commenced snowing; this morning about an inch deep; the trees and neighboring hilltops white; different scene from yesterday. Sun rises clear, about 9 trees already free of snow, and also the Shrubs touched by his rays. Warner says there was snow last winter, 18 inches deep, on the level in this valley. The sun feels comfortable, or rather we do in his view. A hawk sits near the camp, on a high limb, observant and fearless. A great variety of birds, but they have no song for us this morning. At mid-day, snow still on tops Of hills, all gone from the lowland.

The dead branches of evergreen oak which we find scattered around abundantly, were broken down by the weight of last winter's snow. Maj. S. goes up to bathe in the pool at the Hot Springs. Squaws around bathing, washing, etc., make it a difficult matter. He succeeds, however. Clothes he washes retain a sulphurous smell. Cold late in the afternoon; moonlight; not a cloud. A snipe and duck killed today near camp.

Sunday, 20th: Heavy frost. Morning clear and cloudless, and biting cold. Snow still on the high mountain peak behind the village and in the shade of the oaks near our camp. Night cloudless, moonlight, ground froze hard.

22nd: About 9 P.M. yesterday, it became comparatively 56 clear; about midnight clouded again and a light snow commenced to fall, which, at daybreak this morning, is an inch deep. A mocking-bird in a neighboring tree. Our shelter is two large oaks with a semicircle of broken and dead boughs.

Warner Says last winter was the coldest ever known in this locality.

About 1 P.M. a cloud passing over us drops down a light snow for 10 minutes. Toward sunset a strong west wind, cold, sun sets clear, the snow-clad mountain beyond the village presenting a golden radiance, a cloud hangs close along and on its summit, leaden dark nearest to the mountain, throwing up far toward the azure above a rosy-tinged mass. A few thin clouds coming up from the southwest, not yet hiding the bright moon and stars. Around a good fire we sit, talking of friends at home, how many come in for a kindly wish!

23d: Clouded over and snowing again; prospects of a bad night. Gose shot a woodpecker, a different species from any I have seen, a pretty bird, back greenish-black, deep red circling the bill, feathers under the belly tipped with white and red intermixed, terminating in a white ring around the neck.

Maj. S. is very sorry now that he did not defray the expenses of Hale and Bradley, to accompany him. Might have done a great service to two worthy young men. Since Col. Whiting left Texas he has had to buy eight mules.

The store-keeper at the village has bought up some emigrant waggons, thinks they will soon bear a good price. Warner has also bought some. Warner's house, in fact, is a perfect bazaar for effects of emigrants; every species almost of mechanics' tools, and an armory in the way of everything except 24 pounders.

There is a great variety of plants, strange to me, in this valley. Maj. S. today brings me some of the nuts used by the Indians in making bread. An Indian tells me that they are from a low tree growing abundantly about here and that they are “*bueno para comer* .” Warner says 57 that the nut I have is the wild plum, and he supposes that the bread alluded to is made of the bean of the mezquite with a little flour.

He says that most of the works written upon California contain little that is agreeable to the fact.

Going up to the village yesterday, we found quite a number of the inhabitants, a majority of those present, in a state of high intoxication from the liquor with which the store-keeper plies them at a dollar a pint, or 10 cents a drink. A good deal of gambling going on, and had been for several days. For gambling they have an extraordinary passion. One, *Capitan* of a neighboring rancheria, and who is said to be owner of a considerable quantity of stock, had been gambling the whole time; first pawned his riding horse (worth \$100 at Los Angeles) for \$15; got rid of this, then borrowed about the same amount on another horse; it was thought this last sum, too, was near gone when we left. An example of “Anglo-Saxon progress” through its “pioneers,” the store-keepers, etc. One Indian told me the people are *todos Cristianos* . They may have been; now sadly corrupted. A trader tells me, that, four years ago, in these mountains it was almost impossible to find a woman otherwise than virtuous. Now, such has been the force of temptation set before them by the traders, it is almost impossible to find one who is virtuous.

On a little hillock overlooking the bathing pool are a dozen or so of small furnaces, a sort of rough-wrought basket filled with sand, purpose I do not know, I believe they are intended for boiling nuts before spoken of, in order to take away their bitter taste.

Warner's sale of liquor to the Mexican soldier.

The Agua Caliente forms a little lake a short distance below our camp; the sand absorbs much of the water; it is dry entirely below the pool in summer, so says Mr. Marshall.

Nash has gone on, having heard that carpenter's work can be had at Los Angeles. Gambling and fandangos have taken away much of the money of the emigrants.

An Indian tells me they have no *padre* (priest) but 58 want one, and confirms the execution the other day. Maj. S. has gone over to Warner's to grind our coffee, nearly one-half of a pound he bought at the store is dirt. The Indian last referred to says their *Capitan* has many books; must try to see them to-morrow; quasi independent chief. I am told that the Alcalde at San Diego has sent for their head men to come down, and they start this evening or to-morrow. Saw an Indian making for home the other day, with the head of a mule strung over his shoulder. Another came down today, and after talking awhile pleasantly, cut some limbs of a tree and, hitching his pony to them, dragged them off up to the village. These, and the washerwoman, are all, I think, who have visited us; they seem to have no curiosity about our stay, nor do they molest us in any way. They are a hearty-looking people.

Maj. S. is off on a deer-hunt, to the hills. A bayonet on a pole, one of their weapons. They appear to have no firearms whatever, and are said not to know their use (?). The Mexicans we occasionally meet offer \$10 for a good gun and \$15 for one of Allen's revolvers. Paid Warner 12 1/2 cents per lb. for beef.

Went over to the spring to bathe and wash clothes. Performed the latter operation surrounded by squaws and muchachos, all naked, dabbling in the water. Women brought down their young children, apparently only a few months old; one or two undressed themselves modestly enough and washed themselves; the rest were washing clothes or softening the acorn, or wild plum seed, in the boiling spring, chatting freely; others attending to a small quantity in another little sulphur spring;

others filtering the nut flour in the little furnaces. The boiling water deprives the nuts of their bitter taste, I understand.

One girl washed me a pair of stockings. I proceeded To enjoy the luxury of the bath, which we seemed likely to lose, if we did not act quickly, what between women and children, who were plunging in and out continually. They seem to have this as a chief amusement, coming and going to the pool all the time. And it is a luxury. At first the water was too hot for my feet; with my hand I raked away 59 the sand, which let in sufficient cold water, and presently it became too cold, when I patiently stopped the ingress of the cold water. In this way the pool is managed as easily as the best bathing tub.

As you approach the spring there is a sulphurous smell and a thin vapor arising. The water was pleasant to the flesh. Remained in half an hour, rubbing off well with a coarse towel. By this time, late in the afternoon, it began to be quite cold. Collected my clothes, went to an Indian hut to buy flour, on the way passing five or six worthies down in a hollow, busily occupied with the game of mone, all Indians.

This spring, as well as the store and village, are in a romantic situation, and one day will doubtless be a place of great resort for pleasure-seekers, as well as invalids. Before I left to-day, got Some watercress, which abounds here, the Indians boil and eat it. Passed an old woman, apparently ninety years, pounding the acorn with a small rock into a very fine powder; of this they make a kind of bread. One agreeable old fellow told me "all our children will now be Americans," which seemed to give him great satisfaction. Shewing him a Cross in my prayerbook, he made the sign of the Cross on his forehead.

The mountains here are covered with the wild plum; it is of a blood red When ripe, and superior to any plum in the States. The Indians raise but little of anything. This season they are putting in much more wheat than usual, induced to it probably by the demands of the emigration. Today they were ploughing and sowing wheat, a little girl carrying the seed in her apron for the sower.

Today our hunters came upon a valley some 3 or 4 miles up the stream we are on, in which the grass was already a foot high, perhaps a thousand acres in the whole cove made by the hills along the course of the valley. There appeared to have been an American camp this fall.

By the by, the store-keeper says he remains owner of both the horses of the Indian gambler before referred to.

We must hurry to a better climate, but cannot start to-day, as we had intended. It seems a long time to be out, 60 and still far from "El Dorado." The emigrant promised himself (in general) to be there much sooner; a month perhaps, to Santa Fé; did not anticipate so much delay in New Mexico; was led to believe that in 60 days he could go through with waggons; in 40 days packing on mules becomes sadly wearied by the delay. With many, their means are entirely exhausted. High prices for food, bad fortune with their animals, want of good management and of self-command enough to submit to a few privations for the sake of the ultimate end, gambling and intemperance—these things make against him.

Maj. S. has gone to Warner's for beef. I am drying blankets, etc., preparing to start this afternoon. Various characters of emigrants. A contented disposition the best. We begin to hear more of the emigration by other routes. This afternoon John S. Brasfield, of Platte Co., Mo., and N. B. Wood, of Savannah, Mo., made their camp here. The former came by the South Pass, the latter by Panama. Brasfield, Wm. Davenport, etc., left Fort Kearny May 7th, and on the 25th August got their teams into Hangtown dry diggings, (derived its name from some men having been hung there for stealing). J. Brasfield, Wm. Davenport, and Perry Wood, leaving the waggons on Humboldt river, 100 miles above the sink, packed into the diggings. The whole wa on the desert from the sink to Carson river, they had no water at all except from a salt water well too hot to drink nor grass; the desert is 60 miles. They suffered much. Weather intolerably warm. They walked nearly the whole way, near 500 miles. Got in August 10th, with their broken-down Indian ponies. Found very little water in these diggings; mined a good deal here; finally went over on the south fork of the American river, 10 miles above Sutter's mills. They have been more successful than they expected. All through the mining region a great many are dying with scurvy, diarrhoea, and colds settling

on the lungs. All the Brasfield company have had the bloody diarrhoea. Jan. 10th or thereabouts, the whole city of Sacramento was overflowed with water to the depth of from four to five feet. As fast as they could, the people were getting out to high ground in canoes and skiffs. Those at Brasfield's location buy their provisions at Hangtown, packing them over on their backs. Flour, \$1 per lb.; bacon, \$1.50 per lb.; fresh beef from 37 1/2 to 50 cents; milk, \$1 per pint; sugar, coffee each 50 cents per lb.; eggs, \$1 apiece; potatoes, \$1 per lb.; molasses, \$5 per gallon; beans, 65 cents per lb.; onions, \$1.50 to \$2 per lb. Fresh beef is plentiful. This is the range of prices since the rainy season commenced; from about November 1st it was raining about two-thirds of the time, when Brasfield left (Jan. 10th). At other seasons prices are not much below the above rates. Hauling from Sacramento City is from \$15 to \$20 per hundred; has ranged from \$25 to \$50.

Lewis Wood and James Clay came down on the steamer from San Francisco to San Diego. Steerage passage is \$40, and rough living at that; cabin passage \$80. From Sacramento City to San Francisco, in a steamer, \$30 cabin, \$20 deck, the same up and down. Coming down, 8 hours, \$2.50 for one meal. This steamer, the *Senator*, makes the trip tri-weekly. Wood and Clay bought mules at San Diego. Brasfield is on the same business out here, of course expects to buy of *impoverished* emigrants at this point. They will meet at Los Angeles and drive up their mules, which command a high price in the mines.

Mr. N. B. Wood left St. Joseph, Mo., On November 7th; St. Louis 16th; New Orleans 28th taking a sailing vessel to Chagres, made it in 9 days; left Chagres December 9th, reached Panama on 15th (they usually go quicker); reached San Diego on January 18th. He says there are a thousand destitute Americans at Panama, and a thousand more awaiting transportation.

Brasfield says a pair of boots, such as miners use, will cost \$40 where he is located. Harvey Owens made \$1200 in the season at Sacramento City, killing elk, which are plentiful in the vicinity.

(Note: Antonio Garra, an Indian leader of this vicinity, was in 1851 leader of an insurrection which cost him his life. He was by Gen. Juan Antonio handed over to the State Military and shot. B. H.)

24th: Col. Whiting left yesterday, selling mule to Mr. Warner for \$12! Maj. S. paid Warner \$2 the *almud* for flour; beef, 10 cents per lb. Our arrangements are near completed for starting. All the mules we found about three miles off, except my riding mule, which had got among the horses of the Indian *Capitan*, to whose corral I went for him. Too wild for me to lasso him, after his wide range upon rich pasturage. A young Indian boy did it for me; paid him, together with *muchas gracias*. Brasfield bought a mule for \$50. By 3 P.M. we were off.

Leaving Agua Caliente, we went down the valley, toward a gap in the mountains to the N. W. over broken low hills; in 5 miles reached an Indian village, small, none but old people about; soon entered a pass or cañon, road of very deep sand, crossing dry, sandy beds of mountain torrents with banks three or four feet high. Four miles in this pass. The valley seemed to widen, but in a short distance contracted again. Travelling 10 miles saw a camp fire, which proved to be Col. Whiting's. He turned his mules out yesterday on the scanty grass, could not find them this morning, probably gone back to Warner's, sent an Indian back for them. We regretted we had not stopped four miles back, where just before dark we had noticed a better show for grass. The mules are tied up for the night, with a meagre diet. Our camp is under some huge evergreen oaks, a little stream of clear water. Music of frogs. Tales of emigration from Brasfield. Pay-u-tahs of Humboldt. Paddy Cooper's adventure. At 11 P.M. still cloudy, the air still; at 12 moon shining bright.

25th: Shortly after leaving came upon another pretty little rivulet rushing down among the rocks from the high mountains upon our left. Clear, good water, soon crossed it again, the bottom, or pass, becoming more narrow, with rugged rocks on the right. In a couple of miles it opened to a small prairie, over which the young grass was springing up. Along the creek a short distance and crossing the point of the northwestern wall of the prairie, came upon 63 the Indian village. Our approach was the signal for a dozen dogs to bark. There are perhaps a dozen small thatched huts of a conical shape; one had the pretensions of some we had seen at Agua Caliente. This had a large corral made of poles around it. Some ground near had been in corn and wheat. Nothing to sell but eggs, three for a *real*. These people spoke Spanish. The village is about one-half mile from the entrance of the prairie. No wind going through the pass; mountains on our left high and shrouded in

mist. Clouds much broken. Quite a strong wind at the village. The Indians recommended us to the grass on the opposite side of the creek, here widened to 8 or 10 feet. The vegetation of the pass is oak, wild sage, willow; no grass; the road pretty good, one rugged place just as the road goes over the hill to the village. An old Indian shews a testimonial of good standing, given by the sub-agent, and complaining that the emigrants have driven off his cattle. Shameful!

About 4 P.M. the missing mules are brought back, found grazing near the first village on the road. Short, young, tender grass, not much substance in it. Preparations to start at daylight to make the next Indian village. The mules will not drink.

26th: Up before daylight. Brasfield's San Diego mule gone; starts for it, found at the prairie among some Indian horses. A good deal of sandy road all day, some distance down the creek. Several short, steep ascents and descents during this 20 miles. A narrow pass, until we approach the valley of Temecula. This valley spreads out fine grass, though still young. The mules catch at it greedily. Soil fertile. Pass a flushed stream as we near the valley, lined with cottonwood. Partridges. Road round the high bluff. A bald eagle on a tree. A vineyard is being set out here. There is a pear and peach orchard. We could get no flour; the supply of that article already exhausted by the emigrants. Flour has been \$1 per *almud* , beef 4 cents per lb.

The bottoms of the creek occasionally spread out to the width of near a mile. The hills have much excellent 64 bunch grass. Thirty or more thatched wigwams; the Chief lives in an adobe house, with an adobe corral around it; his house has several rooms. There are some other adobe houses in the village. The Indians speak Spanish familiarly.

Cloudy, windy, raw day, rained a little in the night.

Sunday, 27th: Day breaking, found the tall mountain to our right white with snow; while raining here, it was snowing on the mountain. One of the N. York company told me yesterday that they had a heavy rain here for three days. The snow with us at Agua Caliente was rain with them.

This morning is pleasant; green grass covers the valley; bunch grass On the hills, through our journey of today. Scarcely any timber on the hills. Eight miles from the village to the *Alamo* (cottonwood), some half-dozen large cottonwood trees. An emigrant encamped here. Ducks and geese On the numerous little ponds. Maj. S. saw a wolf yesterday and three deer today. Two other mountains are now in sight, at a considerable distance to the eastward and north, must be 5000 feet high, their tops covered with snow. One stream seems to pass out of the valley by a narrow canon but a few yards wide. Reminded of the prairies of Clay County in the spring. Came to an abandoned adobe house. It is said the owner had to remove his cattle to a neighboring valley, off the road, in consequence of the emigrants killing them.

Not a cloud in the sky all day; warm and pleasant.

In about 15 miles reach some timber where the hills approach near, apparently the termination of the valley of Temecula, a sort of low divide over which we enter into another valley. In both these is much good soil, although in the latter more of the wiry grass and more marshy, some little evergreen oak among the hills.

Come to the Laguna, two miles from the divide. Some good young grass, great deal of elder on its banks; as we rode along frequent flocks of geese rose from the shore; many shots at them; none brought down. The water of the Laguna is saltish, the animals cannot drink it; if they could, such a sheet of fresh water here would be invaluable to

LAS FLORES RANCH HOUSE

TEMECULA *Sketched in 1865 and painted in 1871 by E. Vischer.* The inscription reads: "Southern California Traffic: Indian Village Temecula on the old San Diego-Fort Yuma first Overland Road: A Scene of Frontier Life." Beginning at the left, the figures are: "Native Californian and Indian Vacqueros, French Canadian Traveler Louis Arrouve and his Companys., California Ranchero from San Luis Rey, Groups of Indians before the House and outside the Temascal."

Copyright photograph by C. C. Pierce of original.

65 the owner of this land. As we were moving along the lake, an Indian overtook us, running as if to catch up with us; said he was from Temecula and going to the mines; had a little pinole tied up in a handkerchief; spoke Spanish, seemed disposed to be communicative.

At sunset the moon rises behind the snowy peaks to the eastward and is reflected on the lake. Wild sage; the lake has evidently once, near the house, been with a much broader basin. How is it supplied with water? Clover around it. The house is a substantial adobe. A small stream seems to enter it on the east. A low range of hills nearly surrounds the lake, higher where we are encamped on the southern side. The lake valley seems to be higher than that of Temecula. A hawk shot yesterday. Milk 37 1/2 cents the gal. The mules fared badly last night; we move about from place to place, bettering their feed but little.

Trading here somewhat delayed us and I was behind the rest. Two or three men at this house; their wives seem to be Indians.

Road firm and good, gently ascending for a mile or more from the lake; then uneven, occasionally sandy, to Temescal. Day clear and warm. Our Indian companion kept with me as far as the rancho, where he turned down to see his friends who occupy a few huts near the house. A fine vineyard—a large cornfield—a large flock of sheep—many clear mountain torrents coming down from our left, having on all of them cottonwood, sometimes a good deal of it. These torrents must be very wide sometimes. The house is on a hill, a substantial adobe, clever people, originally from New Mexico, have been here 13 years. Very little cultivated land from the lake to this point; on the hills, however, the grass looks pretty. Took dinner here. They offered me a keg for a seat. The [Serrano, Ed.] family seated themselves on the floor. Mutton boiled with corn, a plate of *chile colorado*, and soft cheese made by themselves.

Started with the view of overtaking Maj. Sheppard. Coming to a patch of good grass four inches high, in a hollow, surrounded with evergreen oaks, about dark, I concluded to camp, 2 1/2 miles from Temescal. Tied mules up; 66 severe headache; made no fire. The provisions were all ahead with Maj. S. Determined contentedly to make my recent Californian dinner do for supper and

breakfast, and went to sleep. Cloudy at dark; cold and humid on this bottom. A creek runs near at hand, with some timber on it.

29th: Rose early and saddled up. As I came up last night, a large herd of cattle were grazing here; within two miles this morning I passed the same probably. Cattle in large herds on the hillsides; seem to be near as wild as buffalo. In 6 miles came to a rancho on the River Santa Ana. Maj. S. was waiting me, with a breakfast ready, boiled milk, eggs, beef; I was hungry. He had begun to be a little uneasy about me. Four or five ranchos in this vicinity. Good cattle and plenty of them, to us just now not important. Some girls come home from the hills with the fruit of the prickly pear, very pleasant to the taste. The landlord is making lariats; he is only here temporarily, his main residence being several miles below on this river (Don Bernardo Yorba).

From this point flowing, the river enters a cañon formed by lofty hills, in a westward course; has to be crossed on the road a great many times in the space of 7 miles. Grass as yet indifferent about here; little wood around; bought some for our fire. The prickly pear fruit we ate was of the color of beet, and about the size of an ordinary cucumber. Quart of milk for 10 cents. No flour here. At Temescal we could have obtained a little flour of the Indians.

This valley is well watered, especially at this season. Deep crossing of the river. By direction we struck in upward diagonally; wet one foot only; there is quicksand which at times makes the crossing dangerous. We found here in the hut Mr. John Wheeler drying his clothes; he had crossed yesterday, and his horse fell and threw him into the water.

From the west bank of the river to the rancho of Col. Isaac Williams, the road is muddy from the recent rains; in other respects a good, level road. When we cross the 67 river a wide plain extends out to the view; the eye does not cease to rest upon the fat cattle grazing in large and small herds; a great many horses and brood mares. At length the rancho of Chino is in sight.

30th: First came to a collection of Indian huts, of the workmen of Williams. Off to the right a mill, conspicuous amid the verdure. The large dwelling of Williams off to the left, then two or three

waggons of emigrants. A peep into a waggon as I pass shews a little work-basket. Looking to one side, there is a rosy-cheeked child, and a father, with a brow of care, sitting by the fire.

“Just in?”

“Yes.”

“By Salt Lake?”

“Yes.”

And then a brief but vivid sketch of suffering.

Riding up to a large house, found we could have lodgings, supper, etc. Sociable set of men, all emigrants or American traders. All in a bustle. Tales of privation. Good supper. Flour \$1 the *almud* at the mill. Children around “saying their lessons,” American ladies stirring about, a novel scene for us, we are again *near home*. Adjoining the house is a large field of wheat, as fine as any in the world. Five families staying at this house; all came by Salt Lake. Among the topics of conversation is the neighboring mountain range northward, where, it is reported, gold has been found; two companies have been sent there prospecting. It is said many families are still behind on the Salt Lake road, comparatively destitute. A real fear prevails in regard to them.

This is the first attempt of waggons to come through by the Salt Lake route.

This is a splendid domain.

Blue-winged mallard on the pools on our route today; a red duck; flight of geese.

Many of the emigrants have gone to San Gabriel Mission to stop.

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We are housed up, our mules enjoying themselves on the fine range near at hand, on which we have turned them loose with the rest of the animals here. Good breakfast, cooked by the lady of the house (or hotel). Cream in our coffee, but no sugar; I long since learned not to need this.

I have received many interesting details of the Salt Lake route from Mr. Grewell, who keeps our hotel, Mr. Stickney, Mr. Lewis Granger, Mr. Shearer; and have recorded them from their respective diaries. Col. Williams has sent out, on the Mohave Desert, and relieved many. We did not go over to make the acquaintance of Col. Williams, whose house is full of strangers now. I understand he has lately exchanged one of his ranchos (Rincon) for another near here in which he supposes there are inexhaustible beds of coal.

Clear at sunset; began to rain in the night; did not last long.

Jan. 31st: Morning foggy till 8 A.M. Started toward Los Angeles.

From Chino to San Pedro, direct, the distance is 26 miles; to Los Angeles, 35 miles. Last night old man Johnson came up to Grewell's. He had been rambling all night, just out of the sickbed. His son had deserted him and gone to the mines. The old man started this morning on foot, feeble, though of good heart. We passed him trudging along the road. Fertile soil, many ranchos, beautiful valley of San Jose; little timber; muddy road; in 16 miles we reached the rancho of Mr. John Roland. A plain-spoken gentleman, an American of perhaps fifty years of age; an hour's stay impressed us favorably with the whole family. He lives in a large, substantial adobe house, on one side of which is a good garden, with fruit trees, fig, pear, etc. and a fine vineyard nearby. The plain northward seems to extend to the foot of the mountains, and westward about 6 or 7 miles, covered with cattle. Near him lives his son-in-law, Mr. Jno. Reed; and a mile on the other side Mr. William Workman, reputed to be the owner of a princely estate, comprising an interest in this rancho, as well as 69 in the Mission of San Gabriel, and its valuable territory. Mr. Workman is an Englishman by birth.

Mr. Roland is married to a New Mexican lady, whose manners are very agreeable; a delightful little woman. They have several interesting little children; live well.

Several waggons are camped here, getting wheat ground at Mr. R.'s mill. He has a great many sheep; brings them up near the house at night on account of the wolves, which are numerous in the neighboring hills. Several Indian servants about this establishment; a large number of hogs; a legion of dogs. Corn can be raised as well as in Missouri, and with greater certainty, not being in danger of frost, if planted at the proper time. A sweet potato last year weighed 16 lbs. Irish potatoes do well. Mr. Loring gave me today a large radish of excellent flavor. Drumhead cabbage; delicious beef; I never shall forget the delicious bread, nor my ravenous appetite for it.

Mr. Roland has been here some 7 years; gave me an account of his two trips here from New Mexico; of his imprisonment at Los Angeles during the Mexican War. His idea about two states, in favor of division of California.

February 1st: Clear at daylight, quite cool, a fog hanging in the direction of San Gabriel, which clears away by breakfast. Fine breakfast, though rather late. A handsome young woman sprinkles the porch, then sweeps it; slow in the process, which gave me time to notice her particularly; inquiring, found she was a bride of three days' standing, her worthy spouse a sour-looking character, he has nothing to say.

Flowers in bloom; apricots; pomegranate. Mr. Loring tells me the rainy season began in November. In 1848, at Christmas, he had green peas on the table; today they are just above the ground. Last year he had onions weighing 2 lbs.; a patch 80 feet in length and 5 in width brought him about \$200. Sold his cabbage to emigrants at 50 cents per head; he has sugarloaf, Savoyard, drumhard, and Early York. A seed sugar beet weighed 24 lbs. The peach seedling bears in three years. An English walnut set out 3 years ago is now 10 feet high. Can plant any month; no frost. 70 Mr. Roland Says wheat produces 30 bushels to the acre. Corn \$6 the *fanega*, and 50 cents to grind it at his mill. Maj. 5. paid \$3.25 to an emigrant for 72 lbs. of corn meal.

Mr. Roland has kindly fitted out old Mr. Williams, an emigrant who lost almost everything, except the books of his son, who is a young lawyer; these he is determined to carry above.

Much interest about education among the old American settlers here and the emigrants. Quite as much talk last night On this subject as we would hear in the States.

Weather today is most delightful.

Feb. 5th: The sweet chime of the San Gabriel bells fell upon my ear at the moment I was passing the front corner of the church, on the first day of February of this year 1850. Twilight had just gone, lights were flickering, in the various rooms of the Mission; men, women, and children flocking around; and from the whole neighborhood the murmurs of voices indicated a populous village. I could distinguish very little in the growing darkness, and following the direction of the passer-by, I rode on and encamped for the night upon the thin *zanja* that flows through the place, under some large evergreen oaks.

Having come only from Mr. Roland's, we were not fatigued, and, after a hasty supper, proceeded to get all the information we could from the emigrants whom we found encamped in numbers in every direction. The afternoon had been warm; the night turned out cool; there was heavy dew. Ripe oranges, of good flavor, were a treat. They had all been gathered by the parish priest, to whom the garden belongs, the emigrants having commenced stripping the trees at their arrival here.

The next day (Saturday) I started to take a look at the pueblo of Los Angeles. The morning was clear but cold; there had been a heavy frost; at eight o'clock much warmer. Before I left the bells again brought back fond thoughts of home, for all the world the same I had indulged at Santa Cruz, in Sonora, after travelling many hundred miles of uninhabited country, when their sound, at a late 71 hour of prayer, reverberated a mile distant through our cold camp.

Descending through lofty hills, covered, like the plains from the ranch of Chino, with grass and flowers, one obtains his first view of *the pueblo of Los Angeles*, nearly three miles off; this view, of course, is not complete, but the stranger hastens his steps, and is soon repaid, in a measure, for at least a portion of his toils. I tied my mule to a pillar of the corridor in front of the Hotel (since known as the Bella Union). It was the dinner-hour. I went in and dined. In the crowd I recognized

no person; but, presently, an old acquaintance introduced himself to me, in the shape of Peter Biggs, formerly the slave of my friend, Mr. Reuben Middleton, of Liberty. "Pete" was delighted to see me; did not delay to communicate to me many useful items; in fact, rendered me services which I esteemed valuable.

Here I found Col. Lewis Wood, of Clinton Co., Mo., who has been very successful in the mines. My companions on the Gila had all been left by sea. I remained a few hours in the pueblo, long enough to learn that an infinite amount of gambling was going on, and that the price of a small loaf of bread was 25 cents. Hon. John C. Edwards, formerly Governor of Missouri, was encamped about a mile at the upper end of the town; by the marks on the trees we knew that he was on the road. He was hauling with his teams for the merchants of the place, and, I suppose, making money. Returned before sunset to camp at San Gabriel, and passed a cool night.

The morning of the 3d, Sunday, brought crowds of people to the church from the neighboring ranchos. I went to Mass; after which witnessed the burial of an Indian who had died the day before. The corpse was interred beneath the floor of the Church. There is a graveyard adjoining the Church; for what reason the deceased was entitled to this distinction, I did not learn. Few men attended Mass; many women, many of them richly dressed, graceful and handsome. The whole scene, "American" by the side of "Mexican," (to adopt the language of the day), Indian and 72 white, trader and penitent, gayety, bustle and confusion on the one side and religious solemnity on the other, was singular to me. A beggar at the door, as we sallied out, at the conclusion of the service, struck my attention, although I did not understand the language in which he now chanted and again prayed, as many in passing placed their alms in his hand. Had opportunity, also, to hear tales of suffering and distress among the emigrants around me.

In the afternoon, I rode to the camp of Gov. Edwards, and slept in a tent, hardly more comfortable than in the open air. Here I delivered my mules to Col. Wood, who had bought them; my riding-mule, with which it gave me a pang to part, he afterward sold above for \$200.

My design at present is merely to stop at Los Angeles, until I can write up my Notes of Travel, to be sent to my wife for her amusement during my absence.

February 4th: I employed the day in looking around the town, the stores and vineyards, and in inquiring into the prospects for business. There seemed to be little hope for a lawyer; the number of doctors was an argument, at first blush, against the climate itself. Rents were very high, rooms difficult to get. At the Alcalde's office, in the residence of Hon. Abel Stearns, a trial of some sort was in progress. Boarding at the two public houses was from \$7 to \$10 per week; the tailor charged \$35 for making a coat, and \$8 for pantaloons. The monte banks everywhere were thronged. I was slow in making acquaintances, and found great delight in visiting the hills, and there endeavoring to comprehend my situation, which I felt to be so novel. I continued to wear my travelling clothes, and particularly my "soldier's coat" which had stood me in hand against many a frost.

It was part of my occupation to see the emigrants as they would arrive and learn their various adventures, good or bad. Dr. Earl, who seemed to be making money here, had come from San Antonio, by the way of Chihuahua; getting corn from the Pimos and mezquite beans on the Gila, which we were not able to do. Pomeroy, of Lexington, 73 Mo., had fared badly among the Mormons at Salt Lake City; but, after a trial, by the intervention of two persons who were boys when the circumstances occurred, but who rose to defend him before the assembled Church, he was unanimously acquitted of any participation in the "mob" of Missouri in 1838.

About 50 miles below the Pimos villages, Gov. Edwards built a boat, 24 ft. by 9 ft., and drawing 10 inches. This was in November. The man in charge finding the load too heavy, abandoned the waggon intended to be brought down in the boat, and thus defeated the Gov.'s main object. In December the river rose full, and the boat came safely to the mouth.

Mr. Nagles represented wheat to be worth from \$3 to \$5 per bushel, at Salt Lake City; flour, \$8 to \$10 per 100 lbs.; corn, \$1 per bushel; beef, 8 to 10 cents per lb. Then, on that route, would come a story of starvation, abandonment of valuable property, suffering of women and children in long marches over deserts or in snow; in a word, as one described it to me, "the losses and suffering of

the emigrants have scarcely ever been equalled in the history of any expedition on this continent.” All happily forgotten when, on the 31st of December, 1849, he emerged out of the Cajon Pass, and “encamped on a field of oats and clover surrounded by a meadow covered with grass; vines hanging full of half-dried grapes; many thousands of fat cattle, and everything presenting the appearance of *May* .” The influx of so many emigrants simultaneously rendered the price of labor cheap; some were working for Col. I. Williams, of Chino, for their boarding, others at Los Angeles for \$1 per day.

I witnessed the funeral procession of an infant, attended by women and girls only, with flags flying and music playing in front cheerful airs, for they did not mourn, but rejoiced that they had another angel in Heaven.

Sunday, 10th: After Mass, there was a public meeting, in reference to schools and on the subject of taxation. I looked in at them awhile, then went to the hills to contemplate the 74 flowers, and enjoy the balmy air that still prevailed as during the last six days.

To-day I made the acquaintance of Mr. Montgomery Martin.

One educated in American customs does not admire these meetings in the day, and perhaps a fandango at night. For monte Sunday seems to be the day of days. The principal butcher is a lawyer by profession, and I liked him the better for the course he had taken in necessity. His name is Russell Sackett. He has a large family in Ohio.

The emigrants who come in needy at once seek work to get means for their main object, a trip to the mines; those who have means at once push on to the El Dorado. Few ever talk of settling down in this section of the new State. In truth, there appear to be few inducements to do so, in the condition of real estate.

11th: Today I had the curiosity to “sit out” one of those perplexing *mule trials* now in vogue, and to notice the forms of proceeding before the Alcalde. On this day, too, comes news of a rich discovery of gold by a company that had been sent out by Col. I. Williams.

III LOS ANGELES IN THE FIFTIES

JUDGE HAYES TO MRS. HAYES Los Angeles, June 28, 1851.

Yesterday I witnessed a magnificent ceremony; it was the Octave of Corpus Christi. To-morrow, there will be another grand procession, in commemoration of the *Reina de los Angeles* . who you know, is the Blessed Virgin. You would delight in the religious festivals of this City, and if you were here, we too would have our altar, beautifully adorned, on the plaza. The Church is not so fine as the Cathedral of St. Louis, but for me it would be most beautiful, if you were one of the worshippers.

The genial sun of summer will make you well again. From the moment you start, you will improve every day, and here you must become hearty; if you do not, together we will seek another climate, in Chile or Mexico.

Tell Grace her child would be quite a curiosity here, a young lion (or lioness, I forget which). If you should not bring her, do not sell her; give her to one of your sisters, as they live in a slave state, or set her free, as you may judge proper. I really suppose, however, that her welfare would be best promoted by keeping her in the family.

I have received two letters from my sister Louisa, none as yet from Mr. B. S. Eaton. My partner, Jonathan R. Scott, Esq., has been married to Miss Mary Cox. His little daughter Mary is growing fast, is an interesting little girl.

MY ESCAPE FROM ASSASSINATION November 12, 1851 [In 1850 Judge Hayes, as County Attorney, prosecuted two sons of Don José M. Lugo for the asserted murder of two men in the Cajon Pass. The desert Indians under Chief Walker frequently raided Rancho San Bernardino and ran off horses belonging to the Lugo family. It was claimed that the two victims misdirected a pursuing party, which consequently fell into an ambush in which at least one member was killed by the Indians, and that four young men of the Lugo party killed them in revenge. One of the four was

said to have confessed; the remaining three were tried. They were defended by J. Lancaster Brent, Esq., and eventually were acquitted.

A former Captain of Cavalry in the Mexican War named Irving was at Los Angeles with a band of outlaws when the preliminary hearing was held. Irving made threats against the Lugo boys in case they were admitted to bail and shortly afterward appeared at the ranch with eleven men. They were driven into San Timoteo cañon by friends and employees of the Lugos and Cahuilla Indians under Juan Antonio, and only one escaped.

As County Attorney Judge Hayes went to San Bernardino to hold an inquest in the matter, accompanied by the County Coroner. Their verdict was that the outlaws were killed by Cahuilla Indians and that 76 the killing was justified. In the report on the Indians of Southern California, which Judge Hayes prepared for B. D. Wilson, the conduct of the Indians on this occasion is discussed.

Rancho San Bernardino was a Mexican grant made in 1842 by Gov. J. B. Alvarado to Don Diego Sepulveda and three sons of Don Ant3nio M. Lugo. They sold it in 1851 to Amasa M. Lyman and Charles C. Rich, representing the Mormons. It comprised 37,700 acres. In the late fifties the Mormon colony returned to Utah. San Bernardino County was organized April 26, 1853, Orange County in 1889, and Riverside County in 1893.—Editor.] Returning a few days before from a business visit to San Francisco, I became immersed with my partner, J. R. Scott, Esq., in the defence of a young Californian accused of horse-stealing. This night I was alone in the office, where I slept, but where a Justice of the Peace, Mr. J. S. Mallard, spent the day. I had been closely examining and digesting the voluminous evidence On trial; at length finished, and was thinking Of going to bed. I stepped outside the door; the moon was well up over the houses; a pleasant, beautiful night. It was between ten and eleven o'clock. The streets were unusually quiet.

I noticed some horsemen slowly riding out of the plaza, distant from me only a hundred feet when they turned, under the shade of a corral opposite to my office on the north, as if they were going to the rancheria upon the side of the hill, and about three hundred yards from the office. I noticed them

merely; thought nothing of it, and went back into the office, leaving my door nearly closed. I sat down again at the table.

I was there but a moment or two, before I heard the sound of a horse approaching the office. It occurred to me, "Here comes one of my Californian friends, to see me," which they were in the habit of doing, at any hour. This idea it was, probably, that made me go to the door; perhaps, fatigued with writing, I would have been glad to see anybody. Fortunate that I did go to the door, instead of remaining seated, because the assailant might have been truer in his shot, with my back to him-unless, indeed, God still helped me.

Putting my left hand on the door to open it wider, I saw a Californian in his saddle, close to the door and within 77 four feet of me, where I stood. I expected him to speak; he did not, so I inquired:

"*Quien ?*"

He replied:

"*Quien ?*"

The strangeness of his reply flashed through my mind; I leaned out and looked intently; I am very nearsighted, could not distinguish who he was; almost immediately after the word *Quien ?* there was a hardly perceptible pause; he muttered two or three words which I could not hear; a dark object seemed to cover my vision with an instantaneous flare of light. I heard no report, or I recollected none afterward.

Instinctly I slammed to the door, exclaiming:

"You scoundrel!"

I stepped to the right, between the door and the window, supposing he would fire again. The frame of the door was loose in the adobe wall. Perceiving that he did not fire at once, through the door, I pushed both door and frame out; they fell with a heavy crash. I had no arms, but this seemed the

only alternative. It occurred to me that he would suppose I was armed and run; or perhaps I had an irresistible impulse to go out against him, in my indignation; I am not entirely certain about this now.

My office stood some thirty feet back from the street. As I reached the street, I saw him turning a pole fence there then was, where now stands the frame building of Alexander Bell. He was entering the narrow street made by this fence on one side, and the residence of Don Abel Stearns on the other. His horse was in full gallop, he leaning over the neck. With a revolver, where I stood he could have been shot easily. He went on. I confess, as I looked around over the silent street, one-half shaded still, I felt an indescribable loneliness. I went to the closed shop of a restaurateur nearby; rapped; he had not gone to bed; I remained there, he went down to the City, gave the alarm, and soon a crowd of friends came to the spot.

Upon examination, it was found that the ball had passed through my white hat, then through the door, and 78 lodged in the adobe wall opposite. It was Of a large revolver. I had not before noticed these circumstances, nor had I thought of my hat. The shot could not have shocked my head much. In the light, too, someone noticed that my left cheek was slightly scraped; it had some blood upon it over the cheek bone; what did this, I cannot say, probably, a piece of the cap.

In the excitement occurred the search at a house of *Calle de los Negros* . But some gentlemen examined closely the tracks from my door, and found them leading in such direction that Sheriff Barton concluded to attempt pursuit, although an hour had elapsed. He got off before I was aware of his want of due preparation.

Before we could hear from him, a party of friends and myself were occupied in conjectures as to who could have made the attack, or what could be the motive. My partner thought the Lugos—two young men whom I had prosecuted, as county attorney, for murder committed more than a year before—were the guilty parties. I remember saying to my friends that night:

“When the murderers of Californians can escape, like Ned Hines a few days ago, I do not wonder that revenge is sought, and no distinction is made between innocent and guilty, so that he be an American.”

One of my facetious friends inquired, with a doubtful look:

“May there not be a woman in the case?”

I assured him—and it is a solemn truth—that there could not with me be the slightest pretext for a suspicion of this sort.

When Sheriff Barton returned to form a stronger party, with the news he brought, my partner and myself became convinced that the Lugos were implicated. We bought three horses, and hired three men to watch the residences of their several relations, and arrest them, for the ordinary power and diligence of the Sheriff was inadequate, with such care were these young men concealed. After incurring some expense and trouble, we gave up the attempt, as a failure, and they subsequently delivered themselves up for trial. Some testimony was taken; the then District Attorney seemed to think I ought to prosecute, which I declined doing; in disgust at his weakness I left the matter to the Justice of the Peace; they were soon discharged.

One of the men wounded by the Sheriff, it was confidently reported, had been in Los Angeles the day after the affair to have his wound dressed. This I believe; but it was too well managed by their friends, both Californians and a few Americans, for discovery by the Sheriff. Long since, it has been ascertained that *Solomon Pico* was he that fired at me, in company with two others (still strongly suspected to have been these Lugos). He was wounded in the arm; has bragged of his adventure, as I have it from reliable men. It is conceded by everybody that he was the man.

Now, it may be inquired, what was his motive? I never saw him in my life before, or, if I did, never knew him. I never had occasion to prosecute him. He is a nephew of Don Pío and Don Andrés Pico.

So far as I am concerned, *he is pardoned* ; but I would like very much to get at the bottom of this matter.

In the meantime, led as it were by instinct, James R. Barton, then Sheriff of this county, took the tracks from my office in the direction of Mr. Wm. Wolfskill's. At Gaylord's he learned that about three-quarters of an hour before, horsemen had passed there in a gallop. An American coming from the Monte, whom he presently met, had seen no person on that road. A little further Basilio Jurada, just going to bed, had heard horsemen pass up the hill behind his house. Barton then went up the hill and to Felipe Lugo's, at the forks having noticed tracks going there as well as to the *Jaboneria* . At Felipe's three horses were tied in the yard, but had no sign of recent riding. He determined to make for the *Jaboneria* , and took the road thereto, about a mile from the house of Felipe.

In this company were John McElroy and Wm. B. Osborne. The house of Doña C. Lugo stands nearly parallel with the river and about 100 yards from the bank. They approached it rather at the northwest corner, on the rear, 80 Barton a little behind the other two; they got close enough to see that a man was Standing near the corner. When a little nearer, another came riding from the front of the house, and hailed,

“*Quien vive ?*”

“*Amigos* ,” answered Osborne.

“Halt! Who are you?” the man said.

Osborne made the Same reply as before.

“No, halt, who is *that* ?” pointing to the Sheriff.

“It is your neighbor; don't you know your neighbor?” Osborne answered.

“Halt!” responded the other, at the same time presenting his pistol and talking incoherently, so that all that could be distinguished was “ *Salgan muchachos !*”

With this he fired, advancing to the Sheriff, when McElroy fired. As the men approached, Barton's pistol snapped, and the man galloped past him so as to place Barton between him and the house. Barton then fired and followed him toward the house; here were three men in the shade, apparently coming from the front. Having exhausted all their shots but one, Barton's party retreated, the others following and firing. They followed about half a mile, their last shot being at 150 yards. Barton had approached in a gallop over a hard road and in an open plain, so that he must have been seen and heard some length of time before he neared the house. This is about ten miles from Los Angeles; he got there in an hour.

On his second trip, he found in the house Don Ignacio Reyes, wife, and child. They were in bed; Reyes was sick. No other persons were found there. At the rancheria nearby an Indian said that the two young Lugos had been there that night. Reyes said that he had heard the firing, but did not know who were concerned in it. Further search was made in the neighboring houses and fields. At Don Antonio María Lugo's premises were found Ricardo Uribe, Francisco o'Campo, and Cayetano Herman. The presence of this latter explains, perhaps, the whole matter. He was sitting by a horse that had evidently been rode hard that night; the Saddle-blanket was quite wet. Questioned, he

THE ORIGINAL PLAZA CHURCH, LOS ANGELES *A photograph in the Notes .*

81 said he had started from Los Angeles very late and got there before day; he had a Colt's revolver, and a sabre on his saddle. He had evidently given them the alarm. But I presume I was the cause of this. By almost a fatality, I had borrowed from *his mother* one of the very horses in Barton's second party, which doubtless brought him down into the city from curiosity. When he learned—for all were talking about the event freely—that the destination was the Lugo neighborhood, he at once started to put them on their guard. He is a nephew, I believe, of José Maria Lugo, father of the supposed culprits.

(Note: I had been home from San Francisco four days. During my absence my office had been used by J. S. Mallard, Justice of the Peace and of the Court of Sessions. A few days before that Court

had issued a bench warrant for the rearrest of Benito Lugo, Francisco Lugo, and Mariano Elisalde, accused of murder in the Cajon Pass and who had been admitted to bail by the District Judge.

My impression is, that the expectation was to find Mallard. Having come to kill, and not knowing of my return, nor recognizing me, the assailant fired. Mallard is several inches taller than I am. If the intention was to avenge the death of Carriarga,^{*} as I felt at the time, I could hardly blame them! I never took pains to prosecute this case. Still I learned, to satisfy the [to me] moral certainty, that two of the aggressors were Benito Lugo and Solomon Pico. The latter was wounded in the arm by the Sheriff, in the pursuit the same night. Lugo came to a natural death some years later. Pico was one of the unhappy men whom Esparza at a late day cruelly put to death in Lower California.)^{*}

Killed by Edward Hines.
See Chapter VI.

EMILY'S JOURNAL OF A TRIP TO CALIFORNIA Saturday, [December] 27th, 1851: Left St. Louis to-day 1/4 past three o'clock, a warm cloudy evening. Took leave of them at Mr. Mudd's at ten o'clock. It appeared to be two or three days from the time 82 I went on the boat until we started. Ran about 20 miles and stopped for the night.

Sunday, 28th: To-day we ran about ten miles and came to a gorge, where we had a wait for the ice to move. We got through with very little difficulty. We ran a short distance and came to an unexpected gorge 15 miles (nearly?) so we had to lay up for the night. Part of the evening passed off very pleasantly by some of the gentn. and ladies singing hymns.

Monday, 29th: We have staid all day, with the exception of running down to the gorge two or three times. I have felt quite unwell; have been lying down nearly all day.

Tuesday, 30th: Last night we had rain, with thunder and lightning. This morning the gorge had disappeared. We started quite early and got along finely until we ran a few miles below Chester, where we came to another gorge, so we had to return again. We stopped. at a woodyard and

remained several hours, and then ran up to Chester, where we will spend the night. They had quite a dance on the boat last night. The Capt. came in for the first time, he was one of the head dancers.

Wednesday, 31st: Another dance on the boat last night. We are still at Chester without much prospect of getting off, though we heard this afternoon that two boats were coming up through the ice. If this be true, we will get off to-morrow. The Capt. told the passengers this morning that they could go, and pay five dollars, or stay, and pay a dollar a day. Most of the passengers staid. Some of the Chester ladies came on the boat this evening, part of our company went up with them.

January 1st, [1852]: Another dance last night, and I danced, the first time for more than three years, but I did not consider that I was 83 doing any harm. The gorge has not broken loose as yet. The Capt. told the passengers that he would leave for St. Louis. We had to return to St. Louis or leave the boat. Most of the passengers decided to go on the *Clendenen*. As soon as the ladies heard the word that we had to leave, I never heard such confusion in my life, *repining* because we are going to leave and confusion of packing. We were soon on the other boat. Went on before dinner, had quite a nice dinner and found quite an agreeable change in every thing. I have spent most of the afternoon on the bed, have not felt well.

Friday, 2d: The dance last night did not go off well; too many wanted to be "boss" and the music was poor. We heard to our great joy this morning that the gorge had gone. So we are in motion again. We have run all day, but most of the time through heavy ice. We reached Cairo at dark. Here Col. Baker and his wife left us.

Sat. 3d: We arose before sunrise, cold, frosty, but when the sun rose, it was in all its glory. We have had a beautiful day. We have not got along much faster than when we were running through the ice. I have been quite sick today. Had a fine lunch in the cabin, but I did not go out to take any.

Sunday, 4th: Early this morning some of the ladies were awakened by our boat and another striking together; some little injury was done to both boats. Some of the ladies were very much frightened, thought the boat was sinking. It has been rather a long day. Had some singing in the afternoon.

Monday, 5th: Cloudy, unpleasant morning. I have been unwell all day.

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Tuesday, 6th: Still cold, though the sun is shining. I have felt some better to-day. The ladies have all become quite industrious. We passed Vicksburgh to-day about eleven o'clock, not as pretty a place as I expected to see. They have a handsome State House. They had dancing last night.

Wednesday, 7th: A beautiful morning, though cool for the South. We lost one of our passengers last night, but we "miss him good." This morning Col. Taylor left at Larch Bayou, shook hands with all the ladies. We have passed some beautiful plantations to-day.

Thursday, 8th: When we awoke this morning, we found ourselves at New Orleans. We did not leave the boat until 10 o'clock. It was hard to find a place to put up at. We stopped at the Western Verandah, quite an old house. We walked out this afternoon, did not see much, passed some handsome buildings.

Friday, 9th: Beautiful morning. This morning I did intend to get up and go to church, but was afraid to start out alone. After lunch to-day I went out alone shopping; stopped in at a Dentist's and had two teeth filled. After dinner, we all walked out to see the City again. We first went to the steamer we were to go on, then to the Cathedral, which we found a splendid building. On our way home we did some shopping. Met Mr. and Mrs. Stewart. It has been a delightful day.

Saturday, 10th: Left New Orleans at 9 o'clock.

Tuesday, 13th: Reached Havana this morning before daylight, but the boat was not permitted to enter the harbor until sunrise. The City looked beautiful as we entered the harbor. The gentlemen of our party went on shore. They returned in the afternoon and gave a glorious account of the place.

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Wednesday, 14th: Last night there was quite a blow and rain. This morning it is cold and rainy. A fire would be comfortable. Several of the passengers staid on shore all night; they say it is much colder there than here. It has continued to be cold and cloudy all day.

Thursday, [15th]: This morning we had to be up at daylight. The passengers for New York went on the *Georgia*, and the Capt. gave them breakfast before leaving. About two hundred Californians came off the *Georgia*. They were a rough-looking set. They came to the steamer in a large boat. Several men were in the bottom of the boat, sick. I tried to get a look at all their faces, to see if I could see any old acquaintance, but all were strangers. There were 3 or 4 ladies amongst them. About 10 o'clock we all went ashore. When we landed, we found that the ladies have to have a passport, as well as gentlemen. We walked through the City, which was something new in Havana; everybody looked at us with astonishment. We were a great curiosity. There were too many children along to enjoy ourselves. We could not visit any of the Churches without it costing us 4 or 5 dollars. The suburbs of the City are beautiful, the Square in front of the Governor's palace is lovely. We saw a great many palm trees; it is a beautiful tree, a long, smooth trunk with large, feathery leaves at the top.

Friday, 16th: Left Havana 10 o'clock. Reached Chagres Wednesday, 21st; Gorgona Saturday 24th, 1 o'clock; Panama, Sunday evening, 7 o'clock. Left Panama Monday, January 26th, 4 o'clock. Got under weigh for San Francisco 8 P.M. Stopped at the island of Taboga to take in water and other stores. At 10 P.M. proceeded to sea. On Tuesday at 6 P.M. passed a steamer under the land, supposed to be the *Monumental City*. At 12 midnight landed at Acapulco. ("On Monday, February 22d, having received on board coal and other stores, proceeded to sea at 5 P.M. The *Monumental City* reached Acapulco Feb. 2d at noon." 86 This must relate to the *Monumental City*. Emily's voyage goes on:) Thursday, Feb. 5th, made Cape St. Lucas at 2 P.M. Friday, 6th, at 11 A.M., a Mr. Richards, a Steerage passenger, died from the effects of a fall he received, while in a fit. At 7:30 his remains were committed to the deep. At 11 A.M. were boarded by Capt. Hull of the whaleship *Catherine* of New London, 2 months from the Sandwich Islands and 16 months from home. Had on board 150 lbs. of oil and had sent home 1500 lbs.

Monday, Feb. 9th: Arrived at San Diego; found there the propeller *M'Kim*, 72 days from Panama. (Emily landed at San Diego, and came from there to San Pedro, where I met her. The Journal continues—)

Left San Diego at 10:30 A.M., and arrived at San Francisco On Wednesday, 11th, at 8 A.M. Running time from Panama to San Francisco 14 days 7 hrs. (This information as to the voyage of the steamer from San Diego to San Francisco must have been derived from some of her correspondents subsequently. B. H.)

Note: This is all the Journal, although it is so meagre. I have in memory many of her observations touching her voyage. I do regret, however, that I did not take care to write them down at the time. Her conversational powers were good, and she could give a lively and interesting account of any thing she witnessed. She rode a mule across the Isthmus, with a side-saddle.

She came with Col. Fellows and family and Mrs. Woods. They contributed all within their power to make the time of the invalid pass pleasantly. Many hours would have been tedious, or worse, but for the attention and kindness Of her companions. I have since seen Col. Fellows and his daughter, subsequently married in California.

Mr. Grove Coningham kept her account. I annex a bill of her expenses, to Shew what travel to California then cost. I sent her only \$700; she paid this bill; “went shopping,” as she said; and brought to Los Angeles \$150. She was one of the most prudent and economical of women-not parsimonious, however.

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From St. Louis to Chester \$6.60 To N. Orleans 15.00 Bill in N. O. 4.50 Boat to Gorgona 18.70
Breakfast and provisions at Chagres 3.00 Supper on New River .75 For baggage at Gorgona .20
Bill at Gorgona 3.50 One mule to Panama 12.00 Baggage 7.91 Port entry-Panama 2.50 Bill-Panama
1.50 Baggage and passage to steamer 1.53 Passport to Havana 1.00 Sundries not entered 2.00 Price
of through ticket 320.00 Total expense \$400.69

MRS. HAYES TO A SISTER Los Angeles, Feb. 28th, 1852. My dear Sister: It has been two weeks to-morrow since I arrived here, and I have not written a word to any of you. But if I had written, the letter could not have gone, although I did not know this.

I did not leave San Diego till after sunset on Friday. The steamer reached San Pedro about six o'clock next morning. The Capt. was acquainted with Mr. Hayes and was very kind and polite. I was the only lady on board. He gave up his room to me, which made it much more pleasant for me. I took breakfast on the boat. After breakfast Capt. Haley went ashore promising to get a conveyance to take me to Los Angeles, as the stage had not come down and would not be until 9 P.M. He said it would be more pleasant for me to remain on the boat I stayed, but passed an impatient morning, every moment looking for Mr. Hayes. At last I gave him out and laid myself on the sofa to read and content myself.

Between 1 and 2 o'clock I heard some persons talking; I raised up, and just as I looked out of the window Mr. Hayes was at the door. I cannot tell you how I felt; it seemed to me a dream. He looked just as he did when he left home; I expected to find him changed. We remained on the boat until after dinner, when we went ashore and stayed until after breakfast the next morning. We had rather poor accommodations.

On the following day I attended Church. In the afternoon I walked out to a vineyard half a mile from the city. While there I ate two oranges and some dried grapes. Quite a treat to get to such a place. They have all kinds of fruit trees and twenty thousand grape vines. The peaches and quinces are in bloom and the orange trees full of oranges. They looked beautiful indeed. The gentleman (Mr. Wm. Wolfskill) who owns the place is from Missouri; left there many years since; has a Californian wife. He is not at home, but his wife is very agreeable. We bought two dozen of the oranges, paying her one dollar.

We left San Pedro after breakfast and reached Los Angeles between two and three o'clock; we would have got there much sooner, but it rained the night before. The road is very good and passes through a beautiful prairie which is covered with clover and flowers. You cannot guess who

was our driver—Pete Middleton, of Liberty. He has been here six years, has a Spanish wife and is bootblackener and barber for the town.

The site of Los Angeles is lovely, but the city is very ugly. Most of the houses are built of mud, some are plastered outside, and have a porch around them, looking neat and pretty as any house, but these are few and far between.” We are surrounded almost by high green hills. Remove this and place here one of the pretty towns in the States, and I do not think there could be a more lovely spot.

I did not see “the mountain covered with snow” until last Monday. On a clear day I can stand in our door and see it plainly; it makes a beautiful appearance. (There is an old Californian woman in now, talking as fast as she can; some business.) Our house is at the foot of a high hill, from which we can see all the surrounding country. I walked to the top a week ago yesterday.

I have so far walked but little. Mr. Hayes has been so much engaged that he has not had time to go with me. He has to work very hard, not only through the day, but at night.

I have received more calls than I ever did in my life, nearly all Spanish, of course. There are very few Americans here, and five of those have called to see me. The ladies of the country are very pleasant; one of them was quite handsome. An agreeable lady called yesterday, her children dressed like Americans, and they are learning the English language. The natives appear to be very kind. An old lady brought me a chicken last Monday, and on Saturday evening one of them brought me half a dozen oranges. I suppose Mr. Hayes had done some favor for them, and they wished to shew their gratitude in this way. I must give you a description of my home. It is a *mud* house, with a mud floor. The walls are whitewashed, but the ceiling looks like an old smoke-house, and leaks finely when it rains. There is a little fireplace in one corner where I do my cooking. We have no andirons. The dirt floor we have covered with matting. In a long, narrow box nailed to the wall in one corner we keep our dishes, which are a half dozen plates (1 tin plate makes seven), 4 cups and saucers, 3 knives and forks, 6 glasses, 2 or 3 tin cups. On one side of the room we have a wash-stand, on which I am now writing and where I keep the few books I have, and over this hangs the Madonna which the priest gave Mr. Hayes for me. On the same side but in the corner stands a “cricket” (a large one),

where the bucket of water sits, and the washbowl. Opposite this is the bed, a thirty dollar bed with a single bed mattress on it, blankets for pillows and bolster. Mr. H. has sent to San Francisco for a bed and pillows. Around the bed we have a calico curtain; this forms a dressing-room. We have five cane-bottom chairs and a great table, as large as Louisa's ironing table, stained all over with ink, two trunks-I believe I have given you a full description of our home. When Court is over, Mr. Hayes intends fixing up a little more. We had nothing to eat but meat and bread, until Saturday Mr. Eaton brought some beans.

MRS. HAYES TO A SISTER Los Angeles, March 13, 1852. My dear Sister: We have made a visit in the country, went out Wednesday and returned Saturday. The country is beautiful, but I suppose there is no comparison between it now and twenty years ago. The gentleman we 89 visited has been here 22 years. He lives only a mile and a half from the Mission of San Gabriel. This Mission is almost in ruins. The large Church is yet in good repair, but most of the other buildings have fallen down. Twenty years ago, says Mr. White, it was in a flourishing condition, the country all around in cultivation, with several mills and fine orchards of all kinds of fruit. There were about a thousand Indians kept employed, and all happy, the Padres being like fathers to them. Beside the farm, mills, orchards, and vineyards, all kinds of manufactures were carried on immediately at the Mission. We rode over to it, and it made me sad to see it, after hearing what it had been only a few years since. We visited the orange orchard, a remnant of what it was, yet a pleasant sight, large trees hanging full of fruit, others just blooming and the air filled with the fragrance of the bloom. There are now only about fifty trees; a few years ago there were about five hundred. There is still standing a large pear orchard and one of olives.

Mr. White has a Californian wife. She appears to be a fine woman, but they know nothing about the comforts of life. Their house was cold and dirty. The chickens and dogs stay in it, as much as the children. An American lady, a near neighbor, came and invited us home with her; we went and stayed till after tea, quite a treat. They were living in a log, or rather a pole house, with a good large fireplace and a cheerful fire. I felt quite at home, imagined myself in a log cabin in Missouri or Illinois. We returned to Mr. White's by moonlight, half a mile, a beautiful walk. Mr. White has much the best house, but at Mr. Taylor's everything was clean and comfortable. Whilst out there we

received several presents. One gave us two or three dozen oranges, and Mr. White a nice little pig (scarce in this country) and two chickens just right for boiling-unfortunately they got away from us-he also gave us a keg of vinegar, and on last Saturday a fine mess of green peas, the first I have yet seen. We locked up the house when we left, and an Indian remained in care of the garden.

Mr. Hayes bought me a saddle for forty dollars; he did not like to borrow. One of his Californian friends who lives half a mile from town, loaned him two horses and brought them in himself before sunrise. We saw blackberries and mountain currants, neither ripe; they will ripen this month. Also saw plenty of celery growing wild, and the pie-plant. The day before we came in, we took a long walk to look for some new flowers; passed one or two beautiful creeks, and had the pleasure of walking through woods. There are no woods around Los Angeles, no trees to be seen, except fruit trees in the vineyards and willows of which the fences are made. Still it is not a Missouri woods, the trees are scattering, without undergrowth. Most of the trees are what they call the scrubby oak, green all the year and large, but growing low. Fit for nothing 'but firewood, does not last in building.

Mr. Hayes bought me a rocking-chair, cane bottom and back, paid fifteen dollars for it! Also got a cupboard, quite an addition to our furniture. It cost us seventeen dollars, and has no door to it; I am very glad to have it, however. It takes a great deal of money to live here. As plain as we live, we spend at least fourteen dollars a week for necessaries.

Our washing is \$1.50 every week, and I do part of the ironing and wash some of the articles also. During the last six weeks I have been making our own bread. I make cake sometimes. We could get no good white flour, and use California flour, which is very dark but sweet. I do all my baking in one skillet. Often bake two loaves of bread the same afternoon.

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MRS. HAYES TO A SISTER July 11th, 1852. There was a "grand" celebration here on the Fourth, on Sunday. Mr. Hayes did not join in it. He heard the speeches, but did not go out to the dinner. There was a speech in English, and one in Spanish. They were to have had a procession through

the town, but this turned out to be a few men on horseback, racing through the streets, nearly all drunk. The dinner was at a vineyard about a mile from town; I heard it was a very good dinner, but they were there only a short time, returning to town in the same style they left it, and spending the afternoon in firing cannon, drinking, and riding around on horseback. On Monday night there was a ball. We were invited to Mr. Wilson's to dinner on the Fourth. He had only invited two ladies, Mrs. Hereford and Mrs. McDougall, and a few gentlemen. We had a very nice dinner, indeed; it looked quite like home. He has an old black woman keeping house for him who is a very good cook.

Chickens are a rarity here. Those to try cost \$1 each. They are so scarce here because they bring such a good price at the North. I have a hen and one little chicken.

It is strange that the letter Mr. Hayes wrote me from San Francisco, and those he wrote after he was shot at, have never been received. A few days after I came here he received two letters from me, written a year before; one of them had been sent to Santa Fé.

Mr. Hayes uses the "other room" of the house for his office; but it is to be our bedroom and kitchen, it is a large, pleasant room. The smaller will then be our parlor and his office. When I get my stove, I shall consider myself very well fixed *for a new country*. We will have a plank floor after a while, it is impossible to get plank here now. Mr. Hayes wants to build a kitchen next year. Mr. Eaton has bought himself a small place a mile and a half or two miles below town; he will keep the horses and we will get them whenever we want them. Mr. Hayes will see about getting lumber to fix our house out at the Mormons'. We are ready to start to-morrow for a ride over the country. Mr. Wilson and Mrs. Hereford will go with us. Mrs. Hereford's health is not good; she will stop at the Warm Springs, not far from the Mormon settlement. They will go out in a carriage.

BENJ. HAYES TO B. M. HUGHES Jan. 24, 1853, Los Angeles. There are three large dry-goods stores and ten smaller ones, all sell groceries, hardware, etc., keep a general assortment. Half a dozen others sell groceries exclusively. Of the purely liquor shops, their name is legion. Too much capital, I think, is invested in these pursuits. Merchandising cannot much longer be the money-making business it has been, until the quantity of agricultural productions shall be greatly increased,

and merchants deal more in produce than they have done for the last three years. As at present advised, I cannot safely recommend any person to embark on this business. But I was alluding to the number of merchants in order to shew you that almost anything you want, for housekeeping or wearing apparel, for ladies or gentlemen, can be bought here. For furniture you could send to San Francisco or, better, go in person. You can buy everything in San Francisco that you can In New York, and nearly as cheap! Literally true, new and strange as it may appear. This California trade is to me a singular affair.

The ladies are as fond of fine dress as in St. Louis. In fact it is the 91 chief pride of a native California lady to dress up to the height of the fashion At church, all kneeling, blended together—not in pews,—with their varicolored silks, showy. beautiful shawls or *rebosas* thrown easily and gracefully over the head, they make a gay appearance. A large bed of tulips, or the same space covered with dahlias and flowers of every hue, would not look half so bright. Americans dress as usual, say at St. Joseph, among business men; the native California men about the same, making allowance for a national difference of costume, the Californian having a great partiality for the cloth jacket, often embroidered, and the older and richer among them for the stylish *mangas* . A lady, however, must array herself in costly silk, with a pretty shawl, and if she be of Spanish descent she ought always, if possible, to appear with a new one. Emily dresses pretty much as at Liberty. She has not bought a new dress till to-day. and that of calico! A better plan, while she thinks she does not need them. American ladies form a society of their own, measurably; and observe their own usages; some of them are excellent women. Still, I confess, society narrows itself within a very narrow circle, or rather several little circles. One must learn here to find consolation and “company” at his own fireside. For me, that is always enough. There are likewise many most excellent Spanish ladies, but the *bailes* furnish the principal occasions of intercourse between them and American ladies. We receive anybody that calls to see us. Indeed, owing to much of my practice, equivocal people have often called. We visit little, say at present some dozen ladies. Emily is the only American lady attending the Catholic Church.

The California ladies are an interesting race of females In many respects. We at least aim to see only their good qualities. If they have any others, the rest of the world will find them out soon

enough. Sometimes the best of them have a charming *naïveté* in conversation, “Ah, no matter, California is *muy fertil*, you will have many yet”—was the smiling reply when, on Emily's arrival, they found she had never had children. So one, so all,—as they flocked, out of the natural abundance of their hospitality, to welcome the stranger, who, they used to say with a buoyant, manifest sincerity and a sympathizing tone, “was 00 far from her native land and old friends.” They are a kindhearted, amiable, industrious set of women. I like them much better than I do the men.

The men have their virtues and their faults. Most of the latter may arise from lack of education and the misrule they so long endured. Americans must not stay away from California because its men, or women, in all things do not yet come up perfectly to our standard. They must come to help in civilizing, educating, and elevating a class who are now our own fellow-citizens and who need, and ultimately will appreciate, our beneficent offices. The native Californians have all the politeness of manner of the Spanish stock whence they sprung, betraying, however a spice of the Indian character with which they are often intermixed. I especially like their children, who are very sprightly and quick to learn.

We have four or more little schools, not of a very high order; two teach English. A subscription is making up to bring the Sisters of the Sacred Heart from Valparaiso. A pity that we cannot have two or three Sisters of Charity who understand English and Spanish. Preaching is In Spanish. There is a good old Padre at the Mission of San Gabriel, who speaks a little English, and Emily went to confession to him not long since.

The people certainly appear to be pious Catholics, and the clergy do all they can for them at present. But there needs the vigor of the Bishop. However, the way I look at them, they are mixed, good and 92 bad, pretty much like the rest of the people of the United States. There is no Protestant minister here. I think it is a good thing even for great sinners to go to church, although some people must think differently, for they reproach the Church for all the faults of all who claim to be its members. I think we need considerable restriction on what often is, and oftener appears to be a desecration of the Sabbath. Still, I am not qualified to judge correctly always of those who choose to consider many diversions lawful on that day, a ball for example. There are a goodly number of

honest and religious women and men amongst this population. Emily and I attend Mass regularly every Sunday, so do several American gentlemen.

The Americans of this city may number 300. The rest are of all nations, nearly, amounting to 3000. One-fourth of the Americans are transient; I suppose thirty or more of these are gamblers; these behave themselves well, seldom rowdy as formerly. Upon the whole, we have a tolerably good and a clever, manly population, such as you find on the frontiers of Missouri. We are in a transition state to better order and more perfect security. The citizens, without taking the trouble to ask the authorities, lately hung four reputed bad fellows, three of whom were certainly murderers. (The other declared his innocence till the last.) Two were hung, in like manner, not long before, for the horrid murder of two young American cattle-buyers. Do not understand me to sanction such proceedings, although I admit that since these occurrences there has been felt generally a greater sense of safety. Nor are the Americans here a bloodthirsty horde of bad men, but in fact well-disposed citizens, peaceful and seeking the prosperity of the country. Few difficulties take place amongst themselves. They treat the native with consideration and justice to a greater extent than the latter often will acknowledge.

I suppose it will not be long ere we shall have a railroad to the sea, a dead level all the way. When the *Mormons* can find time to attend to it, their own necessities will require it, to say nothing of the rest of the community.

Los Angeles County has a great quantity of public land. But in the present state of land litigation, I cannot well undertake to designate its locality. Those interested will soon find it out. The best land is held under Mexican grants. There is room still for a vast number of settlers, and they are coming in rapidly, making their little farms, as in the Platte country, wherever a desirable spot can be discovered. Heaven send more of them! When we are full up here, we can go over into Sonora, where I saw much choice land on my journey to California.

You can bring a *sufficient* library across the Isthmus; too great an expense to bring a *desirable* one, embracing other subjects than Law. There is consolation in History, Poetry, and Science, and I

could almost advise you to bring fewer lawbooks, if they are to deprive you of those sources of exalted pleasure. If I found myself likely to be encumbered I would sell all except the Missouri and Kentucky reports in addition to those of Louisiana and New York, and works on the Civil Law. Most of the elementary works are here or can be obtained easily.

The Mormons live huddled together In a small town of this county and number a thousand souls, not a case of sickness amongst them. A large settlement of Americans about 12 miles from this City enjoy the same good fortune. Although they are on a river which overflows its banks, and get water by sinking wells on their respective places, at the depth of five feet, and their location therefore would be supposed to be ordinarily unhealthy, damper than almost any other part of the country (for they raise every species of vegetable, and corn, without irrigation, 93 such is the humidity of the soil). They court the sunshine and air into their dwellings.

The fact that our county is an entire plain, nearly, with low hills interspersed, it is true, and open to the full sweep of the regular daily sea breezes, may be one cause of its salubrity. There are no great marshes. The sandy soil absorbs too much of the water, and where it is not absorbed, the heat of the sun produces a rapid evaporation.

Once or twice a year, a sort of influenza, "bad cold" we might call it, attacks the whole coast, nearly everybody at the same time complaining of it. I have never had it. I suspect the aromatic herbs with which every hill abounds, and the deserts still more, in the middle of summer and which scent the universal air, must have something to do with the salubrity of this region. Earlier in the year, the plains are literally spangled with flowers, many of them of exquisite fragrance.

Emily has very much improved; seldom has a cough, even in damp weather. I consider myself to be in excellent health, barring the lack of fat, which tobacco deprives me of. A ride for a day or two on horseback renews my strength. One reason why I felt desirous to quit the practice of Law for the Judgeship, was to get time for exercise, of which I have sometimes had too little, as well as to take Emily out riding, so advantageous to her.

MRS. HAYES TO A SISTER Los Angeles, March 31, 1853. California is a bad place to raise children. I suppose it will not always be so. Los Angeles has become somewhat better since I came here.

A Methodist preacher and family have removed here within the last month or two who are trying to civilize the place. His wife has a school, and is liked very much; and he preaches every Sunday. I have never heard him; I believe, he is not considered a very good preacher, but is liked as a man. They also have Sunday School every Sunday.

Americans are beginning to settle here very fast now. There is a gentlemen, Mr. Kean, here from above whom Mr. Hayes knew in Missouri. He saw Ben Holliday the middle of last month, who had been very unfortunate. He had purchased a livery-stable and dwelling-house a few days before the fire at Sacramento, both lost by the fire. The day after the fire, his oldest child was killed by an accidental shot from some one who was cleaning a gun in the adjoining room, separated from theirs by a cloth partition. Mr. Kean says that David Holliday has made a great deal of money.

I have just been out visiting. Mr. Hayes and I went to Mr. Wilson's for a walk. Mrs. W. would make us stay to tea. She had some of the nicest biscuit I ever ate, they are made with a patent yeast. I shall not be satisfied until I have some of it. It is a light powder which is sprinkled through the flour and mixed with water. Mr. Hayes has now gone down town on some business. I feel very lonely when he is gone, although he talks but little when he is here. He reads almost constantly, and when he is not reading he is in the garden pulling up weeds or transplanting flowers. We will have a great variety of flowers this summer, most of them wild flowers.

Feb. 19, 1850: Mr. Abel Stearns says, "You have seen nearly all the rain that has fallen this winter."

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Feb. 24: Pretty weather. Fort Hill full of promenaders; a gay party retired off from them, but in sight, a sort of picnic.

Sept. 23: Dinner by the City Council to the Naval and Military Commission of the Coast Survey.

Dec. 7: A heavy gale at San Pedro forced the vessels to put to sea.

Jan. 29, 1851: The first regular steam packet arrived at San Pedro a few days since. (I have lost further notes made in 1851 and 1852).

Jan. 1, 1853: The mail rider from San Diego arrived in this city on Wednesday, having been 10 days on the road, including a detention of 7 days at the Santa Ana, that river being impassable for that length of time.

Exchange of kindnesses between friends on this happy New Year. Shall I live to see another? To the mercy of God I commit myself and mine. Went to Mass. Took the oath of office as District Judge, endorsed on certificate of election, my commission not having yet arrived. Have determined to proceed in my judicial functions, without waiting for the commission. In the afternoon, finished the map to accompany the report of Indian Agent (Benj. D. Wilson). Mr. Wilson, in this matter, is acting with a spirit of philanthropy most honorable to him. This Report is of date December 26, 1852, prepared by me, at his instance, from information derived from Don Juan Bandini, Hon. J. J. Warner, and Hugo Reid, Esq. One copy for the Superintendent, Lt. E. Beale; with the other, Mr. Wilson goes to the Legislature, now in session, to obtain their co-operation in his plans for the Old Mission Indians.

Harry Munro, "Little" Harry, "Crazy" Harry, starts to-morrow with a small company, well fitted out, for a gold 95 mine he has known for some time, between the Tejon and Santa Barbara, about 45 miles from the latter place. This is all he will tell; an excess of caution, with me, as I certainly have little taste for mining, and would not be apt to interfere with him. I have not yet seen a gold mine! Few emigrants can say this. Nearly all rush to the mines on their first coming, as if there were no other pursuit worthy of attention. From this mania, however, they are fast recovering. Thus hope is reviving for this part of the country. A great revolution is silently going on, in agriculture and, of course, in the character of society.

Jan. 5: Gardening all these days. The flowers transplanted last month all flourishing; Seeds sown last month coming up, pink, poppy, larkspur; peas and turnips sown middle of December coming up finely. On the 2d, Sunday, we walked to the hills and transplanted a few of the wild yellow violet. A large congregation at church, an unusual number of men, perhaps the effect of good resolutions at the beginning of the year.

Paid 6 cents per lb. for potatoes, common market price; flour, \$10 per cwt. now and for some time past; butter from 75 cents to \$1 per lb. Finished copying Wilson's Report; wish to keep a copy for myself. Wrote a petition to the Legislature for the Board of Supervisors, to authorize the levy of a tax not to exceed \$1 on each \$100 worth of real and personal property, to build a jail. One contracted for last summer, of stone and nearly up, fell down a few days since, the heavy walls settling after the late rains. Fruit of the obstinacy of certain members of the City Council, in 1850, who refused to donate a better site than had been selected by the Commissioners. I was then County Attorney and recommended a non-acceptance of the lot given by the City Council. The county debt to-day is found to be \$46,000, exclusive of interest.

Mr. Barker spent six months at the Tejon trading with the Indians who (properly) reside there. These, he says, were not engaged in the hostilities on the Four Creeks in 96 1850-1851. As a proof of their present friendship, I may state that some two weeks ago they took a band of horses from some Sonorians that had Stolen them and delivered them up to their owner here. They Say that one of the Sonorians was Joaquin Murrieta. Most of these Indians speak Spanish and some can read and write.

9th: Went to Mass, a large congregation, many men. An Indian, pretty well-dressed, but rather under the effects of liquor, I met to-day in great glee, happily shouting, “ *Viva el rey Americano !*”

Brought a beautiful orange-colored flowering bush from the hills for our garden. Renito, my Cahuilla Indian servant, arrived this morning with his “wife.” They have been gone to the mountains near San Bernardino for two months to see their *parientes* . They appeared to be delighted to meet us again, and we were equally so to see them. Coming in just now for salt for his

meat, he informs me that at the site of one of their villages there are masses of rock-salt. He gave me some of the words of their language, and I hope to pursue this subject with him. The cook-stove put up to-day, to the great gratification of wife; previously cooked at the fireplace.

12th: Finished writing a bill for an “act to define the jurisdiction of the District Court of the First Judicial District,” and a bill for an “act to regulate appeals from County Courts, and Justices', Mayors', and Recorders' Courts;“ also two explanatory letters to our representatives. Wrote to Senator Atchison of Missouri against a change of Indian Agent here. I have preserved an extract:

“In the whole District my vote was 923, to 279. The Democratic electoral majority in this county was 75, and less in the district. So, as you see, I am considerably ahead of the party. This vote does not indicate a large population-like our old ‘glorious' Platte country, but the counties are large. The litigation is heavy, and Of an important character. I shall have my hands full. This is a far off country, dear Judge, but one of great interest. I feel that

FATHER BLAS RAHO *From a faded photograph in the Notes .*

97 I owe a duty to the public, and to myself, as a citizen, to trouble you with a few suggestions upon some of its affairs. I can write to you more freely than to the Senators from this State, with whom I have the honor of a, very slight acquaintance. For this southern part of California, the Whig administration has done absolutely nothing. Witness the lingering Land Question, the neglect of Indian affairs, want of organization of the U. S. District Court, etc., etc. Democracy alone has the inherent virtue to govern a new and distant State, with the necessary vigor and with purity. . . . After considering the report of Mr. Wilson, if the President thinks a man of such sentiments ought to be removed, let it be done. But I do trust the utmost caution will be observed in choosing his successor. He claims to be a Whig. One of a rather mild stamp, as he strikes my eye, and not very dangerous to Democracy. A man is not apt to be much of a politician who has not been in ‘the States' for nineteen years, and has been roughing it all that time in mountains and deserts. I assure you that there are not a dozen of the six hundred Democrats in this county who really desire any change in this office, believing that it is now in experienced and faithful hands. If I had time, I might back these suggestions with the concurrent signatures of nearly all the people of Southern California.”

Jan. 16th: Went to Mass; a very large congregation, a great many young men in attendance.

In 1825 a freshet turned the river of Los Angeles from its old course, immediately under the bank on which the city is built, to the other side of the present house of Don Luis Vignes. With brush, etc., he drove it further to the east, so as to leave him all the land on which his extensive willow grove now stands. We went to visit him to-day. All the heavy trees of the grove were pruned, about a month since, down to the height of 8 or 10 feet, every limb, large or small, being cut off, only the trunk being left at that height. To-day, they are shooting out again. The branches thus lopped off and every twig are piled up as fuel for his distillery. Some of the branches he has sold for \$50 per 98 thousand, for live-fences. I believe he always has enough of firewood, through the year, for his large establishment, and much to sell. He has vines in his vineyard 80 years old, still bearing well. The orange trees are loaded with ripe fruit.

26th: Mr. Wm. Wolfskill transplanted several *large* orange trees to his place in the city. Eat California raisins from Ramon Ybarra's, very good. In the afternoon we rode to the hills north of the town; a grand view of the sea, and Mounts San Bernardino and San Jacinto, and the valley of the river of Los Angeles. Saw six wild flowers in bloom, brought home a peonia, also a flower called here *capetone*, with a deep Scarlet blossom; transplanted both. Emily walked down the precipitous hill to the river, I leading the horses.

Feb. 1st: Court opened. Room damp and unhealthy, and wholly unsuitable. Sheriff ordered to procure another room.

Reading Frayssinous' *Defence of Christianity* in Spanish.

At the proper date I forgot to notice a letter I received from the Rev. P. A. Lestrada, parish priest of the Catholic Church here, directed to me as District Judge:

“With every sentiment of affliction and grief, I beg leave to address you these few lines. You and your lady being Catholics, I am surprised that a sacrilegious circus company are insulting religion

and disturbing the religious exercises customary at this hour in the temple of God, and this under your own eyes! I am awaiting *una orden de policia* . May you live a thousand years,” etc.

He stated what was only too true, but I could only refer him to the Mayor who had licensed the company. The city authorities pay little respect to Sunday.

Reread Emory's report of Kearny's march, etc.

April 3: Commenced reading Balmes's *Protestantism and Catholicity* . During the last week I have begun a thorough revision of law, which I pursue in the morning. I read 99 Wilkes's *Exploring Expedition* in the afternoon. I will give my attention to theology at night, commencing with Balmes and Frayssinous.

JAMES W. DENVER TO BENJAMIN HAYES Office Secretary of State Benicia, May 9th, 1853. I received yours of the 16th March last only a day or two ago. I have forwarded your commission, as District Judge.

Permit me to congratulate you on the very flattering vote you received at the last election, and also on the very honorable position in which it has placed you. I shall always ne happy to hear of your advancement, knowing that there will be no lack of ability to fill properly any station in life to which you may be called. And who knows what time may not yet require? Nothing more strange can occur than what has already come to pass. Who would have thought that two poor devils, who a few years ago could hardly get food ‘to put in their stomachs or clothes to put on their backs in the little village of Platte City, should become so connected with the destinies of the first American State on the shores of the Pacific! Yet so it is. After all, the most that is needed is opportunity. Men are like children; they don't know what they can do until required to try.

This has been the only line of demarcation between the parties during the present session of the Legislature, the one endeavoring to relieve the State from her financial difficulties, the other embarrassing her as much as possible. I am sorry to have it to say, that two of your delegation have almost invariably voted with the latter party and constantly upheld a parcel of speculators in

San Francisco who have already robbed the State of millions and now endeavor to cover up their deeds by preventing an investigation, and also preventing the State from realizing any thing out of property which justly belongs to her, for fear that, if it should be thrown into the market, their property might thereby be depreciated.

JAMES W. DENVER TO BENJAMIN HAYES S. Francisco, Oct. 28, 1854. (Thinks the Senatorial election interests me “to take some part in It, at least sufficiently so to get some information as to the chances of the aspirants.” An effort making to resuscitate the Broderick party; Gwin will be the most prominent candidate, next Broderick, after him McDougall; McCorkle can muster but little strength. The opposition to Gwin, with nearly all, is on personal grounds alone.)

I have heard none deny that he had made a most efficient Senator, so far as the State at large is concerned. Broderick never was and never will be fit for it. McDougall has a reputation for shrewdness as a lawyer, but his knowledge of the political history and policy of the country is exceedingly limited.

Of this you can judge when I inform you that two years ago he wanted to go before the people and advocate the division of the public lands among all the states, according to population. Mr. Geiger told me that it was with difficulty he was prevented from doing so.

How then stands the case, and how shall we decide? Shall we lay 100 aside our personal feelings and take a man whom we may not like personally? Or shall we allow them to influence us and take up one who, we know, will make legislation bend to his own pecuniary interests, and trade us off whenever he can make any thing by it? Gwin *has* served the State. Broderick and McDougall belong to the same class of politicians, and *have* served—themselves. Broderick has made an immense fortune by his operations in Water Lot Bills, while in the Legislature. He never followed any other business; it is the way he makes his living. And yet, while reaping all the profits, he has managed to have the odium thrown on others, among them our friend Estell. In view of all these matters, I for one feel disposed to lay aside personal pique and disappointment, and to favor the reelection of Gwin, as being the best for the State.

There are some, however, who say they will not do so, and yet object to all those named. Having intimated that they preferred me, I know not what may come of this move. If Gwin is not strong enough to be elected at the outset, I don't think he can be elected at all, and, in that event, I might stand a chance. But still, I believe that Gwin can do as much or more for the State than anyone else. Will you feel your members and let me know their inclinations, and give me your views generally?

I wrote to Gen. Denver, in substance, that I would prefer to see the Democratic party throw aside both Broderick and Gwin, in order to heal its divisions, and take up some new man, and that I should be pleased to see him, Gen. Denver, result as its choice for this high position. I did not, however, interfere in any way with our representatives from this county, considering that a Judge should keep out of politics.

While on the subject of politics, I may advert to a letter written previously to Hon. James A. McDougall in relation to the Collectorship about to be established at the Port of San Pedro. Mr. Clark had for some time been Surveyor, and was an applicant for the new and more profitable office. The letter is dated April 18th, 1854.

The Democrats here would be well satisfied with the appointment of Mr. Clark; indeed, it would be approved without distinction of party. . . Why one Democrat, of equal fitness, should be turned out to put in another, I cannot understand. I would rather see a revival of the old-time cordiality of Democrats—or its introduction into California—when the endeavor was not, as now seems to be the case, to split the party asunder in squabbles about men; when we were united as a band of brothers, instead of being dispersed everywhere into petty cliques, each with its own 'platform' of personal preference and selfish design. . . I would not turn out of office a deserving brother Democrat, though a stranger to me, not for the sake *of any friend* I have. The people commonly reward their faithful public servants by a continuance of favor, and it would be well for politicians—who may have a temporary power—to imitate their example.

August 15th: This is always a gay day in Los Angeles, where there are so many French, for it is also the birthday of their present Emperor.

Sept. 12: (Mrs. Hayes to a sister): Mr. Hayes starts to-morrow for San Francisco, to draw his salary, \$2000 of which is now due. It has been only two weeks Since he returned from San Diego. He was there nearly three weeks.

Oct. 11: (Mrs. Hayes to a sister): Mr. Hayes saw Ann Holliday in San Francisco. She has never been well since her little girl was killed at Sacramento. Mr. Hayes dined at Gen. Estell's, saw Hiram Summers and Mr. McCoun; got Miss Fellows to buy some things for me, a velvet mantle, a couple of silk dresses, a handsome head-dress, (his own choice), etc. He brought Chauncey a pretty hat and feather, a rattle, a willow chair, etc. On Saturday Mr. H. will start for San Bernardino to hold the Court. I think of going 20 miles into the country with him.

Jan. 25, 1854: The journal of last year ended in April at the birth of the boy. Since, I have hardly written a line, although often I must have watched the heavens with an anxious eye. He is now well, and, to quote his mother, "the sweetest thing in the world."

To-day Senate and Borghias, two assassins, are brought in dead. The officers failing to find them, Sheriff Barton offered a reward of \$500 for them dead or alive. They were killed by one of their companions in the late robbery of Lelong, Atanacio Moreno, a bankrupt merchant who joined the remnants of the Murietta gang. I remonstrated with the Sheriff when he offered this reward. A bad state of society. They were delivered at the jail by the stepfather of Manuel Marquez, and the reward paid.

Jan. 28th: The trail between here and the Tejon is impassable 102 from the great amount of Snow. Turner's Pass and the canon beyond San Fernando Mission are filled up. The cold there is such as "the oldest inhabitant" does not remember.

I preserve here an invitation to the funeral of Hugo Reid, Esq., belonging to Don Ygnacio del Valle, of Camulos, Ventura County:

Señor Don Ygnacio del Valle: Suplicamos a V. tenga a bien asistir a las tres de la tarde de hoy al entierro del cuerpo de Don Perfecto Hugo Reid, (Q. E. P. D.), y así mismo mañana a las nueve, concurrir a la Iglesia de esta ciudad, a las exequies que se le deberan hacer.

La comitiva saldra esta tarde de la casa de Don Enrique Dalton.

H. Dalton Abel Sterns A. Olvera B. D. Wilson Julian Workman D. W. Alexander John A. Lewis J. B. Wilson Wm. H. Rand

Angeles, Diciembre 14 de 1852.

[Later note:] Singularly, the parish record, which has been searched, contains no record of his burial. He was buried no doubt, on the afternoon of December 14th. His wife was a strict Catholic, and most probably observed the custom of the time, keeping the body in state with lighted candles around it at least one night or two, when the circumstances permit. He may have died on the 12th. My recollection is, he had frequent attacks of a disease of the kidneys which finally caused his death. A brief sketch of his character will be found in a Mission Collection, now in the possession of Mr. H. H. Bancroft, also his essays On the Indians of Los Angeles County. His vocabularies are deposited in the library of Santa Clara College, Santa Clara County, California.

Jan. 30th, 1854: Emily says I must record the lines which we have been trying to sing to-night. They were written by me, (the only verses I ever attempted), many years ago for the album of a young lady who was spending the summer at the little town of Abingdon, Md. Her name was Mary Webster. I was then Principal of the Academy. This was in 1835 or 1836. I have lost all memoranda of matters and things 103 then occurring to me, and cannot just now remember surely even the year, nor does it matter. I passed a pleasant summer there. It is about nine miles from Emily's birthplace; she was then a little girl, in Missouri. I have often been to Spesutia Church, within a mile of the very house that first heard her voice. Providence seems to have so directed my steps, that she should

be the source of all the happiness I have enjoyed, or expect to enjoy, upon earth. Her sister Carrie once told me that she had seen these lines in some book entitled *Select Poetry*, doubtless credited to another person. I remember my brother John, who was a *passable* poet, caused them to be printed in a newspaper of Kent Co., Md., as “by a barrister-at-law.” Miss Mary's fair cousin, the serious Priscilla Day, insisted upon the choir singing them in the village meeting-house. My modesty rebelled against that; I now wish I had consented, just to have *one more* reminiscence. Alas, I begin now to call back “old times!”

THE CHRISTIAN SOLDIER Air: The Soldier's Tear Upon the world he turns A careless, scornful eye, And weeps to think, though frail its joys How many for them sigh. Fair Pleasure's syren sounds Charm not his pious ear, With Sin he strives, for friends that fall He meekly drops a tear. His banner is the cross, His lance a holy prayer, His shield is Faith—the only arms His Savior deign'd to bear. And should he e'er prove weak Corruption seems too dear, To God he lifts a sorrowing heart, Who dries the bitter tear. Go, view the foremost seat In realms of bliss above, Where saints proclaim eternal praise To the Prince of Peace and Love— Behold, those Spirits bright Receive the soldier there; His work fulfill'd, his perils past, He sheds no more a tear.

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Feb. 13th: Herrera executed to-day. (“God” etc.)

Feb. 14th: Thirty-nine years old; I don't seem to myself to be so. A little party to supper, consisting of my married and single Sisters, Mr. B. S. Eaton, Mary Scoff, my little niece Mary Alice Eaton, and Mr. Wm. A. Wallace. Evening spent in conversation and music, most pleasantly. I did not forget to have Sung The Star Spangled Banner. I must commence a new career—see if I can be better, with the grace of God.

Some doubts as to whether I ought not to have fixed the execution of Ignacio Herrera for to-day, instead of yesterday. To-day would have been the last of the term allowed by law (60 days), but in the view that this was my birth-day, (and for no other reason), I designated yesterday at 3 P.M. or this execution. And the poor fellow suffered the penalty with evident repentance, and the prayers of

all the Catholic population went up to Heaven for him. He had been a soldier in Mexico; a martial band of Mexicans accompanied him to the scaffold, at their own request, candles were burnt there last night, and to-day he was buried with martial music and religious rites. He had killed one of his own race, about a woman!

Feb. 16th: Started for San Bernardino to hold court. Stayed at John Roland's.

Feb. 19th: Started early; 10 miles to Don Ignacio Alvarado's. Rode 10 miles in the showers toward Agua Mansa, when it ceased along my road. About 8 P.M. reached Slover's, 35 miles from Roland's, a dreary day's ride. Hospitably entertained at all three places.

Feb. 21st: Finished business in court. Put up at the Bishop's tavern. His lady. Negro servants. Good table. The Bishop himself, a Mississippian. Lyman, Rich, Hopkins, 105 their attention to education. Industry, prospects, and character of the Mormons at San Bernardino. Mrs. Col. Jackson gives me various choice Seeds.

Feb. 22d: Started home. 20 miles to Coco-mungo. Nearly 10 miles further to Alvarado's. Entertained kindly; reached this place at night; I was cold and hungry.

Feb. 23d: Dined at Roland's, thence home to wife and baby. An Indian girl who used to wash for us came in and sauntered through the garden. After looking round everywhere, she seemed to think there was very little useful in it, asking me, "Why, señor, do you not sow *calabazas* and *zandias*?" What a question for the heart of a florist! In self-defence I appealed to my *chiceros* (peas) but she replied, "There are so few of them!" I believe she was right; I must think more of the onions and potatoes than I have done.

Feb. 28th: To-morrow the *Southerner* ought To arrive with definite news as to the appointment of U. S. District Judge for the Southern District of California. My friends seem confidently to expect that I will get it. In the chances of politics, I may be disappointed. If so, I believe I will easily make myself contented, as I hold an office that is grateful to my feelings, amongst a people who *elected*

me, and whose confidence I seem to possess. After all, perhaps the other office might sadly change all my best plans heretofore made for life. Nor should a man ever too much desire office.

When the U. S. Judicial District was about to be established for Southern California, I was induced by many friends here to apply for the appointment. Numerous recommendations were forwarded to Washington from this quarter. Jonathan R. Scott, Esq., for one, wrote to Senator Atchison. All the lawyers of Santa Barbara, except one, concurred. Senator Atchison wrote to Mr. Scott: "I will exercise all the influence I have, in favor of my old friend Ben. Hayes for District Judge. I have already 106 spoken to Gwin and Weller." By his letter to me of date Jan. 16, 1854, I was informed that he had placed before the President my recommendation for District Judge. Hon. D. B. Kurtz, member of the Legislature from San Diego county, wrote to me as follows: "His Excellency, the Governor, informs me that a petition in your favor, had already been forwarded to Washington, signed by the Governor, Controller, Treasurer, and Secretary of State, urging your claims in preference to any other applicant."

March 19th: This evening news arrived that Mr. Ogier had been appointed U. S. District Judge. I received my disappointment more calmly than might have been expected. Perhaps I am the less chagrined from the fact that San Francisco, as we learn, has been attached to the Southern District. With my family, my real interest would keep my residence at Los Angeles, where I may be able to save something. So I am pretty well reconciled to the result.

April 5th: Sentenced Atanacio Moreno for 15 years to the state's prison. He took the sentence with perfect composure.

April 11th: In the afternoon went to San Pedro, bound for San Diego. Flowery plains. Waited a week for a boat at San Pedro, and at San Diego, the day I got there, no Court, there being no Sheriff, nor Coroner, nor Court of Sessions to fill vacancies.

May 13th: Started to San Bernardino to hold court.

May 15th: Adjourned the Court, short session. Mormons progressing rapidly with their improvements.

May 16th: Started home; rode to King's, 50 miles; very tired; I am getting old, I fear. Next day, home; all well. Planted cuttings given me by Mrs. Jackson. Letter from Hon. Peter 107 H. Burnett, in which he says, "I keep my eye on death, which is not far off."

May 21st: Chauncey's first trip in his little carriage. He was baptized November 15th, 1853, at the Church, by Rev. Father Anacleto Lestrada. The god-father and god-mother reside at St. Louis; they were represented at the baptism, the former by Don Antonio F. Coronel, the latter by Mary Scott. Fifteen dollars were presented to the priest, and a handful of pic-a-yunes thrown out to be scrambled for by the boys of the neighborhood, whom the well-known merry peals of the Church bells had collected to the scene, according to custom.

I should have noted that on the passage of my sisters from San Francisco to San Pedro, December, 1853, they were near being lost. The terrors of that gale have been described to me by men of stout hearts, who were passengers. The rudder of the *Goliath* was lost 35 miles from Santa Cruz. By setting the jib, Capt. S. Haley managed to keep her off shore. The gale fortunately abated Dec. 10 and one of the quarter-boats, under charge of the mate, proceeded to Santa Cruz, where a temporary rudder was constructed. At S P.M. of that day she came to anchor at Santa Cruz, whence she proceeded on her voyage on the evening of the 15th. There was considerable rejoicing among the passengers at their escape from threatened destruction. Nov. 24th: My address to the prisoner Felipe Alvitre was read to him by the Interpreter. Alvitre was accused of the murder of James Ellington, an American, at the Monte. He has confessed to this and another murder, and has been sentenced to die Jan. 12th next. My address, in fact, was not prepared for him but rather to be published for the benefit of his young countrymen, who are betraying too many signs of hostility to *Americanos* .

Nov. 20th: I have to-day pronounced sentence of death upon 108 David Brown, accused of the murder of Pinckney Clifford. Despite the forming of a threatening mob, he has been duly tried and convicted.

[Later note, interpolated:] To Herrera, I merely read the judgment; to Brown, on overruling the motion for a new trial, I made no remarks directly but incorporated them in my observations on the motion, (intending, however, to Soften his feelings, if possible, and I believe he was somewhat affected). To Luciano Tapia, one of the murderers of Barton,^{*} I made an address, to explain the nature of his offense as an *accessory* ; I do not think that he comprehended me at all, and am not certain if, at the very last, he recognized the justice of his punishment.

P. 160, Note.

Alvitre was executed on Jan. 12, 1855. The Supreme Court granted Brown a stay of execution, while apparently ignoring the petition of Alvitre, who was poor and friendless. Angered at the clemency extended to Brown, a mob seized and executed him. A stay of execution was received on behalf of Alvitre a week after his death, the delay having been caused partly by the slowness of the mails, and partly by the fact that the petition had been forwarded first to the Governor, thus delaying its consideration.*

S. C. Foster, Mayor of Los Angeles, resigned and led the vigilantes who hanged Brown, having stated that he intended to do so if the courts did not insure the execution.—Editor.

Nov. 7th: Much uneasiness is felt, because of the scarcity of feed upon the ranchos, threatening material losses to the stock-owners. Many sections of the country described as perfectly denuded and poverty-stricken. A brief winter and an early spring are devoutly prayed for.

August 18th, 1856: The law fixes the time of holding the District Court in San Diego County on the 19th of August. The Court in Los Angeles was terminated on yesterday, remaining in session till the last moment in consequence of the pending trial of Wm. W. Jenkins for the alleged murder of Antonio Ruis. The papers I have filed away shew the intense excitement this has produced. In fact, it was absolutely necessary that the case be tried promptly.

To-day I have been occupied through the whole afternoon in preparing a report of the trial to be translated into Spanish to be published in the *Clamor Publico* . I experienced some difficulty in

getting so many papers translated before leaving, but, by diligence and perseverance, translating the easier portions myself, I made it all ready and delivered it to the editor.*

In July, 1856, Wm. W. Jenkins, a deputy constable, attached the property of a Mexican named Antonio Ruis, who resisted the action and was shot by Jenkins, dying on the following day. Although Judge Hayes issued a warrant for the arrest of Jenkins, he was permitted to remain at large. A meeting of Ruis's friends was held at his grave, and the excitement spread to the turbulent lower classes in the community, who took up the fight against the authorities. Owing to the intense feeling existing against Jenkins, Judge Hayes ordered him to jail, and Sheriff D. W. Alexander and a group of armed citizens posted themselves outside. Taking advantage of the general disorder, a party of men robbed the house of the parish priest, took up a position on the hill overlooking the town, and there engaged in a fight with Marshal W. C. Getman. Persons living outside the town came in for protection; El Monte sent 36 armed men to assist the authorities; the local militia was called out; citizens organized armed groups and scouts under Andrés Pico and others scoured the surrounding hills. Pico captured one Carierga or Carriaga, the leader of the gang which robbed the parish house. Both Carriaga and Jenkins were released on bail.—Editor.

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IV SAN DIEGO AND SAN BERNARDINO, 1856-1857

August 19th, 1856: By 10 o'clock A.M., having been disappointed both in a carriage and in company, I finally started alone on horseback. I believed that I ought not to live in a community which I could not safely travel through alone. I carried nevertheless a double-barrel shotgun and a bowie knife, a precaution considered proper in the disturbed state of Los Angeles county; although I must say, as much as I have been through it, I have never been molested, and rarely has any one been troubled *on the road*. Highway robbery seldom occurs; I remember very few instances, I mean in this section of the State. "Robbers and assassins flooding the county" is a common exaggeration. I do not believe in it, yet do not wish to be foolhardy, and consequently carry arms when I travel to the Courts. I hope the day may soon come when they can be dispensed with.

Horse incorrigibly lazy walking, did not like to gallop, intolerably rough on a trot, really good for a buggy but the worst under a saddle I ever rode. Not having been on horseback for several months, I was glad to stop at the first house, the hospitable rancho of Los Coyotes. I had thought to go ten miles further to the rancho of Don Teodosio Yorba. But after partaking of coffee and bread, looking at the garden, and conversing for some time with the family, concluded to accept an invitation

to stay the night. This was but twenty miles from the city. Passed the rest of the day pleasantly; everything done to make me comfortable. The supper a full dinner in California style.

Don Francisco o'Campo sat down with me, although, as he said, it was not his custom to eat supper. I afterward saw the family taking only tea. (Jan. 1, 1861: The amiable and interesting widow of Don Juan Bandini now resides here. With her presence the mansion must be more joyful than ever. B. H.) He married the widow of Juan B. Leandry; she is mentioned by Emory. This is one of the best ranchos in the country; has a great deal of water, in an ordinary season will sustain many cattle, but this year they have had to send some 800 head to be pastured in the mountain valley of Cuyamaca, San Diego County. A magnificent spring gushes out at the foot of the hill on which the dwelling stands, and others as good are numerous elsewhere on the premises. They took some trouble to make a very pretty garden; in the end, a pet bear destroyed it; on one side was a fine hedge of young mezquite.

A good sleep. At daylight Don Francisco guided me over the *zanjas* some distance, when *Adios*. I made the intervening distance in time to dismount just as Don Teodosio was sitting down to breakfast. These are the only two houses immediately on the road. He made me take a seat, without unnecessary ceremony, and with three or four of his *vaqueros* we went 'to work' (literally) upon the viands. Finished a hearty meal, the *frijoles* most excellent, as usual, and so, indeed, the rest of the fare. Then Don Teodosio proceeded to dress for Los Angeles. Somewhat tired, I lounged upon a bed in the room, taking him at his word that the house was at my disposition. He arrayed himself in full Californian costume of the old style, and made as gay an appearance as if he was going to see his novia, (which may have been a fact, although he is married). (Subsequently I was present at the interment of his wife. They had miscalculated the size of the coffin, and the opening of the vault was not large enough for its entry; the top was broken off piece by piece, to make it fit, while the spectators remained waiting, a painful spectacle. She seemed to refuse to be buried. B. H.)

This rancho, Santa Ana, lies upon both banks of the river of that name. He has not removed any cattle., His brother, Don Bernardo, three miles above, who must have equally as much grass, has

paid Messrs. Rich, Lyman, and Hanks, proprietors of the rancho of San Bernardino, the sum of \$1850 for pasturing 5000 head nine months of the present year.

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On the tract of the two brothers, and all along the river, there is a vast extent of fine, arable land, much of it good for the grape, and all kinds of fruit. The grape ripens here sooner than in other parts of the country. There is room for a population twenty times larger than now occupies the township of Santa Ana; *Yankees* are needed here badly, and a good many of them.

When I was on the point of starting, Mr. J. Q. A. Stanley arrived from Col. Isaac Williams' rancho of Chino on his way to San Juan Capistrano. The sight of him relieved me from a burthen of lonesomeness; I felt in luck to get so pleasant a companion; his conversational powers are proverbial. After he had breakfasted and given the Señora Yorba the news he had brought for her, we took to the road. It is a long stretch of plain, very seldom relieved by timber, and then merely a narrow belt of sycamore and willow, thickets of cactus intermixing and usurping most of the ground in places where the road is crossed by those stony arroyos that bring the water from the hills upon the left, in the rainy season. No water now, for about 21 miles after leaving the river at Don Teodosio's.

I had hurt my hand the day before. Mr. S. now and then shouldered the gun for me, while I carried a little guitar which a lady had sent by him to her nephew at Serrano's. Wearied with the trot and the heat, reached the house. Señor Serrano manages to raise a patch of corn, watermelons, etc., although there is little water; it is in a deep arroyo, scarcely running now, not very palatable, somewhat alkaline. He has a vineyard farther above, a couple of hundred cattle, and, if I rightly remember, thirteen children. He was absent. Doña Petra was courteous and kind, like all the Californian ladies, who in this respect are not to be surpassed the world over. The young nephew was asleep; the guitar was stealthily laid beside him; presently he awoke, surprised and delighted, which pleased us all. He was sick with the chills, and so were several others of the children, probably owing to the water they have to drink. No physician nearer than 50 miles; they do the best they can with the herbs of the adjacent hills, many

THE HOME OF DON JUAN ABILA AT SAN JUAN CAPISTRANO *Don Juan is seated on the verandah, his son Chano and family in the foreground. Copyright reproduction of an old photograph, courtesy Dona Magdalena Murillo.*

113 of which are excellent remedies in various diseases. Mr. Stanley here obtained a fresh horse, and we pushed on nine miles to San Juan. Lying between lofty hills, this part of the route was cooler. It is almost a dead level.

In other seasons, I have seen these hills covered to the highest point with the cattle of Don Juan Abila and Don Juan Forster. Señor Abila's ranch-house is in sight of and immediately opposite Señor Serrano's. Very few cattle here now. The next house is of Mr. Thomas Forster a mile and a half from San Juan; a sheep farm; not a soul about. In approaching this house, you pass through a long grove of willows and sycamores. Squirrels in countless numbers were running up and down the willows, and in and out of their holes, eating their Suppers. Further, you wind through two or three tracts under fence, without a sign of cultivation, apparently 160 tracts of squatters, no water upon any of them.

Through this diminutive valley or canada, in the rainy season, runs a stream supplied from the neighboring hills, evidently then a large body of water. From time to time the banks are washed with great force. There are the remains of what must have been a broad, substantial zanja, in the days of the missionary fathers. I have been informed that this valley was all cultivated by the Indians under their care. I did not see exactly how the squatters could irrigate their claims; probably they expected to do it by making dams for the rain at the mouths of the several little cañadas which are formed by the hills.

Pulled up at the door of Don Juan Forster; he had gone to San Francisco. Concluded to stop at Don Juan Abila's a few yards further down the street. His cordiality made me forget fatigue.

Under the change of government, the Californians have many causes of complaint. If the matter were examined into, it would doubtless be found that they could also make just and greivous accusations against their old system. Be this as it may, for half the burthens they have borne and

half the losses they have sustained from defective government or maladministration, since the year 1850, 114 the clamor of the same number of "American-born" citizens would have been infinitely louder and more methodical; and, for that reason, would have had greater effect upon the politicians that have wielded our destinies. But the Californians vent their griefs too reservedly. It is only to their friends they unbosom themselves, and always very quietly. As yet they have not come universally to appreciate their position as a component part of *the people*. And to me this has often been a subject of regret, and, often, of inconvenience, not to say labor.

At this time Don Juan's mind was full of a grievance of his own, the first I have known him to have. He has seemed to get along smoothly, "minding his own business," indulging in none of the vices of his countrymen, and steadily accumulating wealth. Without being a miser, he is reputed to save his money, and in this country of fine horses you can hardly call horse-racing a vice; in this sport alone does he ever risk his money.

Since March 1st he has removed a thousand or fifteen hundred head of cattle to a rancho in San Diego County, designing to remove another thousand now perishing here for grass. All of his cattle were assessed by the Assessor of Los Angeles. The Assessor of San Diego assessed to him 2500 head in that county; and he received notice that a sufficient number of them would be sold on August 10th to pay the tax. He hurried sixty miles to Los Angeles City for his certificate of assessment; thence to San Diego, 140 miles, to present it before the Board of Equalization. After some discussion, it was concluded to await the session of the District Court. He says he has already traveled 260 miles on this business, been long delayed, with detriment every day to his stock; now has to travel another 120 miles; perhaps, employ a lawyer; lose more valuable time. Such hardships make a man somewhat feverish, and after awhile become his absorbing thought. His neighbors are in the same situation; indeed, the question has become of general interest, the inadequacy of pasturage having compelled many to remove their stock to San Diego, San Bernardino, Santa Barbara, or even Tulare. Don Juan brought out his papers, 115 and began to lay the case before me. I recommended him to wait for the action of the Board.

I found then that I should have a goodly escort to San Diego. But a change of horses could not be made “for love or money” at San Juan, which I have never seen before here. But none of the people can keep up more than one or two horses for their own necessary use.

San Juan Capistrano is situated in a narrow valley, about two miles from the sea. Its Indians were the finest both of appearance and disposition in California; of all the most easily converted. The biographer of Father Junipero Serra represents them as crowding to the baptismal font, of their own accord, without waiting for the presents that seemed to be necessary to make a beginning with the natives around the other Missions. The Indians of San Juan who survive—but they are few in number—answer to this description of their progenitors. I have had to do with several, on business of their own, who evince an intelligence not inferior to the average of rancheros recognized as citizens. Some of the Mission buildings remain, in a dilapidated condition. Don Juan Forster resides in the main building, and claims it as his property by purchase during the governorship of his brother-in-law, Don Pío Pico. The garden has not been watered for years and would seem to be ruined irrecoverably. In the year 1812, an earthquake threw down a great part of the church.

The Departmental Government allotted lands to the neophytes which are still cultivated by some of them. But during the past year, some Sonorians have usurped the water, and even intruded upon the little lots of the Indians. Ignorant of our laws, without means to pay lawyers, they recently came twice to Los Angeles, to complain to me. What could *I* do for them? Nothing—effective. Nor have we an Indian agent to take their cause in hand. As they had irretrievably lost their crop for the present year, (which they themselves suggested, but wanted protection for the future), I told them, if they were intruded upon again this fall at planting and sowing time, to come to me and I would recommend them to a lawyer from whom they could get advice. What a prospect this, to an unsophisticated Indian! How will he ever comprehend why the *Juez de Distrito* cannot give him redress, with the simple waving of his cane !

San Juan boasts a peaceful population, in general. Sometimes they elect a couple of Justices of the Peace and constables. The “elect” are not of an ambitious class, and have never taken the oath of office since 1851. How they settle their local controversies I know not; I think they have very

few. The last Justice of the Peace they had made several concessions of lots in what they still call their Pueblo—it was a Pueblo once—supposing that he had power to do so the same as an alcalde. I was then in the practice of law, and advised against this, as it might lead individuals into trouble. I have heard nothing more of it; perhaps it would have been as well to have let him go on in his own way. In all, there are 60 voters here. What there is of San Juan is desirable to be owner of, for those who wish to live there. With or without township government, it gets along pretty well in its own way; nobody knows how, except the people themselves. At a general election, however, it attracts considerable notice, and one thing is certain, the tax assessor and collector never forget their annual visitation. Fortunately, there is to be no payment of taxes this year. And my Indian friends were rejoiced when I told them this, for, robbed of the use of their lands by some of the worthless Sonorians who infest the county, they were afraid the Sheriff might take the land itself, and turn them out with their families to the mountains which they had 80 long ago abandoned.

Within a few miles is a hot springs, celebrated for its medicinal virtues. I have known it to be tried successfully in some affections. On the other side, after a short walk, one may sport in the waves of the sea.

I am not an epicure; eat what is set before me; at home we live on a very plain diet. But I do like occasionally the seasoned dishes of the Californians, “ *chile colorado* “ and all. I really enjoyed my supper, and the lively strain of Stanley gave zest to everything. Nor should I forget the happy observations of the ladies. The table cleared, over a cup of coffee we—Don Juan and myself—fell to discoursing, as you always will at a rancho, upon the frequency of horse-stealing, in Los Angeles County. He agreed with me that the Judges of the Plains, if they were more energetic, might contribute much more than they do to the protection of this species of property. They form a complete network, one on each rancho, and are appointed by the Supervisors, with power to arrest and imprison all vagrants.

'tis impossible to get off from a California rancho—so we may designate this spacious mansion—before 9 o'clock if you wait to *almorzar* . Breakfast over, we lingered and loitered still. Meanwhile rode up the Padre, equipped for the Mission of San Luis Rey, where next Sunday is to be celebrated

the *Fiesta de San Luis* . At length even he became impatient. Going round to the stables, we found a *vaquero* leisurely saddling the horses. I saddled my own at once. Soon Don Juan belted on his pistol; his sabre was already fastened to the saddle. Thus armed, I concluded to treat him as my “champion,” and left my gun in charge of Stanley, to be sent on when the carriage should pass. Don Juan told me, too, “no *hacer contingencia* .”

The Padre and I went off in the lead, stopping at an orchard on the roadside, belonging to an Indian, to get some pears. There are about twenty trees. The tide was not high. Galloping along the edge of the waves on the beach, soon reached San Mateo creek, which is the dividing line between the counties of Los Angeles and San Diego. Dismounting to water the horses, the Padre let go his rope and the horse waded beyond his reach. I mounted and caught the animal for him. Much of the tule here had been recently cut by the Indians for their various uses. This rancho, San Mateo, belongs to Don Juan Forster. Here we ascend to the highland and pursue it to the old mission establishment of Las Flores. Some ruins of this still remain. The sea is always in sight, and a ship was bearing southward, too close, we thought to the shore. A Chileño resides at San Mateo, only an Indian family at Las Flores. 118 From a spring just below the ruins, the water soon forms a small spring or *zanja* and flows down the valley; properly husbanded, it might irrigate much land. An old man and two Indian girls were there, who gave us a drink of water.

Don Diego Sepúlveda had brought here some 800 head of cattle from Los Angeles. He thought they would be more apt to stay on this pasturage, as the Seaside had been their *creancia* . Don Andrés Pico claims the rancho of Las Flores.* The Indians say it is theirs. There were many of them here when I passed two years ago. For some misconduct among them, their chief, Manuelito, withdrew them to the interior, if my memory serves. Mosquitoes are plenty. Tired, I lay down behind the Indian's fence, spreading over me my *botas* to shield me from the 119 sun; I could not sleep, but was considerably recruited when the rest were ready to start.

The Santa Margarita ranch consists of a number of Mexican grants. the nucleus being Rancho Santa Margarita y Las Flores, which extends from the top of the mountain range to the sea and from the Orange County, formerly the Los Angeles County, line to the San Luis Rey River. The first Spanish land expedition in 1769 named the Santa Margarita River, which rises in the Temécula hills and flows west into the Pacific Ocean, the first river north of the San Luis Rey. The house is built on a terrace in the river valley and faces north and west. Several

rooms have been added to the original adobe on the south and the whole building has been faced with white cement. The house is first mentioned in the report of Father António Peyri of San Luis Key Mission for October, 1827. The report calls Santa Margarita a *sitio* of the Mission. Las Flores or San Pedro, about seven miles north and now on the Coast Highway, is mentioned in the same report as an *estancia* of the Mission. The locality was also known as Las Pulgas. The ranch house at Las Flores was built about 1866 by M. A. Forster, son of Don Juan Forster. Las Flores was one of the model pueblos for specially chosen Indians created when the missions were secularized. It was formally assigned to the Indians, and the remains of their adobe buildings may still be seen on a hill near the house. The Indians of San Luis Rey managed to keep a partial hold on the ranches of the Mission during the forties. Don Pío Pico became mayordomo of the Mission and a long struggle commenced for the possession of the ranch, the details of which are not known. On May 10, 1841, Gov. J. B. Alvarado granted "Rancho San Onófre y Santa Margarita" to Pío and Andrés Pico. The grant appears to have surrounded Las Flores on three sides, since San Onófre is north of it. In 1853 the Picos presented to the U. S. Land Commission a claim to the ranch based on the Alvarado grant, and to Las Flores based on an assignment said to have been made to Pío Pico in 1844 by the Indians. The grant was patented to the Picos under the name Santa Margarita y Las Flores. The District Court confirmed the title on appeal and President R. B. Hayes signed the patent in 1879. The area was given as 89,742.93 acres. In 1864 Pío Pico deeded the ranch to his brother-in-law, Juan Forster, for \$14,000. Later he tried to regain title through a celebrated lawsuit. Mr. Forster and James McKinley bought the lands of Ex-Mission San Juan Capistrano, called Misión Vieja or La Paz, for \$710, containing 46,432.65 acres. Forster retained possession of the mission buildings for twenty years and resided in them a part of that period. The Land Commission also confirmed his rights in Rancho Trabuco or de la Victoria (22,184.47 acres), on the northeast corner of La Paz. Both were formerly in Los Angeles County, now in Orange County. Forster also received patents to Los Desechos, (9000 acres), Potrero de la Ciénega, (477.25 acres), and de San Juan Capistrano, (1167.74 acres), Potrero el Cariso, (167.51 acres), and Potrero Los Pinos, (522.98 acres). A portion of Santa Margarita y Las Flores. (3.616 acres), seems also to have been confirmed to him.—Editor.

The valley is narrow, but extends back for several miles, with little timber. On the south side is a small stream of running water, on which are a few trees. Ascending the steep and high hills that overlook it, we pushed on to Santa Margarita, owned by Don Pío Pico. In the rainy season this valley has a broad stream; no water now, at the crossing. Water can be had anywhere by digging a few feet. Hence, in three miles, we came to the Mission of San Luis Rey at Sunset. Here we had to part with the jovial Padre; always cheerful, save when he touched one tender theme, the matter of the price of some sixty head of cattle, tithes paid for his support, but which in an evil moment, he had loaned to Don Juan Ramirez, as whose property they were attached by a relentless creditor. Rather than risk a lawsuit, the Padre consented to take half. He may have forgiven this, but has not forgot. His strain, indeed, has something doleful when he treats of the wrong. A simple, sincere, pious Padre; his parishioners of San Juan seem to love him, and those of San Luis greeted him with a warm welcome.

All are on tiptoe for the *Fiesta* . Manuelito had arrived. The church put in beautiful order; the courtyard within the mission buildings swept clean for the bullfight; one bear already lassoed; and a vow had been made to bring another for the combat. In a word, the rejoicing at the shrine on this occasion was to be worthy of the Mission in its palmyest days. Resisting invitations to stay, whether at the Mission or at Col. Tibbetts', we went on to Guajomito. Don Juan had promised to stay a night with its proprietor, Col. Cave J. Coutts.

Doña Ysidora anticipated much amusement at the feast, or rather at her own house, where she was to have a ball, etc. Many young ladies were to come from San Diego, principally her own relatives. Learning that Emily was to be down on the steamer of Saturday, she invited me to bring her out; which I promised to do, if possible. Betimes we were off next morning; passed Buenavista, and 120 another long gallop brought us to Encinitos. Old Don Andres Ybarra came out and embraced me; presented a fine watermelon and three large bunches of grapes, the more delicious, for we were thirsty. The grapes are perfectly ripe (August 23rd). It is a great piece of good fortune to have them ripe for the feast. We were now joined by Col. John J. Warner; soon at San Dieguito; thence to Soledad, where we concluded to rest awhile. Had a watermelon. This is the residence of Don Bonifacio Lopez. The good offices of Señor Abila—and my evident necessities—procured me an exchange of horses.

Some distance from False Bay, the horses jumped from the road. Coming up I found a large rattlesnake coiled in the sand. Drawing his “Damascus blade” Don Juan dismounted, stirring the sand near with its blade, then suddenly changing position and striking the enemy twice on the head till it was harmless. Then passing the sword through its neck, he held it up for our observation of the trophy. It was about four feet in length. “Here,” said he, “is the snake *que mató la vieja* ,” referring to the lamented death of Mrs. Fischer, who was supposed to have been struck, about this place, by a rattlesnake; her little girl said she saw the snake. From the nature of the wounds, I suppose she had wounded her ankle against the cactus. Don Santiago Rios pulled off the eleven rattles; Don Juan fastened them in the band of his hat; we proposed this should be his coat of arms. We soon drew

rein at Rose's in the City of San Diego. I stopped here; the rest quartered themselves among their Californian acquaintances.

September 2: I arrived at San Diego on the 23d. I expected Emily to arrive on the next day by the steamer; I was disappointed; on the next steamer she arrived. From Los Angeles to San Pedro—25 miles—her conveyance was the waggon of the fisherman who supplies the Los Angeles market. From New Town to Old Town the ride was comfortable enough in an open carriage. She lived for some time in Calhoun Co., Ill.; has travelled a good deal in Western Missouri (and so have I); has crossed the Isthmus before 121 there was a railroad; and once we spent two weeks travelling on horseback in Los Angeles County and San Bernardino. But, she says, the bed she had to sleep on the first night at San Diego was anything but a bed of roses. A little room about eight feet by seven, containing a bedstead, bureau, and washstand, hardly space enough to turn around. Friend Rose was still talking of making better arrangements when Mr. Blount Coutts, Country Clerk, offered us a sleeping apartment furnished, with a parlor to receive company, at the house of his brother, Col. Cave J. Coutts. Emily soon took possession of these airy and convenient premises, arranging to board with the family of my friend Nat Vise.

We walk, say a mile, three times to our meals and back again; this is our regular business, pleasant visits interspersed.

We have the best physician in Los Angeles, Dr. John S. Griffin, yet he relies entirely on cod liver oil. A sort of influenza is prevailing in the city, so common on this coast and so severe often at Los Angeles. Mr. N. and wife called to-day. He is, or was, a preacher. He complained of the want of a church at San Diego. Emily told him that we were Catholics and that the Catholic Church is the only one at Los Angeles, the Protestant meetings having been discontinued. He has not yet preached at San Diego; drives a team for a living.

For some time Rumor has had it that Don José Ant3nio Aguirre had made a vow, upon some event the nature of which I have not learned, to build a Catholic Church. There is none here now, mass being said, when a priest casually arrives, in a large room in the house of the Estudillo family.

Don José is very wealthy. The day after I arrived, the Rev. Father Raho, Vicar-General (who was here on a visit) called to see me at the Clerk's office and earnestly inquired concerning the result of a suit pending in the Los Angeles District Court between Don Abel Stearns, plaintiff, and Don José, defendant. The Supreme Court had reversed a judgment in favor of the former, and Don José had been in great spirits, believing that he had gained the 122 case, involving some \$20,000. The District Court had then set down the case for trial at the next term. When I told this to the Rev. Father and explained the reason for it, he exclaimed, "*I am sorry* , it may have a bad effect for the Church."

I am afraid Don José's piety or liberality depended on the result of this suit. I hope not. I shall be sorry if the Church cannot be built, nevertheless, Don Abel ought to have a fair trial, Church or no Church. Who knows, however, but that these two millionaires, both tottering over the brink of the grave, will fight over this sum till they sink beneath the turf and leave the controversy to their heirs! I know Father Raho well, he is a learned and pious priest, an excellent companion, and if he lives a few years must contribute much to the regeneration of this section of California.

Quail-shooting is a favorite sport here, the ground simply alive with them in some parts of the county. Wiley killed 7 deer yesterday at the Cajon rancho, 18 miles from here.

Sept. 18th: While the rain imprisoned us this afternoon, the Catholic bells rang merrily. Emily thought the Bishop had come; Dr. Hammond, who had just called in, thought it was for the sunset. I supposed it was for a baptism, judging from the tone of the bells. Going to supper, I was informed casually that a child was dead and had been buried, a son of Don Bonifacio Lopez. He had been going to school at San Diego. The Catholic bells meant to tell their hearers that there was another angel in Heaven. They ring this lively note of joy, rather than of grief, when the young and innocent are withdrawn from the snares and dangers of this bad world. I like this custom of the native Californians, the merry peal of the bell, the beautiful trappings of the little cold form, the gay flags that flaunt in the breeze, as the procession moves, and even the music of guitar or violin that guides the step as they march to the grave. Still, it is easier to be pleased with this custom of 123 others and

to like it in the abstract, than to adopt it when Death enters within our own household, for we have been educated in a more solemn, if not a more consolatory practice.

Once about dusk I left San Diego in a steamer for Los Angeles. The time wore pleasantly with me till midnight among agreeable companions, and to this day the Señorita Reyes Estudillo smiles when she recalls the incidents. I landed at San Pedro in the highest spirits, at break of day, only to meet a messenger who rode all night to hasten my return, lest I should not see alive a mother, and a babe that had been born to me in the very hour I had put my foot on the steamer a hundred miles from the chamber of sickness. I could not *rejoice* that a tiny form lay there cold as marble. My own hands bore it into the Church, my own hands laid it in holy ground. A few friends attended. They could not feel, indeed, that a loss had befallen me like that of one older, still, all was solemn, and I felt so. See the contrast. The next day a valued Californian friend rode up to me in the street, with a smile upon his countenance, and taking my hand, exclaimed,

“Now, friend, you have an *angelito* in Heaven!”

And I smiled with him, for it was a Truth he told.

The Government graveyard here is an enclosure—so called—where lie the remains of Capt. Ben Moore, Lt. Thos. Hammond, and others who were killed in the Battle of San Pascual on the 6th day of December, 1846. * Capt. Johnson, who also fell, was buried here, but his body has been removed, I believe to be sent to his relatives. The 124 first Sunday after Emily's arrival we visited this and the Catholic graveyard near at hand.

In 1919 the State of California accepted from W. G. Henshaw and E. Fletcher one acre of ground in the San Pasqual Valley, a few miles southeast of Escondido, believed to be the center of the conflict on Dec. 6, 1846, between the Americans under Gen. S. W. Kearny and the Californians commanded by Capt. Andrés Pico, the fight extending to the following day. The American casualties at San Pasqual are thought to have been 18 killed and 15 wounded. The Californians claimed to have none killed or seriously wounded. The American dead were buried on the field and the bodies remained there for several years. The remains of Capt. Moore and Lt. Hammond were then removed to Old San Diego. Some years later the remaining dead were placed in a single coffin and also interred at Old Town. About 1885, all the bodies in the plot there were removed to the post cemetery at Fort Rosecrans, Point Loma; the two officers were buried under stones bearing their names only; the rest were placed in a single grave marked “16 U. S. Soldiers.” No date and no names were placed on this spot.

On July 30, 1922, the Native Sons and Daughters of San Diego placed a granite boulder from the battlefield on the latter grave, with a bronze tablet bearing the names of those who fell at San Pasqual.—Editor.

At the head of Capt. Moore's grave is a board on which originally his name was painted. The paint has all washed off, but looking closer I could still trace the outlines of the word MOORE in the grain of the wood. The same as to the word Hammond, this board was merely lying on a mound. Alongside was another grave, without any headstone. How then can one tell which is the grave of the high-toned, amiable, gallant Hammond, whom I knew so well in the pride Of his youth? Alas, brave Ben Moore! How welcome was he ever in the circle of Emily and her sisters! I have seen him in the social party, at the festive board, I knew him in his private life. Among the hardy pioneers of the frontier, no officer could be more popular. Always kind and genial, in his lighter mood the spirit of joviality and humor. Stern and prompt and faithful when Duty compelled. He was beloved by his men, and he took great pride in his company.

He and Lt. Hammond married sisters in Platte County, Missouri. Hammond may be considered the more romantic lover, if we remember his singular runaway wedding, one summer afternoon, on horseback (parson included) on the very top of the highest of the hills of Fort Leavenworth. Their loves on earth are over, their honor and their fame remain.

For more than three years I have been visiting San Diego and with pain have seen the neglect I have referred to. To my great satisfaction, within a few days past, Lieut. Kellogg, Quartermaster, has employed a carpenter to put it in complete repair, and now, newly painted, it is more creditable to the Government.

The first rancho granted within the present San Diego County was Otay, to the Estudillo family; then Janal, to the same; then Mata Janal, to Don Juan Bandini. Up to 1820, the inhabitants still resided within the Presidio, having their gardens up the valley under the eyes of the soldiers perched upon their battlements on the hill. The first house built was about that time, or in 1821, called the Fitch 125 house; the next, that of the Pico family, about 1824; the next in 1827, of Don Juan Bandini, as it now stands. Then came the mansion near by of the Estudillo family.

Mr. Chisholm offers to take us in his carriage to San Bernardino for \$85, a distance of 110 miles. A pretty round sum!

Today I requested the *Padrecito* to give me a list of the deaths in San Diego since January, 1850. He said,

“I have charge of the parochial books, it is true, but this is *una materia de la Iglesia* , and you must write first to the *Padre* at San Juan (70 miles) or to the *Vicario* (210 miles). You are going to write a history, are you not?”

“No, Señor. I take much interest in everything that relates to the country I live in, and merely wished to have correct information on some matters I deemed important.” With a pleasant *Adios* we parted.

An Irish soldier I often see in town, and who makes it a point always to give me the military salute, in the course of conversation to-day said to me,

“Ha, Judge, I want a bit of your advice, for ye're not one of these *Johnny-come-latelys* !”

At the table, Mrs. V. said,

“Wal, they all come a-serenading arter the ball were over, and they played near on to day. First they come along, playing on the strings of the fiddles, without ary a bow—”

Said Charley, across the table, “They were playing the guitar.”

“Wal, maybe they was—”

To-day we chartered Magee's spring-wagon and went on a pic-nic to the Playa. Capt. Dublois rode Reiner's famous mule with the strong neck. Judge Kurtz politely loaned me his pet pony. We went aboard the schooner *Humboldt* , a beautiful Baltimore-built craft that has been lying in these waters

since last November. It is the prettiest thing that I have seen in many a day. Has not somebody said that, next to a woman, a ship in full sail is the most beautiful object in nature or art?

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A point immediately opposite Ballast Point was almost black with the bird which Capt. D. called shag. He said that the mussels once gathered so thick on his schooner *Eagle* when she was detained here, that on taking her into dock at San Francisco, there must have been more than a dozen cart-loads upon her. Capt. D. is a genuine Yankee. He was a long time whaling in the northern seas.

Campbell is a Scotchman. He has been in both the English and American military services. He came here with Gen. Riley, made a great deal of money, but lost it in speculations, and now his pockets are empty. He now lives under some disadvantages upon the beach. He has a good house, however. His drinking water he hauls five miles, from a well in the river-bed near Old Town. One other family lives here, like him supplied with water, meat, everything from Old Town. Campbell is the counterpart of his wife, frank, kind, hospitable.

There is a windmill about a mile from Old Town, in sight. It was built by a German named Gatter, is now owned by Fischer and Findersen, Germans. It can turn out eight barrels of flour per day, but there is not sufficient wheat grown in the county to keep it going. They import wheat from San Francisco.

A returning Californian . Happening in at Mr. Gitchell's, old Mr. Palmer came in to make a final settlement of his liabilities; these turned out to be in all the sum of \$24, part to a lawyer, part to a doctor. Pretty good, after a three years' residence. He will leave on the next boat to see his family at Savannah, Georgia. He is a shipwright by trade, a Scotchman by birth, has been, I believe, in the U. S. Naval Service. He owns nine houses, a farm, and several negroes in Georgia; these furnish the support of his family, while he has been laboring alone, almost like a slave, away off here. He must be much over 50 years of age. Such is California!

He is going to see his family. There are many chances that he may never return. He does not speak of bringing them here, and it were well not to do so yet, situated as they are and as his property

here is. Yet, who knows if 127 they would not be happier together on the singularly beautiful spot which the sailor-father has chosen for his home. We passed Over it some days since, when we went to bathe in the bay. It is a tract of 280 acres fronting on the broad sea upon one side, and upon the other on the quiet waters of False Bay. A low, level tract of rather sandy soil, which you reach by crossing the lofty range of hills that runs from Point Loma nearly to the City. There is a small house upon it. It is the chosen resort of pleasure-parties, famous for pic-nics.

Rose's Rancho . The rancho of Mr. Lewis Rose contains 1920 acres, lying along a creek that, in the rainy season, runs into False Bay. He bought it in separate quarter sections at the public sales of the City lands, paying high in order to secure a large tract in a compact body.

At the foot of a lofty hill, on the side of the main road, as you emerge from the valley out upon False Bay, Mr. Rose has bored 170 feet for an artesian well; the work is now suspended. In boring they passed through four different strata of stone coal, too thin, however, to pay for working.

Hay . It is estimated that 100 tons have been sold here, cut in this county, the present season, about 60 tons at \$45; a large portion is of wild oat, most of it cut from 20 to 30 miles from the City. I know some to have been brought from near San Luis Rey Mission at \$35 per ton.

Crops . Being at the Playa to-day, Capt. Bogart, I found, had just landed from the schooner *Harrison* some 10,000 lbs. of wheat and the same quantity of barley to be sown on the island opposite. The wheat was raised in California from seed brought last year from Chili. He harvested last year at the same place 30 lbs. to the acre from 60 lbs. sown to the acre. His wheat and barley of last year are prime; from the wheat he has already had 200 barrels of flour made. He has a granary so constructed as to be impregnable to rats and squirrels. The soil on the island is sandy and light, but free from *salitre* or alkali. I called his attention to the prevalent idea that the immediate coast was not good for wheat. He said he did not believe in the idea concerning the effect of fogs, and appealed to Chili, which was remarkable for its dense fogs and where “*rust*” was unheard of.

The Tannery . This is of Mr. Lewis Rose, the only one in the county. It is upon his rancho about six miles on the Los Angeles road. There are 20 bark vats, six lime and water vats, two cisterns

containing 500 gallons each, a new bark mill, an adobe house for currying the leather, (each vat will contain from 80 to 100 sides), force pumps, and everything else for a complete establishment. He now makes 3500 sides a year, and 1000 skins of deer, goat, sheep, seal, and sea-lion. Many goat-skins have been brought from some island, where goats abound, about 70 miles distant, off the coast of Lower California. Seal are abundant off our own coast. Last year he sold \$8000 worth of leather at San Francisco; it was much praised there. Oak bark is obtained ten miles from the tannery in abundance; it costs from \$12 to \$15 per ton, delivered. He employs one head tanner at \$100 per month; two assistants, at \$35 each; and three laborers, at \$10 each; boarding them. Indian laborers, \$8, Mexicans, \$10, both classes easily got here. Hides easily obtained to keep tannery always in operation; trades for them a good deal, with shoes, saddles, and *botas* made here of his leather. Today I found him cutting out the soles and uppers, "having little else to do" as he said. The uppers are of deer skin. These are manufactured by a Mexican shoemaker according to Mexican style. They do well in dry weather. Sides at San Francisco bring from \$5 to \$8. Deerskins, goat, etc., bear the standing price of \$3 apiece. He commenced this establishment in 1853. This tannery is only one feature of Rose's rancho.

As things now stand upon it, he thinks every acre has cost him \$8; to shew his appreciation of it, he says that he would accept an offer of \$20,000 per acre, including the tannery, garden, and other improvements. The garden is of four acres, with a rock fence five feet high; cost of fence \$325 cash, boarding of two men six months, besides the use of his teams to haul the rocks, perhaps a total of 129 \$1000. He had some grapevines growing finely, but they have been neglected. He has raised excellent tobacco. A gardener would cost \$30 per month. The garden would have to be watered from wells. Digging eight feet, water is plenty; on most parts of the ranch, water is obtained in three feet or less. Two creeks flow through it during the rainy season and four months after, and many springs make large ponds from two to three feet deep, so as to supply the whole year a large number of cattle. And there is ample pasturage. At present he has only some 20 head of cattle and 100 horses and mules. There is enough of sycamore and willow to fence 10 miles square. Very little oak.

Mr. Rose owns “lots” in every part of the City, but a map he shewed me of 2900 of these, in a body, indicates him as a stupendous speculator of the “make or break” order. They lie upon the Bay proper commencing about half a mile from the Playa; extend along the water's edge—very deep water—three-fourths of a mile; and run back half a mile well into the hills. Although somewhat advanced in years, he calculates upon seeing the Pacific Railroad finished to San Diego; if it were, his property is about where it ought to be. Probably he puts them down at \$5000 each, on an average. Fourteen million, five hundred thousand dollars! Whew! The rancho at \$38,400, in such case is hardly worth talking about, but it would be worth much more than that, to supply the future London of the Pacific with potatoes and milk. I religiously believe that many here indulge in like brilliant calculations! Still, it is inconceivable what magnificent fortunes are in store for some of them, if they realize a small part of the promises which the late course of events at Washington seems to exhibit to the fancy of the lot-owner who can hold on awhile, without being literally devoured by “three or four per cent a month compounded.” May Rose never be one cent less rich than he dreams of being, in that day when the rail-car shall roll along this shining bay!

Miscalculation . Friend Rose appears to think I had some object, so he said, in talking with him about his rancho—suspects I am going to “write a book.” As I was in the 130 street this afternoon buying peaches from an Indian *carreta* that had just arrived, from San Ysabel, he called me to him in his store, saying that he had forgotten to mention that the rancho would be a great place for a dairy. Milk could be delivered from there to the future City at 6 o'clock in the morning. Having learned that money can be borrowed in San Francisco at low interest, he wishes to borrow \$20,000 for two years. Within that time, he calculates, he can pay it up with leather. I told him I had made him out worth \$14,000,000. He declined rating his 2900 lots so high, but thought they might eventually be worth something, adding that he had a large number beside these scattered over the vicinity. He said he was now 48 years old.

September 18th: *Gardening* . To-day we visited the gardens of Mr. Geo. Lyons and of Mr. Joseph Reiner, the worthy Sheriff. These are situated in front of the City on the right bank of the river, a few yards from its bed, the bank only a few feet above it. With all the labor and expenditure that

have been bestowed upon them, they are at the mercy of the uncertain river, which may come down this winter and sweep everything away. It gave an admonition of this last season, the water washing against the northeast side of Mr. Lyons' with considerable force, so as to bend over a large portion of it; this was afterwards straightened up. Lyons has an acre and a half, Reiner 2 1/3 acres. The former waters from five wells, the latter has six; watering is done by hand. In Reiner's everything had been watered last night and this morning by the single Indian servant. The wells are about six feet in depth, barrels being sunk at the bottom. The water is clear, sweet, and abundant. A live fence of willow encloses Mr. Lyons' giving ample foliage. Mr. Reiner's is chiefly of sycamore and the poles have not taken root as in the other garden. Lyons has put on a great deal of manure from the stables and corrals. To the eye the soil has the appearance of pure sand, nevertheless it is productive. Reiner's expense has been \$1500 exclusive of the price of the lot; he sells very little from it. For ditching, setting poles for the fence, etc., Lyons expended 131 \$280 late in the spring of 1854, the rest of the labor has been done since. For about two years he has paid a gardener \$20 per month; when very dry employed an extra hand; boarding both, of course. Then there is the outlay for trees bought at San Francisco. He takes much pride and pleasure in the garden.

The Indian servant of Reiner was asleep or breakfasting at the extreme end of the garden. I climbed over a broken place at the top of the poles and found him; he unlocked the gate. We walked over the grounds. He has about 400 Vines, doing well; so are his young fruit trees. We tasted a watermelon, very good. Sweet potatoes, tomatoes, etc., flourishing. We admired the thriftiness of his vines, planted as cuttings a year ago last March. From one we pulled a large bunch of grapes, not very sweet, probably because they were the first, quite small, with rather a rough taste. The cuttings were from the rancho of Encinitos, whose grapes are as sweet as any.

There are about half a dozen other gardens in the City, watered by hand from wells. On Sept. 30th we spent some time at that of Don Lorenzo Soto and had some pretty good pears. The well is 12 feet deep. There are 26 pear trees, three olive, two or three fig, the rest pomegranates. This is the garden planted by the Veteran Captain Don Francisco Ruiz. Don Juan Bandini has constructed an adobe enclosure a little further up the bank where he will make a fine garden the coming winter.

Sept. 22d: A promise to a child must never be broken, consequently, with Chauncey before me, we took a long ride down the road to New Town. He was delighted, full of talk. Near the Government graveyard, I proposed to go over to see it, newly painted as it is. But he wanted to go back home. The first time he has ever thought a ride too long. Could he have been afraid? It might have been so, for the sun was down and darkness coming on. Now that I remember, he has never but once been out of our house in the dark, and then he immediately cried to return; that was a good while ago. He is old enough to be schooled 132 against fears of the "dark," if he have them. We have never said anything with the design of scaring him. I well remember how I was wont to run, if the dim twilight caught me passing Potter's Field and the burying-ground of an African church, far out beyond the built-up street, on my return from bathing in the Spring Gardens, Baltimore. Nor did I fail to cast back over my shoulder uneasy looks at the high posts of the fences as they were reflected on the waving cattails of the adjacent swamp, looking for all the world like so many tall spectres in chase of me. Nor for a pretty sum would I give up the giants and ghosts and kindred objects of terror, the studies of early youth.

September 23d: Made the acquaintance of Henry Miller, an artist travelling over the State taking views of the Cities, Missions, etc., intends to paint them on a large scale, to present a complete panorama of California to be exhibited in the Eastern States and Europe. He also speaks of publishing an album to contain probably 200 engravings of scenery in California, with short explanatory notes. He says the citizens of Los Angeles appeared to take no interest in having a view of their City. He spoke of the want of curiosity in the passersby at San Bernardino when he stood in the street more than an hour, sketching the mansion of Amasa Lyman. I told him the Mormons were probably merely acting upon what I heard them often appeal to as the eleventh commandment, *Mind your own business !*

Mr. Miller travels alone; when he camps out at night, he invariably places a hair rope around his camp in a circle for fear of snakes; he says this was done by Frémont in his travels. The Indians do the same in Sonora. The chaparral-cock, a bird common in this neighborhood, runs on the ground as fast as a race horse. When it sees a rattlesnake, it will gather pieces of cactus and put them around

the snake, in such manner that escape is impossible. I have been told that the name commonly applied to this bird by the Indians here—CHURUA—originated with them, but Don Juan Bandini says the name is common throughout Mexico; says it is provincial.

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For one view of San Diego, Mr. Miller received the beggarly sum of \$10. An artist here cannot make enough to pay his bill at the hotel for four days. This, too, in a city whose people all look upon it as the grand terminus of the Pacific Railroad—where, within five years, they are to realize another El Dorado by the sale of their lots!

The seal of the District Court was designed by Wn. H. Leighton, the other seals by ——- Poole.

Sunday: The Jewish Sabbath yesterday was kept by only one person, Mr. L. A. F. On this Christian Sabbath, all goes on as usual through the rest of the week, one store alone being closed, that of Mr. Morse; he and his good lady are from New England. No mechanic, however, is at work. There may be a *baile* to-night. There is no Catholic service except prayers in the Estudillo house. The priest resides at San Juan Capistrano. Now that John Phoenix is away in the wilds of Oregon, with his inspiring humor, the worthy, eccentric old Episcopal Chaplain of the military post might venture back for the edification of his ancient hearers at the Courthouse. He once obtained quite a respectable subscription to build a Church.

Sept. 30th: This is the Jewish New Year. Their Stores are all closed. Off for a long walk to Lorenzo Soto's garden. Don Juan Bandini says the influenza which prevails on this coast is only troublesome in the month of December. Then great care must be taken. He has known this coast since 1819, it prevailed then as much as now. It is not to be attributed to a change in the mode of life of the people, as some have wished to suppose.

Steamer day! Twenty days without news, all complaining of dullness, but now animated with a new life. The town is immersed in politics. "Buck and Beck" have carried everything before them. The mails are off. I have had time only to send a verbal message to my sister Louisa, and she is to be

married; she only waits for the coming of Father Raho from Santa Barbara. A passenger informs me that he came down on this steamer.

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This morning we visited the Presidio, or rather its ruins. They are of considerable extent on the point of the high hill, as you turn from the City into the valley of the mission. The river runs close at the foot and may be seen for some distance in its winding course toward the Mission, whose white buildings, now a military post, are distinctly visible. They are six miles up the valley. From the highest point, looking in the direction of the City through the ruins, the little paling enclosures shew the ancient graveyard, a tall date-tree raises its beautiful foliage below, attended by a smaller yet graceful companion. A little further a few Indian huts on one side and the blacksmith shops and dwelling of the blacksmith on the other. This is the picture round the spot first consecrated to Religion in California.

Took Dr. Hammond to see a poor fellow I found sick at the pear-orchard of Soto. The Dr. administered to him the same as if he had been arrayed in gold-cloth or silk. He is one of the soldiers sent to the adjacent frontier under Don Francisco Ferrer. They are generally picked up in Mexico among the class called *leperos*. The *padrecito* says that the word *Cholo* is a corruption of *Chulu*, used in Andalusia to designate the same class; it is not employed in any part of Mexico. The Californians seem to employ it almost entirely to those who come from Guadalaxara, and who do not happen here to make money or acquire property! Poor fellows, they often realize that “words are things,” without perhaps having heard of the maxim or of its author. The *Cholo* died.

Don Francisco Ferrer brought about 60 soldiers with him to Santo Tomas; during the past few months most of them deserted. Ferrer was displaced by Don José Castro who discharged the rest, being of opinion that the frontier people of Lower California can be governed or can govern themselves, without soldiers. The fact is the Mexican Government does not send money to pay them even the pittance of 25 cents per day, a private's pay, and they have had to get their *rancho* (rations) by force or by beggary among the people, to whom they had in fine become, 135 if not a

nuisance, at least a heavy burden, as Señor Ferrer told me himself when he was here on his return to Mexico.

Don Vincente Guerrero . There never was any harm in Vincente, or Vincentillo as the Californians call him on account of his size. Many years ago he came from Acapulco, and made himself popular enough to be elected *Alcalde* of Los Angeles. In these latter days of American rule, and indeed before, he has flourished at the head of a “family grocery” much frequented by Indians and a certain class of Sonorians. In the end he acquired a fine property. The great riot after the death of Antonio Ruis drove him away from Los Angeles, a Voluntary exile. While some called him a fool for having anything to do with the affair, most men deemed him a greater fool for running off in this manner. Generally his course was regretted, public feeling against the rioters having subsided very soon after the occurrences.

An Indian did invent a story for a while unfavorable to the patriotism of Vincentillo, to the effect that he and two companions were busy in the mountains of Pala, organizing the Indians for an insurrection, offering them \$2000 and 500 head of cattle for their assistance. Not a word of truth in it, as all knew who were acquainted with those Indians and the character of their chief Manuelito. It was a remarkable specimen of the Indian's inventive powers in an emergency, (he was himself in custody at the time for some offense). Upon my arrival here Don Juan Bandini informed me that Vincente had come to him with tears in his eyes, lamenting the necessity that had compelled him to leave his children and property. He was now in Lower California, domesticated with an old friend. I had previously issued a warrant for his arrest, based on the depositions taken before me. But the grand jury had ignored a bill against Carriaga, the leader of the riot after the death of Ruis, and a petit jury had acquitted another, the only one tried. I requested Don Juan to write to Vincente informing him of these facts, and of my desire that he should return home at once, without any apprehension. 136 Don Juan so promised. But Vincente was too timid; he left for Acapulco!

I had hoped differently, and that he would return to live the quiet citizen he was before these days of Vigilance Committees. In fact I shall miss him from Los Angeles. It puts one in a good humor to

meet him in the street, with his black, smiling eye, and he never fails to stop and offer the hand. He was one of my first acquaintances of 1850, kindly in disposition and urbane in manners.

Oct. 2d : *Public Meetings* . A Democratic meeting one night, a Know Nothing afterward, escaped my memory, and so I failed to be present. And last night was held the annual meeting of the “San Diego and Gila Railroad Company.” I regret that I had not an opportunity of attending it. Judge O. S. Witherby tells me that he was glad to learn one thing, that the company owes only \$200. This, after having made a costly survey of a railroad route from San Diego to Carizo Creek, on the edge of the desert. The existence of this company, and such a survey, speak well for the public spirit of the leading citizens. A small town, very, but the people have large hearts.

Horse-stealing is a common offense in this District, causing a heavy drain upon its inhabitants every year. I had a fine horse stolen last February, which I prized very much for his gentleness; the boy used to be carried on him every morning. Hearing of him about a month after as being in the hands of the authorities at Santo Tomas, I immediately sent a power of attorney to receive him. Meanwhile at San Diego I met with Don Juan Mendoza, Judge of the First Instance, on his way to Los Angeles.

“Señor,” said he emphatically, “ *no hay cuidado* , you shall have your horse the moment I return!”

“But, Don Juan, there must be some expenses. Let me pay them.”

“Oh, no, not a *real* !”

This looked all fair; in truth, the horse would not have brought thirty dollars in the market, but Chauncey was always inquiring for him, and I desired particularly 137 to see his delight when Charley should come back to the stable.

Having gone by different roads, Don Juan and I met at Los Angeles in April. The Judge of the District, of course, was very polite to the Judge of the First Instance. Presently it came to be time for him of Mexico to depart. Letters To Don Francisco Ferrer, the *Comandante* , had been delivered

to him, and one afternoon we exchanged the *Adios* . I was surprised to meet him next day, upon his horse, making some trade at a store.

“You did not leave, Don Juan?”

“I go to-morrow.”

“Then *adios* , Don Juan.”

“Ha *Señor* , he said, riding after me a few steps, “my wife requested me to bring her certain articles, and I find myself short of funds, staying so long. Oblige me by the loan of the matter of twenty dollars.”

This was a stunner. A sort of melancholy presentiment flashed across my mind. But Judge could not refuse Judge; moreover, he was a “distinguished stranger.” For a moment I hesitated. I had no money; pockets empty. *No importa* .

“Where can I see you, Don Juan? I will go and get you the sum.”

“I will wait here, *Señor* .”

From a friend hard by I borrowed the sum and quietly slipped it into his hand, and there it still remains. It was the first day of May, it should have been of April. I have seen neither money nor horse. Within a few days my worthy attorney, Juan Canales, came home discomfited, having had a quarrel with a young Mexican lieutenant who claimed to have bought the horse for eighty dollars, and besides had two objections to giving him up, first, that the document I sent was not “judicial” according to him, and secondly, that his wife had rode him off to the salt works of San Quentin on a visit. In August Don Francisco Ferrer wrote me that he had just been advised of the treatment I had received. He had long since banished Onales, the thief, from Lower California, not as a thief but as a 138 loafer; my horse should immediately be returned to Don Juan Bandini.

“*Viva !*” cried I.

The other day I met the excellent *Comandante* , out of Office, and on his pilgrimage to Mexico. Charley was now in the possession of Mr. George Ryason, another piece of good news. Emily laughs at me for lending the money; Chauncey is ever inquiring; I confess I am heartily tired of the delay, with the constant opportunities they have had to gratify me.

This is all the trouble I now have to recount. Something of the kind happens every day in the year to somebody else here, and people often talk savagely. I have never yet said I would hang the rascal Onales, which shows that I am resigned and patient rather than otherwise. I did say once that I would “publish” the tricky Mendoza, but the laugh would have been against me; he was only giving me another example of the Mexican way to “raise the wind.”

At Guajomito Col. C. J. Coutts has about 400 vines. The cuttings planted two years ago last February bore their first grapes this summer. Mr. Wm. Wolfskill of Los Angeles, long experienced in this culture, advised him to cut off the grapes on their first formation and let none come to maturity this year. The vines are in black, heavy soil, a sort of bluish-white clay below. The whole of this has been a *ciénega* or swamp. The water is within two feet of the surface.

This rancho is a model for landholders through this whole portion of the State, for the improvements it exhibits. In 1851, it was occupied by an old Indian and was merely a little swamp. The word Guajome is Indian and means frog-pond,—how inappropriate in its present splendid condition!

The vine cultivated at the missions of California was the same as that of the Island of Madeira, so Maj. Ringgold says. Gen. M. G. Vallejo, says that he was told by his father, Don Ignacio Vallejo, that Fr. Junipero Serra brought with him the first vines, planted them at San Diego; cuttings of these were planted at the Mission of San Gabriel, with most fruitful results.

Invited to a ball to be given by the two gentlemen lately admitted to the bar. D. comes and offers to take us to San Bernardino for \$60 in a comfortable spring waggon; he is going there for *frijoles*

. Can't decide till the steamer comes on Tuesday next. Lt. Kellogg kindly offers to send his ambulance to take us to New Town, but Mr. Reiner had already offered his horse and buggy.

Oct. 3d: The ball was held in one of the large rooms of the massive frame building erected by Don Juan Bandini in 1850, at a cost of \$25,000, in flush times. The prospect of customers soon vanished. The building was completed but never finished. It is now bleak and comparatively useless. This bad speculation, it is believed, greatly impaired his fortune. (This hotel stood on a lot near the residence of George A. Pendleton and commanded a beautiful view of the bay and surrounding country and far into Lower California. Long since every vestige of it was gone. It bore the name of the Gila House. B. H., 1874).

The waltz was introduced into California by Don Juan Bandini, with considerable opposition at first by the good friars.

At 1 A.M. Emily, Chauncey, and I left the ballroom and its gay and elegant company of forty ladies and as many gentlemen. Emily could not dance, for fear of exciting her cough; I therefore contented myself to enjoy the conversation of friends, as opportunity offered. She was delighted with the tender attention offered her by the ladies. Chata, Victoria, Estephanita, Maggie—what shall their lot in life be? Don Juan Bandini, at the age of 56, competed to advantage, in ease and vivacity, with the best dancer among the youth. Doña Victoria Estudillo, a month younger than Don Juan, did not dance at all. I heard general regret expressed for the absence of her amiable daughter, the Señorita Reyes. Alas, too, the jovial Reiner was away.

This was the ball of the young lawyers, Mr. Nichols, 140 the preacher, and Dr. E. Knight. They called on me some days since and informed me that they sought admission to the bar. They talked frankly, and I may have momentarily doubted if either had read law assiduously. I explained to them that a committee would have to examine them and report to the Court. In California style, would the committee merely exact an estimate of the cost of a *baile*, I wondered, or ascertain where the best brandy can be had?

I am the only lawyer I have ever heard acknowledge but that his examination was very rigid. When admitted at Baltimore by Judges Archer and Purviance, I had to answer six questions, one of which was, What is your age? I was then just at 24, and had studied closely three years; with what joy I paid my fee of \$3 to the Clerk, and hastened to the hall to settle with the old apple-woman, from time immemorial entitled to her perquisite of a couple of dollars! Still I remember her warm wishes for my success, as the money dropped jingling into her side pocket. Dear old apple-woman! In Missouri Judge Tompkins of the Supreme Court put to me a single question, while my friend, Mr. Addison Rees, was well tested by the stern old Judge. I had not contradicted him, and especially not interrupted him, while he descanted on his Whig policy and criticized the politicians of the day.

Here is, literally, the speech of Dr. E. when they applied for admission:

“May it please the Court, there seems to be a penchant now for admission to the bar. I know not whether it is because of the *per*-spective profits of the law, or a desire for its mythical honors. One of these gentlemen informs me that he has studied the laws of God, having been a portion of his life a preacher of the Gospel; the other being a physician, is read, I presume, in the laws of Nature. Their studies in the statutes and common law” etc. etc.

This speech was no joke; the committee reported favorably concerning them.

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At the ball Emily wore in her black hair simply a piece of sea-grass, white and delicate, a handsome thing.

The wild goose began to be heard high up in the air yesterday.

Oct. 6: The story current concerning San Luis Rey, and vouched for by Don Leandro Serrano, formerly mayordomo, is that when Fr. Antonio Peyri left for Mexico, about the time of secularization, he shipped from the port of San Diego ten kegs of silver dollars. Don Leandro brought the precious freight to the port from the Mission, passing it off as *aguardiente*, and kept the secret until the good *Padre* was off safely, and revealed it then only to friends. Don Juan Forster

thinks the whole amount could not have exceeded sixteen thousand dollars. Father Antonio Peyri was of robust form, Ever cheerful in his ways. He was held in affectionate regard by both whites and Indians. He left his children without their knowledge. He was soon missed and five hundred of them came to San Diego on horseback to reclaim him. The Vessel was then under weigh, going down the Bay. He blessed them from the deck, amidst their tears and lamentations. Some threw themselves into the water, to follow him. He took four aboard, these were educated at Rome, and one afterward was ordained a priest.

Pala had a fine vineyard, and olive and peach orchards. Father Peyri often Visited it to look after operations there. In the fruit season, after the day's labor, each Indian received every evening his little basket of peaches. The neighboring tract of Pauma was used for grazing the work oxen. At Santa Margarita, also, the Mission had a good vineyard. At San Luis Rey, the garden, now gone to ruin, was always beautiful.

Temécula and San Jacinto were occupied with cattle only. Their mayordomo was Manuel German, and afterward Blas Aguilar. In one year Lorenzo Soto took 20,000 hides from San Jacinto plain. A good many Indians congregated at Pala and Las Flores, both of which places had chapels, in addition to large granaries and other buildings. 142 For these facts I am indebted to Don José Antonio Serrano, son of Don Leandro, who spent much of his time with his father at Pala and Temescal.

Blas Aguilar was born in 1811 at the old Presidio of San Diego. His father was Rosario, a corporal there. In 1825 when Echeandia arrived, Blas Aguilar was with his father at San Luis Rey. He was mayordomo of Temécula in 1834. He then went to the Rancho San José of Don Ignacio Palomares, where he remained until 1843.

Nat Vise's house in San Diego is the old residence of Don Juan Rodriguez. In 1838-39 Alcalde Estudillo here kept his office, the *Juzgado* . Adjoining our apartment in the Couts house is a room occupied as the County Clerk's office. Our boarding-house was burned down.

The mansion of Don Juan Bandini and the Estudillo house nearby were commenced in 1827. As late as 1821, there was no house on the bench that forms the present site of Old Town. The Fitch House was built that year. Then the inhabitants all resided within the Presidio, having some gardens in the mission valley, around the mouth of it, and one other garden made by Captain Francisco Ruiz, comandante of the Presidio; this is the same known as the Soto garden. Among the first houses built were the Fitch House, that of the Pico family, and the Commercialhouse (as now called).

(Note: In the flood of 1861-2 the whole garden of Mr. George Lyons as well as Reiner's was carried away except the three large sycamore trees; these were carried off by the overflow of January, 1874. B. H.)

Oct. 8th: Chata left on the steamer for Los Angeles, to spend a month at Don Abel's.

Oct. 14th: Went to San Bernardino to hold Court. I went and returned by the same road which, to the rancho of Guajomito, is described in the trip to San Diego. Busily engaged up to 14th in the examination of Spanish and Mexican archives. Copy many. Intend to index the originals for the benefit of some future more industrious antiquarian.

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Left San Diego at 1 1/2 P.M., in company with Col. Kanrick, Democratic candidate for the Legislature, Mr. Marks Jacobs, a prominent Jew, and J. R. Gitchell, Esq., District Attorney. The Presidio, with its solitary date tree. The Mission valley and river. Circle round False Bay, a beautiful sheet of water for sailing, rowing, fishing, or bathing; too shallow for large vessels to enter. Great abundance of clams on its northern shore; many curlew seen today there. Ornamental bush on the side of the road; pretty foliage; full of clusters of red berries looking at a little distance like masses of gay flowers; might be trimmed for a garden. To Rose's coal mine (!) 5 miles; to the tannery one mile further. The graves of Mr. and Mrs. Fischer on the very top of the hill that Overlooks the house he built; a strange idea that of burying them there. Over the lofty hills, affording an extensive prospect of the county, down to Soledad Valley. This valley is the boundary

of the city in this direction, 12 miles from Old Town. The sea in sight here; little good soil; (what is its extent?)

Six miles further San Dieguito, formerly an Indian pueblo. The Indians now rent to Don Bonifacio Lopez; nobody at his house as we pass. (What is the extent of Indian cultivation? What is the character of the valley above the Osunas?)

Here Don Andres Ybarra overtakes us. He says he is for Frémont “because the latter has a rancho and residence in California, and knows the interests of the Californians.” I told him I had been rummaging among the archives, and had found several documents concerning him (Ybarra). Hence 7 miles to Encinitos, the rancho of Don Andres, passing first over the valley of San Alejo, about half way; the rest long ascents and descents; the summits commanding a view of the sea, and of the high mountains to the north, as San Ysabel, Temécula. For the most a dreary vista, without water, timber, cultivation; nothing but chaparral; I believe there is one stunted pine a little after leaving Soledad.

As we were about emerging from San Alejo valley, [I] galloped ahead on a trail leading across a long, narrow 144 meadow, and then over one or two low hills down to his house—my design being to get supper ready before the arrival of the rest, as we intended to go on in the night to Coutts'.

From San Diego to Encinitos 25 miles.

Here we found Mr. Scherine and nephew; he is partner in the coal mine on the seashore at San Diego; now on his return to San Bernardino.

A daughter of Don Andrés soon had coffee, etc., including a watermelon and pears. The ancient feud of Ybarra and Ossuna. His wife formerly a great gambler; would be still, but for want of money. The vineyard and orchard does not realize \$500, he thinks; the stores absorb a great part of this. His “trouble” with the merchants; scapegrace boy M——; Felipe the dandy of the family; Frank Maradowski married to one of his daughters.

Not a blade of grass here; Mr. Scherine brought barley for his mules. Absolutely necessary for us to go to Coutts'; bright moonlight for it; 13 miles. Reached the house about 9 P.M.; all dark and quiet. The rest wished to tie the horses near the haystack and lie down in our blankets until morning, but I was both tired and sick. We were soon at rest; the Col. said he would not have forgiven us if we had not aroused him. The day very pleasant; night not very cool; 37 1/2 miles from San Diego.

Oct. 15th: Always delicious breakfasts here. And the visit is one that remains upon the memory long after leaving the lively and intelligent Doña Ysidora. The Col. accompanied us as far as his rodeo ground. Cattle were being driven into the little valley, and the neighbors collecting for the rodeo. He is making preparations here for the construction of a dam, for the better supply of his cattle with water. All they have now comes from a diminutive stream, running from a spring near his residence. In this he is going to imitate the spirit of the enterprising Fathers, who, four miles from this spot, erected the famous Mission of San Luis Rey, and made this valley "blossom as the rose." Their *zanjas*, cisterns, gardens, etc., attest the labors they performed. 145 Leaving him to supervise the *rodeo* (he is a Judge of the Plains) we proceeded. Two miles across the barren hills brought us to the river of San Luis Rey; very narrow, where we struck it, and indeed everywhere, having a dense growth of willow mixed with sycamore. The bed entirely dry. At Dennis Turney's, two miles further, nobody at home; no water to drink; do not know where he gets it. The river here hemmed in on both sides by high, rocky hills, destitute of vegetation almost wholly. San Juan is a mile and a half further. The house on the top of the hill; two Sonorian women and some boys here. Col. Coutts, I believe, claims the place. We had previously found his horses along the bank of the river, picking up what they could find among the bushes, and a chance blade of grass on the hills.

Two miles further is Frank Steele's, the valley widening out here to perhaps half a mile; pretty good pasturage; a great many cattle scattered about. Frank has a snug mustard house, partitioned into two rooms. Not at home; we were sorry. A small pool surrounded by tule; good water. In the *confianza* of our friendship we "helped ourselves" to some *carne seco*, a few potatoes, and matches, for a meal on the road. Two miles beyond, we left the valley near Montserrat, taking over the rocky hills; in about a mile and a half entering a grove of evergreen oaks; welcome sight. Now

evidently ascending, and in about the same distance, did ascend by a steep hill upon a long ridge, being now near the top of the highest foothills of Temécula mountain. A very rough, barren country surrounding us on all sides.

In two miles entered a pretty little valley, still some grazing, a few cattle there. Crossing this, and turning a rocky point, camped at the spring under some large oak trees. Took off the saddles; made a fire; heated the *carne seco* ; and finished a good meal. Resumed our way; in about a mile commenced the descent of Temécula mountain. We went down the horse trail. The waggon road is a few yards to the left, and rather rough, but a good road could be made 146 with little expense, either there, or on the trail, by blasting a few rocks and removing a few trees.

It is a short descent into the Valley of Temécula. We emerged from this pass, having in sight before us the old adobe ruins of the Mission, the smoke of the Indian village rising to our right some four miles off, the blue crest of San Jacinto away to the north, while we could have said as to the rest, "the valley lay smiling before us." Col. Kenrick here left us for the village; we went five miles to Kline's; he was to join us there the next morning.

Road good; about a mile from the pass crossing a full flowing stream that disappears in a narrow cañon; probably this is the river of Santa Margarita. Many cattle in sight as we rode along. Reached Kline's about sunset. Weather clear and pleasant all day. Distance 25 miles. I was very tired; I cannot ride as formerly.

Kline is Justice of the Peace, but never has had a case. His talkative partner, Moody. Bears. Geese. Their farm. They are calculating the rancho Of Temécula will turn out to be "Government land." Luis Vignes, of Los Angeles, claims it. Pablo, the Indian chief, claims a large portion. Stearns is owner of the Laguna, adjoining. Col. Isaac Williams, and Pablo's family. My camp at the Temécula village in January, 1850. Good supper at Kline's; spread machillas and blankets, and slept comfortably. Scherine arrived in the night. Quite cool. Moody's stories supplied us with no little diversion.

16th: Scherine offered me a seat in the buggy, his nephew, Theodore, riding my horse. Off early. In about eight miles over one of the arms of the valley and the broad sandy bed of a winter torrent (now dry), we reached a fine spring at the foot of a huge pile of rocks. Then immediately rose to the high table-land; Mt. San Bernardino ahead of us; Mt. San Jacinto on the right; a bleak and barren prospect near at hand on every side. Road runs pretty direct; cross San Jacinto River (dry); a narrow, deep bed. One frequently asks, "When shall we reach the head of the cañon?"

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For a long time an object is in sight ahead; at length discovered to be a horseman; proved to be little Don José Antonio Pico, called familiarly Picito. He is going to Agua Mansa. When he was a soldier, in former times, he had often been through this part of the country. But he got bewildered, and was out all last night; he had forgotten this road, and supposed it a new one made by the industrious Mormons. He lives at Santa Margarita. I suspected him of being on an election tour for Frémont; the old man is much thought of at Agua Mansa.

Soon we descended to the head of the cañon; here there is a spring, a few trees; we eat our sardines and crackers.

After a long descent, came in view of the green fields of Agua Mansa; the course of the Santa Ana River was marked out, going far to the southwest, by the green trail, a sensible relief to the monotony of the high tableland just passed over.

Six miles further; we are at the Hotel of San Bernardino. Sounds of music greet the ear. Soon we distinguish "calling the figures." A *ball* ! For which my friend Gitchell would be ready, if he had travelled twice the distance that day.

It was a pleasure party from Los Angeles who had stopped over the night, on their way to San Bernardino mountain to catch trout. It was John Rains and his youthful bride, Doña Merced, the eldest daughter of Col. Isaac Williams, "the rich heiress." I believe they were married the day after

her father was buried; he died since I left Los Angeles. Our arrival by no means disparaged the jollity of the occasion.

The day clear and pleasant; night rather damp.

17th, 18th: Clear, beautiful weather. Spent in inquiring into Mormon affairs; *the two parties* ; crops; Gen. Rich; Amasa Lyman; Don Luis Robidoux; Q. J. Sparks; polygamy; prosperity of the people this year; their resources.

Stopping an hour or two at Mrs. Jackson's. She is a Mormon lady of much sprightliness. My attention was attracted to what seemed to me a poetical license, not allowable, in the Mormon hymn entitled "The Seer"; commencing 148 "The Seer, the Seer, the Holy Seer," and sung with considerable effect, (particularly by a large congregation), to a well-known popular air. The rhyme is attempted to be made by *mobs* in one line to *Gods* in the other; *mobs* , I contended, is bad rhyme. She left the poetry, and continuing still very sweetly to play the melodeon, gave me with her voice a lively touch of the Mormon doctrine as to the Gods of the Spirit-World.

19th: Cloudy; considerable rain. The pleasure party not yet returned. It is 25 miles to the mill whither they have gone; a mill belonging to the estate of the bride's father. Don Luis Robidoux is under guard; two men politely escorting him wheresoever he may wish to go; fire upon Dr. St. Clair; the difficulty, on this subject, which party is to blame? 20th: Clear, pleasant day. Held court; made an Order of Publication; naturalized one man; this the whole docket; adjourned till next term. Grand affair to ride over 200 miles for!

21st: Weather as yesterday. Left in the afternoon. Spent the night at Agua Mansa, at Trujillo's. Hospitality. History of this New Mexican settlement? * Their land titles? Sheep supper, excellent lodgings; 6 miles from San Bernardino.

See Chapter VII.

22d: Clear, very cold morning. Julian Trujillo accompanied us a mile or two; soon on the road to Kline's. Much bunch grass on this tableland; too little water; cattle very poor. Near the eight mile

spring saw two young bears near the cattle. A little further Gitchell had a shot within 15 feet (with revolver) at a wild goose that seemed rather reluctant to fly, as it let us ride that near and dismount; a miss; flew a short distance only. A mile further, at the spring, after two shots, he killed one which we carried off for supper. 149 An Indian camped at the spring; met four of the San Diego coal miners, on their return; reached Kline's at sunset; 45 miles. Good supper. Day clear; night clear and cold. So much fatigued now and then today, that I dismounted, lying down in the road to relieve my limbs.

23d: Clear, pleasant weather. A large number of horses at Oak Spring, just above the pass; considerable grass around it. AS we descended to Montserrate, some 20 Indians, afoot and horseback, were hunting rabbits among the brush on the steep, rocky hills; they seemed to be greatly excited with the sport. They were from Pala, which is not far from here. Steele's premises deserted. No more *carne seco*. Stopping awhile to rest, a *vaquero* rode up and told us he had removed farther down the valley. At 3 1/2 P.M. reached Coutts'. The Col. had gone to San Diego; the ladies Very agreeable; a glorious supper.

24th: Col. George Tibbetts lives four miles from here, near the Mission; we went over to see Col. Kenrick and Maj. Walter H. Harvey, Indian agent. Tibbetts and Curry, from New Hampshire. Politics. Stayed for dinner, and to rest well. Col. K. had just returned from a visit to Don José Joaquin Ortega, who, it was supposed, could influence many votes among the Californians. Tibbetts is married to a Californian lady.

We expected to go to San Diego that night, some 41 miles. But at San Dieguito concluded to wait till daylight. No grass or water for our horses; tied them to the fence. Mint tea; it was excellent. Philip Crosthwaite was here, to burn lime; he resides at the rancho of Paguay. Pleasant family; Mrs. C., a Californian lady, daughter of Don Bonifacio Lopez, insisted that we should sleep within the house, having prepared a bed for us, instead of in our blankets under the porch, as we had intended. He delivers the lime at \$3.00 per barrel, too cheap. Day pleasant, night cold.

Nov. 4th : Election day. Much noise, but the people more funny than quarrelsome.

Nov. 5th: Arrival of the steamer. Parting with friends. *The last person* with whom I shook hands, just as the stage was in the act of leaving the hotel, is mentioned in the following brief article which reached us soon after our arrival at Los Angeles. He was killed before we reached our destination.

DIED: On Wednesday night, 5th inst., Ordinance Sergt. Richard Kerren, aged 41 years.

The people at San Diego say I must not repeat the exact number of votes received by Buchanan and Frémont, in all, 110 in the city. Better say Buchanan had 54 majority. They do not wish it known that San Diego City, where the Pacific Railroad is to terminate, is so small a place. Of Richard Kerren, I can say with many others, "We have spent many happy hours together."

Nov. 6th: At daylight found ourselves on the splendid *Senator*, quietly anchored in the bay of San Pedro. Breakfast at 7 1/2 A.M. Capt. Seely took us ashore. Stage soon ready Off for Los Angeles. A few cattle on the now barren plain, very poor. Welcome sight! the first fence and the green trees on the approach to the City. A cool, windy ride. For a long distance, our boarding-house on the hill is in sight. Again we meet dear relatives. And Chauncey, in fine spirits, is now playing with his Cousin Mary. A kindly welcome from everybody. Some, however, thought that "I seemed like a stranger, I had been so long away."

Earthquake July 10th, 1855, and another May 2d, 1856.

Grasshoppers destructive to young grain in Santa Barbara Co., ascribed to the dry season, favorable to them. On most of the ranchos of Southern California there is now but little pasturage, the ground very much parched, the springs all low. The River of Santa Clara entirely dry at its mouth.

Nov. 19th, 1856: All this day a terrible gale, such as no person has any 151 recollection of. I have seen hard blows here before, but none like this. Clear early in the morning. At 10 A.M. a cloud of sand and dust from the seashore and plains overspread the city, rendering it impossible to see beyond 150 yards, ascending high into the air, and finally, about noon, making the sun wholly invisible, which before had occasionally sent forth a few beams to the earth. Wind from N. W. at

the commencement. In the afternoon it .Veered around to the north, blowing almost a hurricane, with a few lulls at intervals, only to gather more force. Stores and dwellings all closed, business suspended, no person venturing out except from absolute necessity. Some roofs of small buildings were torn off in the city. The dust penetrated into the closest rooms. The world without presented a most dreary spectacle. Equally Violent at San Fernando Mission and Elizabeth Lake. Though the wind lulled a little after night, and the stars shewed themselves, still it was Very dark below. One man was blown over the hill at San Pedro, and considerably hurt; in that direction, the wind had drifted the sand and light soil of the plain so as to efface all signs of the road for a great distance. Old Mr. Jesse Hildreth could not find it in the dark, and had to camp with his mules, when he had made his way a few miles toward the city. Banning's teams wandered off on the plain, for the same reason. Hon. B. D. Wilson, John Temple, Julian Chavez, Antonio F. Coronel, and Pio Pico say that the day of the battle in March, 1845, between Pio Pico and Micheltorena, at Cahuenga, in this county, was in the main just such as this, except that there was not so much dust, there having been rain during the preVious few months. Two or three men Were necessary to saddle a horse, and many broke away half-saddled. In some respects both were days of terror. One could not help fearing all would end in a devastating hurricane. The entire appearance of the yellow atmosphere gave me an unusual gloom. I thought of the shifting sands of an Arabian or African desert. At night, strangely, it was perfectly clear aboVe but the wind still howled and roared a meloncholy music all night. In the bay of San Diego, 152 there was very little wind; no more in the city. Felt at San Bernardino the same as here, and from Temécula to the Santa Ana river.

20th: Hardly asleep, about 11 P.M., when there was an alarm of fire; great uproar, firing of pistols and ringing of the Church bells, to arouse the population. From the hill could not discern the house. Going to the scene, found burning two or three small adobe buildings on Main Street, adjoining John Temple's. Perfect confusion, everybody talking, commanding, running hither and thither, devising expedients for the occasion. No leader, no engine; a long line of men was formed down Commercial Street to the water of the zanja and buckets passed from hand to hand so as to supply a good stream, and it was extinguished finally. Some property lost, but a real benefit has been the

fire; a fine brick building will replace the wretched structures destroyed. This is the second fire since Feb. 3, 1850.

Nov. 27th, 1856: A Californian woman called to see me to-day, with one of her sisters, the latter about eighteen years of age. Since when very young, the girl had been living in another Californian family here, but now says she is tired of the treatment she receives, being sometimes beaten severely, always badly clothed, and for common treated "as if she were *una esclava* ." They wished to inform me, as the Judge, of her intention to leave, so as to know if she could be forced to return to her master and mistress, (for such seems frequently to be, here, the legal relation of guardian). I found that she had taken up her abode with a respectable family. I gave them, on this point, what information seemed to be advisable. I then happened to remember better the woman herself as one who had applied, not long before, for a divorce, and that I had made some order in the matter, especially in reference to the care of the children.

I inquired how the affair stood as concerned her husband. She replied, they had made up so far as concerned 153 the children; she had delivered them to him and was willing to return to him, and he to take her back, but the mother-in-law resisted any reconciliation, notwithstanding the parish priest had used much endeavor to change her obstinacy. This mother fired with wrath whenever the Subject was mentioned, and warned the son that if he received again his repentant wife She would give him her *maldicion* , a mother's curse, a wish that he might go out upon the earth in rags, with neither bread to eat nor water to drink, a dire malediction dreaded by the son with a terror he cannot overcome, for which it appears Religion has no exorcismal virtue. She shed a flood of tears in recounting the conduct observed toward her when, according to the condition agreed upon at the time of the delivery of the children, she twice a week goes to the husband's house across the river to see her youngest boy, now only four years of age. The old virago lets her have the child a few moments, literally fulfilling the bargain, then rudely tears it away from her arms. The suit for divorce was brought by her for frequent cruel beatings, incited by this wretched grandmother. The husband has forgiven the trouble and expense it put him to, but this the mother-in-law neither forgives nor forgets.

December 13th: Cattle are rapidly dying off for want of pasturage. Much apprehension, a feverish uneasiness, is felt among the people on this subject, already last year having suffered considerable losses. At a wedding party to-night, I had conversation with Don Ignacio del Valle, who was born here. He thinks the prospect for cattle is worse than it has ever been in California, within his memory, 30-odd years. He says that it is not an exaggerated estimate that 200 head now die daily in this county. As fast as they die, vaqueros are busy at hand to save the hides, which are worth \$2 apiece.

Gen. M. G. Vallejo, in a letter to Mr. J. J. Warner concerning oranges, says, “ *Yo mismo las vicomer en abundancia en 1820, en San Gabriel, Los Angeles, y Santa Barbara .*”

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August 19th, 1857: To-morrow we are to start for San Diego. I ought to have been there on last Monday, (that being the first day of the term of the District Court in that County). We are busy with preparations. I have just finished the trial of an important motion relating to a case in San Bernardino county.

The weather this morning has been excessively warm here. I hope we shall experience some relief at San Diego.

August 20th: We travelled in a light, two-horse buggy, large enough for wife, Chauncey, and myself on the back seat and the trunk and driver on the front. Left at 7 precisely. A few miles from the City met the express and passenger stages coming from San Pedro. Along the road were several large herds of cattle in sight, but what they found to live on was difficult to tell, so barren was the whole prospect. Watered the horses at the halfway house. Here there might be a garden, at least a few trees, but as yet this has not been thought of. Stopped to get a drink of water at Don Diego Sepulveda's. Here within the last two years a good garden has been made, and the green fence of willow, with the peach trees, corn, etc., are refreshing to the sight. The garden is watered by a well, and pump moved by a windmill, one of the three windmills now in Los Angeles county, for this purpose. It cannot be long before they are more generally used. This is about 3 miles from San

Pedro. Don Diego was asleep, but his wife, with the usual kindness of a Californian woman, sent Out two melons for Chauncey. They were small, but quite sweet and juicy.

With a little bread and cold fresh pork my prudent dame had brought along—and delicious water from their well—we satisfied the claims of hunger and thirst, and proceeded to San Pedro.

Here we found Mrs. Banning and her mother, Mrs. Sanford, who had just arrived from San Francisco, and their kindness enabled Mrs. H. to pass the afternoon agreeably.

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The wind blew very strong all the afternoon, with a great deal of dust, at this place. Walked down on the shore with Chauncey to gather shells; he was much interested in the search, and in the other sights upon the beach. His eyes see Everything that is going on. He watched earnestly the labors of the boatmen removing the goods from the lighter to the wharf. At sunset, as usual, the wind went down; the steamer had landed her freight; the purser with a boat came ashore for us, and we were soon comfortably located in an excellent berth on the *Senator*. In a little while she weighed anchor. Night very pleasant; sea very smooth. On board I found Gen. Covarrubias with his family, removing them from Santa Barbara to San Diego, of which port he has been appointed Collector. We also had Mr. Merritt, wife and child, leaving Los Angeles for San Diego.

Gen. C. told me a story of Don Abel Stearns and an old *Alcalde*, Don Antonio Machado, shewing the decorum those functionaries used to maintain in their tribunals. Don Abel was addressing the *Alcalde* with one foot resting on a chair. The *Alcalde's* dignity at length could bear it no further, and he exclaimed in his gruff voice—there are those who remember the burly, rough, but generally good-natured Don Antonio—

“What a way is this to address the Court, standing like the *grullas* (cranes) who never can keep both feet on the ground!”

Don Abel's argument was cut short. Gen. G. says that Don Abel's fortune began in 1842. He is now considered a millionaire. Gen. C. has been in California many years, lived in San Diego in 1834,

has never known two successive seasons as bad as the last two for drought. Introduced to Mrs. C.; she has eight children; she was born in San Diego. He was originally from the City of Mexico—see McGowan's pamphlet, what is said of him; see Land Commission decisions.*

Grantee of Santa Catalina Island and Rancho Castiac—Editor.

Mr. Merritt has lived in the Sandwich Islands two years; extols highly the management of Catholic missionaries 156 in converting and civilizing barbarous races. I learn from him that Henry Hancock, Esq., of Los Angeles, was offered the Governorship of one of the islands when he was there some years ago. Mr. M. wishes to get a piece of land near San Diego with the view of planting 10 acres of orange trees, importing them from the Sandwich Islands; he says that branches of the orange tree set in the ground will bear in three years. He has a box planted with coffee seeds; took up one to shew me, with a sprout about an inch long; promises me a few plants. He thinks the banana and pineapple will do in San Diego or Los Angeles.

21st: Reached San Diego about 5 A.M. Friend Reiner soon aboard. He took Mrs. H. and Chauncey to town; sent back his buggy and I went up; cordial meeting with acquaintances. Adjourned Court till to-morrow.

22d: Held Court and tried two cases, the other business adjourned till *after the feast of San Luis Rey*, a good cause of adjournment, although not mentioned in the books. Courts cannot violate the customs of the country. The whole world is in motion for this feast, which, however, is facetiously pronounced to be a famine by those who can't go—and I have heard this remark oft repeated. I have been there twice myself.

Two packets run regularly to the Sandwich Islands, passage \$80; make the voyage, I believe, in 12 days. Only one part of one of the Islands suitable for consumptive persons, according to Mr. Merritt.

Under the new Overland Mail arrangements, a mail is to start the 9th and 24th of every month for Texas; one had already gone; preparations making by the agents for another. This is considered the first great step toward the Pacific Railroad to terminate at San Diego, and, of course, toward making

San Diego a great city. The people here, always enthusiastic, are in better hope than I have ever seen them, and, I think, with good reason.

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24th: The mail sent off for Texas with Six men, but expect to recruit along the road so as to be strong enough for the Apaches whom they may encounter beyond Santa Cruz.

Capt. Burton of Fort Yuma informs me that the Pimas have raised this year more than 200,000 bushels of corn, and the Post has now a contract for its supply with grain from that quarter.

The day we arrived, came in the schooner *Monterey* from the river Colorado, on her way to San Francisco, Capt. Walsh, 66 years old, hale and hearty.

The case of lynching in Lower California by William Cole and two others. They shot a Mexican and hung an American named Bill Elkins, whom they found with stolen horses. When caught, the American remarked:

“Well, I've been hunting for death for some time past.”

“Well, Bill,” replied Bill Cole in his dry way, “you will not be disappointed in about twenty minutes.”

The lynchers having been arrested, a citizen of this place who had been mining there, came up to get certificates as to their character. Their case excited much sympathy, notwithstanding their violation of the laws. I was applied to, and could not refuse my aid in behalf of these old acquaintances. This matter of lynching is hard to deal with in this country. I wrote a letter to Col.

Castro, *sub-gefe-politico* of *La Frontera*, in their behalf.*

After the occupation of California by the United States. José Castro fled to Mexico. He was born at Monterey in the present state of California, about 1808, and returned in 1848, living there and at San Juan Bautista until 1853. He then returned to Mexico and was made political chief of the Lowest California frontier in 1856. His military associate in office. Feliciano A. Esparza, succeeded to the command of the northern part of Lower California when Castro was Killd in a drunken quarrel by Manuel Marquez in 1860.—Editor.

August 24th: To-day the Vaquero of Mr. Rose brought in our horse Charley that was stolen in the beginning of last year and taken to Lower California, whence I got him last January. Chauncey was delighted. I have promised him a ride this afternoon. Chauncey has talked of Charley at least once a day for the past twelve months. On the return of a pleasure party, Chauncey on a lady's saddle, sitting alone, one foot 158 in the leathers of the stirrup, had quite a ride, I leading Charley by the bridle.

Obtained to-day a number of specimens of minerals, iron ore from near Jamacha, in this county, copper ore from Lower California, etc., etc.

25th: Messrs. George R. Lyons and Enos Wall return from a Voyage down the Lower California coast, otter-hunting, below Santo Tomas. They killed ten otter, skins worth about \$45 on an Average. They think they must have chased one 20 miles. At another they must have fired more than 100 shots before killing, an exciting pursuit. The otter shews his head above the water for air only a little while, then is down again, and swims it may be 100 yards or more before he comes up. They followed him in the boat, rowing and firing; having a good helmsman, they finally shot him. The sea was too rough for Very good hunting on this occasion, owing to the strong current making down that part of the coast, with the strong wind blowing up. Otter, when only wounded, sink, catch the kelp to hold on, and die; when killed outright, they float on the water.

The town is quite *triste* tonight, so many have gone to the feast.

26th: Capt. Bogart returns from an adventure down the coast of Lower California for turtle; brought back 50; 10 died on the passage. The largest weighed about 350 lbs., green turtle, hawk bill. Caught them about 350 miles from San Diego. Intends to send them to San Francisco on the next steamer of Sept. 5th. Keeps them now in the bay. Caught with seine. He thinks he can make a good business of it.

27th: Capt. Dublois sets before us a dish of smelt and rockfish caught at the wharf of New Town and grapes and pears from the garden of Lorenzo Soto. This summer the water in San Diego is

generally disagreeable. We visit the gardens of the town. Fare rather rough at the hotel. 159 Capt. Dublois is going away next September. Chinese cook, speaks enough English for the table.

Called to see Judge James W. Robinson, who is ill with dropsy. He was lying on the bed as I entered, and reading. He put down the book to converse, for he is fond of conversation. I had the curiosity to inquire what he was reading, it was Coke on Littleton, title *Lapsed Legacies*. I thought of the "ruling passion strong," etc.

Judge R. was formerly Circuit Judge in Texas. Anecdote of his sentence of Campbell for murder. His capture by Santa Ana. Mrs. Robinson.

28th: News from Lower California. There is said to be much sympathy for Cole amongst the Mexicans. It is thought they will shoot Edmunds, or, as he is sometimes called, Stockton, so called from having lived at the City of Stockton. Stockton declared that he had shot the Mexican when running and at some distance, but the Mexican's hat was burnt as if by a shot close to his head. His hands were still tied; the Mexicans made Stockton untie them. The Mexicans were much excited at this sight and were on the point of killing all three of the prisoners, but Don Antonio Chavez, drawing his pistol, declared he was their captain and would shoot the first man who would harm the prisoners.

Chavez formerly resided here some length of time, a fugitive from Lower California when Melendrez was in the ascendancy.* Suspected of being engaged in a plan to re-enter Lower California with certain Americans, on a filibustering expedition, I issued a warrant for his and their arrest, upon affidavit of Don Juan Bandini. His arrest, however, was rather nominal than otherwise; he was always treated kindly by the people.

As Commander of the Northern Department of Lower California, Melendrez defended the frontier against the filibuster Walker.—Editor.

Gen. Castro is talked of with a variety of opinion here. He is generally represented to be an habitual drunkard, although intoxicating liquor seldom or never disturbs his good nature. He may be called a *good liver*. Mrs. Bandini 160 says that he has around him, as a sort of bodyguard, Solomon Pico,

Andres Fontes, and Chino Barela (these two of the murderers of Barton),* Manuel Marquez, and other fugitives from justice of Los Angeles. Magee tells me that upon the arrival of some \$8000 worth of goods for the Goodwin Mining Company, Castro sent up *six* mules for goods to be bought on *credit*—had he an idea of ever paying for them? Dr. Gilbert, who lives about 40 miles from here in Lower California, informs me that the people are heartily tired of Castro and are about rising to expel him.

Sheriff James A. Barton was murdered on Jan. 30, 1857, about 12 miles south of the San Joaquin Ranch, on the road to San Juan Capistrano. Messrs. Baker, Little, and Daley of his party were also killed. Juan Flores, leader of the gang supposed to have murdered the Sheriff, was hanged near the top of Port Hill, Los Angeles, Feb. 14, 1857, having been condemned to death by popular vote. Pancho Daniel, another member, was lynched on Nov. 30, 1858. In the interval there were eleven other lynchings of suspected persons. Californians and Americans joined to wipe out the band and to put down the lawlessness and disorder prevalent at the time. Andrés Pontes, who was thought to have instigated the death of Barton as the result of a personal grievance, was the last of the Juan Flores gang to survive, and was killed in Lower California either by Esparza or by Solomon Pico.-Editor.

August 29th: Gen. C. tells me that in 1830 he saw a race horse in Mexico, called *el Gabilan*, shipped by some Englishmen from San Diego, that was famous there for a short distance. He thinks the horse was raised by Pio Pico. He says that in those days the Californians had very fine horses; they have none such now, owing to the discouragement they have received from repeated robberies for many years. The Missions had splendid horses.

Billiards were introduced about 1828 at Monterey, but there could be no bet, only the price of the game, one *real*. Racing was encouraged here, as throughout Mexico.

Aug. 29th: Maj. George H. Ringgold returned here on Capt. Eastman's vessel from the coast near Santo Tomas, where he has some men engaged in gathering and dressing *aulones* (avelones), for the Chinese market. Maj. R. engaged in this at the instance of Capt. Russell and partly to help the latter along. It is thought likely to prove a good business. There is a great abundance of this shell-fish on the coast. Maj. R. arrived near Santo Tomas just after Capt. Russell was missing. Magee sent him word that it would not be

SAN GABRIEL MISSION CHART OF RANCHOS HAVING CHAPELS *Copyright photograph by C. C. Pierce of original, which has disappeared.*

161 safe for him to stay there, on account of the Mexicans' excitement about Russell's supposed murder of the Indian boy, and his own life might be in danger. He has, however, made arrangements to have the business prosecuted in his absence.

I have obtained specimens of copper ore from the mine of San Antonio—Tom Darnall's. The report is that the Mexicans have taken possession of all of Darnall's property on a supposed complicity with the men that hung Elkins; if so, it may entirely break up his mining operations. Magee does not appear to have much confidence in the mining operations of Goodwin & Co. They took down goods to the value of \$8000, of this, much passed into the hands of the Mexican shareholders, who were easy to accept credit on the strength of the future product of the mines; perhaps, all the goods will go out on a credit of equal character. No ore has yet been shipped to San Francisco.

August 30th: Expenses of the family of E., \$7000 per annum, a native Californian family.

Had a long talk with Maj. Blake of 2d Dragoons—his New Mexican adventure—pursuit of Apaches—wife of a chief killed—falls into the river—her beautiful buckskin dress caught by the rocks and brush—shot with her infant in her arms—as she fell she threw the infant on the bank—Maj. B. was then accompanied by a party of “native” volunteers—in the night, at his camp fire, heard the cry of a child—got up to see, it was perhaps three weeks old—the New Mexicans said they were going to knock out its brains against a tree—he told them, if they did so he would tie them to a tree by their feet and knock out *their* brains—sent the child and a wounded soldier into the settlements, with some sugar for its food—it lived four months, but finally died. The Maj. would like service in the Calabasas country. Maj. Stein now there. Col. Beall and Maj. Blake outrank Maj. S.

Maj. Blake, in command of the post at the Mission of San Diego, made an estimate for \$5000 worth of supplies 162 to be furnished to the San Diego Indians, but the Superintendent, Henly, finally intimated to the Commanding General that he had determined not to feed the Indians.

Up to this date, this Superintendent has never Visited these Indians, nor even come further than to Los Angeles and thence to the Tejon. I believe, he has found time to make many political speeches in the northern part of this State.

Mr. Chambling, late from Mazatlan by land, thinks the Yaqui river good for sugar and cotton. A comparatively level country from Mazatlan, by Guaymas to Calabasas—thinks a railroad could be built there. Distance from Mazatlan to El Fuerte, 425 miles; thence to Alamos, 80; thence to Guaymas, 275; thence to Hermosillo, 125; thence to Calabasas, 233 miles; whole distance 1138 miles. The distance from Hermosillo, by the Altar road, to Fort Yuma is about 400 miles. A young Kentuckian at Tubac values his interest in one of the Arizona silver mines at \$500,000, and says he intends to stay to “see it out.”

San Xavier is now not what it was when I passed there in 1849; the Church is becoming dilapidated, the civilized Indians have left.

August 31: Received a box of delicious grapes by friend Reiner from the rancho of Penasquitos (18 miles). Yesterday he had some good grapes from the rancho of Encinitos (of old Andres Ybarra). Choice peaches from San Ysabel. Rode over the hills with Emily and Chauncey this morning. Weather below very warm, but pleasant breeze on the Mesa, beautiful view of the Bay and of False Bay. Merritt has bought 200 sheep at \$3.50 per head.

Don Juan Bandini informs me that the whole valley lying between Old San Diego and the Mission has been twice overflowed from hill to hill, once previous to 1825 and once since. It was in the overflow of 1825 that the river, which then flowed into False Bay, broke through its banks and formed the new channel. Formerly the whole valley was full of fruit and other trees, of which, I believe, not one remains except at the garden of the Mission.

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To-day arrived the first mail from San Antonio, making the journey in 34 travelling days. Left San Antonio on the 24th July; at Cañada de la Sauz Overtook the mail that had left on the 9th and which

had been delayed by some cause. Came from San Antonio in an ambulance drawn by six mules, to Tucson, said to be better than pack-mules. Mr. Mason thinks the journey can be made in 30 days or less. Left the ambulance at Tucson. A party that had been sent ahead with a lot of mules was attacked by Lipans, one man killed, one wounded, and 23 mules taken by the Indians.

San Diego is in rejoicing. As the cannon is unsafe, two anvils were procured and "Boston," (J. Judson Ames, Esq.), Capt. SteVens (an old sailor of this coast), with etc., etc., have been firing for some time in honor of the event. The mail came in 9 days from the Pimas Villages to San Diego. The hills of San Ysabel, Mr. Mason says, are the worst on the road. They started July 9th from San Antonio with the following persons: James E. Mason, in charge; Samuel A. Ames (these two came through); W. L. Baylor, A. W. Beardslee, W. C. Benton, these three stopped at Tucson; took 22 days to El Paso.

The second mail started July 24th, Capt. Skillman in charge, and stopped at the Pima's. Mason and Ames came alone from the Pimas.

Sept. 4th: Emily, Chauncey, and myself, borrowing a horse of friend Gitchell and a buggy of friend Rose, started early in the morning to visit the military post at the Mission. Met Dr. Hammond, on the road for town; he turned back with us, stopped at his quarters, Mrs. Capt. Lozier soon called in to see Mrs. H., and also Mrs. Lt. Hamilton and Lt. Winder. Called on Col. Fauntleroy, now in command here. He is still suffering from his fall out of a carriage several days since. Found Lt. Winder painting in watercolors two views of the Mission. Several portraits there by him of different persons. A delightful quiet reigns around this post. Lt. Hamilton promptly relieved me from explaining the election law, as to voting by soldiers and officers in this State. I 164 thanked him inwardly, as I am adverse to "talking law" in such circumstances. A most agreeable visit. Spending a couple of hours, we returned to town, Dr. Hammond accompanying us on horseback.

The election passed over more quietly than any I ever saw. Emily has exchanged calls with the American ladies she knows here; there are not many of them. Since she does not speak Spanish, few of the Californian ladies have called.

Sept. 6th: This is our last day, as we expect to leave in the steamer *Senator* which arrived this morning. Charley, Chauncey's horse, gives me some trouble, as I am afraid I cannot get him off; if the wind does not pull, the boat will not come to the wharf, then there are acquaintances to see, etc.

Don Juan Bandini is going to his rancho of Guadalupe to-morrow, and the next day to Santo Tomas; if Cole etc. wish, and the authorities contemplate a regular trial, he will act as their attorney. He says that several months ago Castro himself gave an order that if any horse or cattle thieves were caught, they should be put to death "without more ado!" Don Juan says therefore he can carry home to Castro the responsibility for this act of Cole and relieve him from blame.

The weather is pleasant although windy. Every day we have been here has been quite warm, in the forenoon; I never knew it so warm here. We are to have many agreeable passengers on the boat this trip, Mrs. Bandini, Mrs. Charles Johnson, Miss Margarita Bandini (Chata), Gen. Covarrubias, Mr. Raymond, of San Francisco, George Alexander, Charles Brinley, Mr. R. Doyle, agent of the Overland Mail Company. Could not get Charley on the boat for the wind; had to leave his on a rancho here, to the great grief of Chauncey. As we are leaving the wharf, a schooner arrives from San Francisco, with hay for the use of the Government troops at San Diego. Barley, etc., for the same purpose are also habitually shipped from San Francisco. Passage from San Diego to San Pedro, \$10; same 165 down; \$1 in carriage from wharf at San Diego to Old Town; \$5 from San Pedro to Los Angeles; \$35 from San Francisco to San Pedro.

A pleasant passage, beautiful night, at daybreak arrive at San Pedro, soon on the way to Los Angeles.

What *do* cattle live on at this season?

Sept. 7th: Beautiful morning for stage ride; mirage off to the left, as we approach the halfway house. Song in Spanish by Gen. Covarrubias. Make the trip to Los Angeles in 3 1/2 hours. Stage takes us to our house. Chauncey runs first to his dog Carlo, who is very glad to see him.

V THE DEATH OF MRS. HAYES; JUDICIAL NOTES

Sept. 8th, 1857: Election news. Marchessault has said, "Now we will beat Judge Hayes!" I received a letter from Father Raho, who has visited the prisoner Johnston.

Sept. 9th: Answer letter from Mrs. Creal, of Platte Co., Mo., in respect to the estate being administered here of her husband, Dr. Joseph Creal, who was murdered in the Monte of this county. Write an article for the *Clamor Publico* to explain the late transactions at Santo Tomas, in Lower California, in order that a correct notion of them may be had by the public. Basket of peaches sent kindly by Don Juan Domingo.

10th: Visit to Wolfskill's for peaches. Very few this season. We got the last. Emily walked there this morning, and was improved by the long walk. Wolfskill has cut down a large number of worn-out peach trees, 17 years old, to make room for oranges. He thinks that the grape vine, with care, may last 100 years. He gave Emily a bottle of the pure juice of the grape.

11th: Another long walk with Emily this morning, to Wolfskill's and then a little further to old Mrs. Fogel's. Returned laden with peaches and ripe figs. Dinner lobster and figs in milk and sugar.

It is now nearly a year before an election will be had for District Judge. I am informed that, already, some men are publicly declaring that they must begin with arrangements to defeat me, if I should be a candidate. Perhaps I may have to present my name in self-defence. Since I was elected five years ago, I have studiously kept out of 167 political agitations, contenting myself with giving my Vote, and avowing myself as a Democrat at all times. I learn that the present U. S. District Judge spent a portion of the last election day at the polls, *challenging voters* and giving his opinions upon questions of election law. The present County Judge was Inspector of the primary election a few weeks since. An illustration of California judicial life. Would this be tolerated in any other part of the Union? I believe neither of these gentlemen was educated to the Bar, which may explain their indifference to what is due to their positions.

Happily for my own peace of mind, I have kept aloof from the wire-working as well as from the more stormy scenes of politics. I am curious to see the result. Perhaps I shall be a candidate. Emily says she does not wish me to be. My father once told me that he had often lost greatly in life by not taking my mother's advice. What if Emily be right on this occasion? The matter will have to be thought of carefully.*

Mrs. Hayes died on the evening of the following day, Sept. 12, 1857.—Editor.

Sept. 14th: Last night I was induced to sleep at the home of my brother-in-law, Dr. Griffin. My feelings had become somewhat composed, and I slept comfortably. Chauncey stayed at his Uncle Eaton's. I went up to see him early this morning, found him playing with the two children, his cousin Mary and little Fred. He was four years old last April. I pointed out to him the graveyard where lie his mother and his little sister, who died the same night she was born. He is not old enough to be sensible of the nature of these events; his mind soon ran off upon the little dogs he had been playing with.

I remained there all the morning, then returned to my house. I had more calm in the old rocking-chair alone, than anywhere else. Long I thought of her, and made resolutions for the future. I had thus spent most of the afternoon, when two ladies, Doña Maria Antonia Coronel and Doña Soledad Coronel, old friends of ours, came to visit me. 168 How grateful one should be for the thoughtful kindness so remarkable in those of the California population! What admirable delicacy they have in bringing one's thoughts back to the dead, yet in a manner that soothes the anguish of recollection. They knew and appreciated Emily. They made me explain all the details of her life during the last three or four days, or led me to enlarge upon it by the questions their kindness or their tact suggested, 80 that I felt a degree of comfort at the end of the conversation. Their brother was the proxy through whom my brother-in-law, Graham L. Hughes, stood god-father for Chauncey. When they came Chauncey was not with me. Doña Soledad wishes him to come to their vineyard, to stay some days and amuse himself with their little boys' hobby-horse; and she kindly hinted that the music would be a relief to me.

Sept. 15th: This afternoon went to see Rev. Father Blas Raho. Delightful priest, what solace in his words. To-morrow High Mass is to be chanted at 8 A.M. for the repose of the soul of my wife.

Sept. 16th: I have returned from Church. There were present two Sisters of Charity and one of their orphans, Mary Joseph, and four Californian ladies, none others. I might, in accordance with the custom here, have sent written or printed invitations. Thus there would have been a large congregation. I felt better as it was. Father Raho, in the choir, chanted the requiem. Father Garibaldi sang the Mass. A simple bier was erected in the aisle, with four lighted candles, a cross surmounting it. Around the bier Father Garibaldi concluded the services.

Sept. 17th: I went necessarily out into the City to-day, and chanced to meet but four or five acquaintances, two of them among the French. One managed to get in a word of sympathy; others expressed much even by their manner, as they bowed to me. At different times several of my Jewish friends have addressed me. "It is the lot of all," they uniformly say, but in a soft tone that makes the words fall gratefully upon the ear.

Sunday, Sept. 20th: The funeral took place at 4 o'clock P.M. today. Certainly I have cause to be grateful for the sympathy manifested toward us. The Church appeared to be filled. The procession of ladies and gentlemen was Very large, of all nations, that walked to the Cemetery, besides a great number of ladies in carriages. The grave was partly walled up with brick, within which was deposited the coffin, enclosed in a stronger one. A wreath of flowers rested upon the coffin. A strong cover of wood was placed over all. The delay between the solemn High Mass on Wednesday and the funeral was necessary under the rules of the Church that govern the intervening festivals.

On the evening of her death, Emily said to me: "I hope you will not again be a candidate for Judge. If you should be, I will start off for another country! I never wish you to be electioneering, and treating, as when you were a candidate before." She seemed to be between jest and earnest. I replied that it is not certain that I will be a candidate, but if I should be, I will not spend money in that way, but will let the matter take its own course with the people.

Sept. 25th: This morning called on the Governor elect, Jno. B. Weller, Who is on a visit for recreation to Los Angeles. We soon parted. Pleased with his frank and easy manner, but I must have seemed to him a dull visitor. I had little inclination, or capacity, to talk of political matters. Strange that I utterly forgot there is such a thing in existence as the mail overland from San Diego to San Antonio, and thence to New Orleans. I might have written and sent a letter by the steamer that arived here on the 20th. The letter would have left San Diego on yesterday, and reached New Orleans within thirty days. My present letters will not leave San Francisco until October 5th, and I presume will require the same time to New York. How I happened to forget this is strange, for I was at San Diego when the 170 first mail arrived from Texas not long since, and I took a lively interest in the matter.

Chauncey does not forget to present his long-standing petition, that to-morrow I should buy him a colt in lieu of the one presented to him by Don José Sepulveda, which has been stolen from us. Called for him at his Uncle Eaton's; as they would not have milk until after dark, we went to the French restaurant, the Lafayette, where the attentive Jean succeeded in finding a small jug of milk.

Yesterday I received a note from Father Raho. "The bearer is a poor, honest woman recommended by the Father of San Gabriel. This day is the feast of the Mother of Mercy, *age* mercy to the poor." He inclosed the letter from the Father, the woman also came to see me. As Judge I could do nothing for her, the case being remediable only by appeal to the County Court. A lawyer for her—I confess I looked around me in *despair* —I can think of but one, Mr. Columbus Sims—I will endeavor to see him tomorrow on the subject. These unjust judgments, too frequent, must some day bring Vengeance upon their authors.

On the 9th, I wrote an article for the *Clamor Publico* in reference to Lower California affairs. I felt that the conduct of Solomon Pico at Santo Tomas, as described in that article, merited a general pardon for all his offenses committed in this State. In connection with the documents of Crabb's expedition, will be found a note made by me on Sept. 9th. I had received a letter from Robert H.

Miller inquiring in behalf of the wife of Wm. H. McCoun for information as to this expedition, in which occurs this passage:

“Was Wm. H. McCoun *certainly* killed in it? He has a wife here, and she is desirous of knowing.”

My note is as follows:

“During his stay in Los Angeles, McCoun called to see us. We inquired if he had let his wife know of his departure. He said he had not; he was afraid it would make her unhappy to know it, whilst his affairs might be in suspense; he thought it would be better to wait till successful (which would be in a little while), and then she would learn his triumph and his departure at the same moment. This was about the substance of his idea. I confess I was never without misgivings as to this success so confidently looked for by him. I knew more of Sonora and Sonorians than he did.”

The only consolation I could give was to manifest my interest in his fate, by furnishing a minute detail of all the incidents connected with the expedition, together with passages from the different presses of this State after the event was known here, trusting that her grief might in some measure be assuaged upon finding that, unknown to her, the full tribute of tears had flown for him already in a distant land, from a host of warm sympathizers whose affection was surpassed only by her own. He had left his wife last September in Kentucky. Almost the first news received from her, after his return to California, was that one of his little boys had killed the other whilst they were playing with an old gun. It is a sad history!*

Wm. H. McCoun, former State senator from San Joaquin, joined the expedition organized by H. A. Crabb, ex-candidate for U. S. Senator from California on the Know-Nothing ticket, which attempted to interfere in the internecine strife in Sonora at the instigation of the Ainza family, of which Crabb's wife was a member. The filibusters spent considerable time in Los Angeles and San Diego before embarking on the project which ended in their massacre, and interest in their fate was intense.—Editor.

28th: Poor John Brannegan, he has suffered much from an accidental shot in his thigh. Went in to give him a name for his child born on the day of Emily's burial. I suggested Maurice, which pleased him and wife, particularly when I pronounced it in Spanish and told her it was the name of Don M. S. He is a mulatto, she an Indian. Maurice Brannegan, decidedly Irish in sound.

The Sheriff called to see me to take the examination of Thomas King, who killed Lafayette King on Saturday night last. Johnston is to be executed on next Saturday. Yet, within less than a week of an event that has excited the attention of every man in the county, another bloody act has been perpetrated. To me it sometimes seems that capital punishment is useless. I recommended the Sheriff to take the prisoner before a Justice of the Peace; I could not attend to it.

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I delight to think of the simple remark often made to me of Emily, by Father Raho, in the course of his acquaintance with her for a year or more, "If any one will go to Heaven, she will!" It were better for me, if there were around me those to whom I could reveal myself; not that I am without sympathy here, a kindness ministered in a thousand forms, and always with an inconceivable delicacy. At a later day, I may look back to it, as presenting one of the most charming pictures of a society which some consider as still possessing many rough edges.

Emily took much interest in the introduction of the Sisters of St. Vincent into this City. She and I accompanied them, after they arrived, in their round among the different houses offered for their selection. She encouraged them in what their own good taste and sagacity dictated, in the rejection of unsightly and unsuitable places they were urged to accept, and their final choice of the beautiful grounds of Hon. B. D. Wilson. I believe they were much pleased with her.

On Tuesday, Sept. 8th, she "fixed up" of her own thought in the morning purposely for a walk down to see them, and in truth, for her a long walk. ... I think the first I knew of her trip was when she gave me four delicious pears presented to her by the Sisters. I know she must have had much pleasure in seeing and talking with the Superior, Sister Scholastica, and that type of perfect content, Sister Ann, not forgetting Sister Corsini. They saw her no more—in life! But for them death hath no terrors; their supreme happiness, in doing the will of God.

Emily was too unwell to attend their May Day Celebration of this year, a ceremony that charmed everybody. For me, I acknowledge, it filled my eyes with tears of joy. I deeply regretted her absence. I was obliged to retire from the Committee, being District Judge, and a question being

likely to arise respecting the property which would require the adjudication of that Court. The Institution has flourished here beyond my most sanguine expectations. Several articles were prepared by me touching the founding 173 of this Institution, Don Francisco P. Ramirez translating them into Spanish.

Doña Vincenta Sepulveda called this morning. Pleasant to hear a wife's excellency praised in musical Spanish, and by one herself an excellent woman, nor homely, although the mother of daughters married. And then, the California ladies shew so much sympathy for Chauncey. Alas, Doña Vincenta, you likewise told me you wished to see the guardian of your young daughter Ramona, for \$200 to buy dresses for her. None of my business, of course. But I could not Avoid a pang of regret at this probable extravagance, which makes so much against the real usefulness in society that might characterize the Californian ladies, even with the present wrecks of their estates.

Just before she left, Doña Vincenta spoke of her lawsuit with Don T. Y., and hoped the Judge would make the lawyers and witnesses prompt, so that at the next term the case could be done with once for all. For your own good, amiable Doña Vincenta, I sincerely wish that you had nothing to do with lawyers or a lawsuit.

Emily was not a persistent novel-reader, preferring works of a different character. I have read to her many works since our marriage. At St. Louis we thus spent our evenings. At Los Angeles, after supper, she would quietly place herself by the work-stand "for her studies"; I would read. I mention some of the reading during the past twelve months or so:

Prescott's *Conquest of Peru* and his *Conquest of Mexico* ; Rev. Mr. Haskins' *Travels in Italy* ; Cardinal Wiseman's *Fabiola* ; Shakespeare, a few plays; Walter Scott, *Rokeby* , and smaller pieces; Butler's *Lives of the Saints* ; Joannie Baillie, devotional pieces and poems; Wm. C. Bryant, poems; Schiller, *Death of Wallenstein* ; Campbell, *Jacqueline* ; Rogers, *Italy* ; Charles Lamb's *The Wife's Trial* ; Newman's *Discourses to Mixed Congregations* ; St. Alphonsus Liquori's *Spiritual Subjects*; *Sick Calls* of Rev. E. Price; Cardinal Wiseman's *Lectures on Devotion to the Holy Eucharist* .

I do not wish to convey the impression that she was a 174 “literary lady.” She received a plain education, at Linden-Wood, and was always a reader of useful things.

Sept.30th: Two Californians and a Frenchman call to have me set a case for hearing. I have postponed it till to-morrow. The Californians did not forget, in a feeling manner, to express their sympathy with me.

Oct. 2, 1857: Various copies of *The View of Los Angeles* to be sent to friends. The buildings on the hill, to the extreme left, are of Mr. Benj. S. Eaton, where Emily and I boarded from Jan. 1, 1856, till April 13, 1857. On the higher hill, above the dwelling, are the remains of the fortification made in 1847 by the American forces. Back from this—not represented—the hills extend a considerable distance, lofty and beautiful always, particularly when the rains clothe them with Verdure. The public city graveyard is a few hundred yards back of the Fortification; many of our friends repose here.

The Catholic Cemetery is indicated, but it is difficult to locate it in writing. We called the high hill our garden, from the number of wild flowers we gathered or transported from its north side. We often rode over the hill down to the Los Angeles RiVer on the other side.

Directly in front of you, rather to the left, far up in the town, the long, white building, with what appears to be a steeple, is the Catholic Church. Our first residence was about 250 yards on this side of the Church. Resided there from Feb. 14th, 1852 till January 1, 1856. The house of Don Juan Ramirez is in sight. That of Mr. Wm. Wolfskill, as well as ours, are not represented in this View.

[When the *View in 1857* was made Temple Street had not been cut through. The first building on Main Street, the two-storied adobe with verandahs, is the old Temple Block. It was built about 1830 and rebuilt of brick about 1857, forming the nucleus of the Downey Block. The next building to the right is the Lafayette Hotel, where Judge Hayes resided after the death of his first wife, and in which he died. It was erected of adobe on the site of the home of Eulogio de Celis, rebuilt in 1866, and improved in 1873, its later name being the Cosmopolitan.

The third building north of the Lafayette, nearly opposite the Stearns residence, is the Montgomery House, a gambling house “conducted with considerable elegance and decorum” and frequented by the better classes. 175 It was a one-storied adobe about one hundred feet wide, with a shaded verandah. This property was owned by Juan Domingo.

Between it and the Plaza Church Judge Hayes resided from 1851 to 1856. The *Star* in 1852 stated that he lived in a house leased from Felipe Garcia and had sublet one room to the County as an office. The only property in the neighborhood owned by Felipe Garcia was that next to the Montgomery House on the north. The lot was 65 feet wide. It was deeded in 1853 by Garcia to José Mascarel, the deed stating that it was bounded on the north by the Marina Garcia lot, on the south by the Montgomery House, on the east by Main Street, and on the west by vacant lands of the city, New High Street not having yet emerged.

The Marina Garcia lot was deeded to her by Guadalupe Uribe and A. F. Coronel. In 1855 she deeded it back to Señor Coronel, mentioning the Hayes property on its northern side, the Mascarel property on the south, Main Street on the east, and the *Calle Alta Nuevo* on the west, one of the first references to New High Street. The house had been occupied by one E. Stone as a carpenter shop. The deeds do not give the width of the property.

Next is the Hayes property. The Ayuntamiento gave it to Dolores U. de Elisalde in 1847. It was conveyed by her to José Mascarel, and he sold it to Benjamin Hayes and Jonathan R. Scott on June 18, 1850, for \$1000, it being “a house and lot marked on the map of said City as being on the *Calle Principal*, bordering on the *zanja*, immediately opposite to the building heretofore commenced for a courthouse, containing two rooms and standing detached and a few feet back from the main row of houses on said street, but said lot fronting on the street aforesaid and containing in all about the number of 1500 square yards more or less, it being the house recently occupied by Mr. John Thomas.” In March, 1852, shortly after the arrival of Mrs. Hayes, Mr. and Mrs. Scott conveyed their interest to Judge Hayes. The description is similar to that of the premises which he was occupying when he was shot at in November, 1851. B. D. Wilson bought it in 1855 for \$2000, the deed stating that the property fronted on Main Street 30 varas, more or less, “said front ending

on Bridge Street and running along Bridge to New High, thence southwest to the line of the Marina Garcia lot, which lot is now occupied by Perkins, and thence easterly along said lot of G. Uribe or M. Garcia to Main Street near where there is now a stone planted.”

J. Chauncey Hayes has been told always that he was born on New High Street. Whether or not Bridge Street was Republic Street is not indicated. Mr. Fred Eaton recalls that the latter was called Gas Street, and it was also called Sonora Street. It probably was identical with Bridge Street. In the *Centennial History of Los Angeles County*, of which Judge Hayes wrote the second part, he states that his office in 1851 was on the Oriental site, which was opposite the Pico House.

On New Year's Day, 1856, Judge and Mrs. Hayes moved to the Eaton home on the hill. Mr. Eaton thinks they occupied the smaller adobe at the extreme left. The larger adobe on the hill was the former *cuartel* or jail, which was turned into a residence in 1853 when the new jail was built at the corner of North Spring and Franklin streets. Mr. B. S. Eaton had constructed a road up Temple Street to the cemetery and was given a 200-vara lot for this service, which contained the *cuartel*, where he resided.

The location of the house in which the Hayes family lived from April 13, 1857, until the death of Mrs. Hayes in the following September is not indicated. There is a small water-color painting of it in one of the notebooks. Judge Hayes referred to it as being in the “lower part of the city.”

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Judge Hayes moved frequently. Mr. Eaton recalls a suite of rooms occupied by him in the Lanfranco Block on Main Street opposite the Temple Block, at the time of the wedding of Mr. S. Lazard in July, 1865. The famous King-Carlisle fight, in which five men were killed, commenced later on the same day. Judge Hayes had been attorney for John Rains, who was an enemy of Robert Carlisle, the two men having married daughters of Col. Isaac Williams. When the fighting commenced, Chauncey Hayes and Fred Eaton were sent to warn Judge Hayes that Carlisle, “a nice fellow but a fighting man,” was in an aggressive mood. Bright lights were burning in the windows of his rooms and the boys found him immersed in study, having returned from the wedding

festivities. The lighted windows, the studious Judge, and the body of the first man killed in the fight, which lay in the street, the victim's *serape* and the hat which he had held over his hand cut in shreds and his heart exposed, made an indelible impression on their minds.

John Rains had been murdered on November 17, 1862. Manuel Cerradel, who appeared to be the actual murderer, was seized by a mob and hanged on the tug *Cricket* at Wilmington while being taken to San Quentin for another crime. He had implicated José Ramon Carrillo in the crime and on Monday, April 13, 1868, Señor Carrillo appeared in court for the second time with his attorney, Ygnacio Sepulveda. It was said that an organization existed determined to hang him. There being no evidence upon which to detain him, Judge Hayes discharged him. He was murdered not long afterwards.—Editor.]

PETER H. BURNETT TO BENJAMIN HAYES Sacramento City, Oct. 2, 1857. Before I read your letter, I happened to see the death of Mrs. Hayes announced in one of the morning papers. I often look over the lists of deaths. My own cannot be far off. . . . I was once an Infidel. But I examined the subject calmly and patiently, and I found the proofs sustaining the truth of Christianity overwhelming, and I became a Christian. I have observed most closely, and the Christian who is “wise as the serpent and harmless as the dove” is always the most useful in life, both to himself, his family, and his country. . . . I have sought to do equal and exact justice to all men, and to all systems. My only object is, to employ the short time that remains to me, in the best manner possible.

My dear old friend, I sincerely sympathize with you in your severe loss. The virtues of your deceased wife were well known to all her acquaintances. But she is gone, and you and I must soon follow. “He mourns the dead the best Who lives as they desire.”

Let us make a calm and determined resolution to do our full duty under all circumstances, and then let us set forward and upward. We can do it. Let us try it. . . .

Oct. 5: Got from my sister Louisa Emily's copy of Thomas á Kempis; Louisa had borrowed it to be read by Hon. B. D. Wilson when prostrate under the shock given him by the death of his little daughter Maggie several months ago. To him a terrible blow. The mother bore it better.

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Her maiden name was Emily Martha. Gertrude she added at her confirmation, which sacrament she received at Los Angeles at the hands of Rt. Rev. Bishop Thaddeus Amat, Bishop of Monterey. I cannot find the date of her confirmation. We were long in deciding whether she would take the name of Gertrude or of Agnes. We read Over frequently the lives of those saints that may be held up as bright objects for the imitation of her sex. Emily at length preferred the name of Gertrude.

The case of James P. Johnston, the unfortunate man who was executed Oct. 3, gave me much anxious thought. On the first trial, the jury did not agree, being in favor of finding him guilty only of murder in the second degree, which I then thought, under the evidence of the single witness to the material fact, they might well do. The District Attorney, Mr. Cameron E. Thom, as was generally understood, undertook in a dark way to assail me, as well as the jury, through the editorial columns of the *Los Angeles Star*. I am sure the testimony he offered was inadmissible, and I again excluded it on the second trial. He had made a Very bungling business of the prosecution. On the second trial he did better. I think that I finally succeeded in framing the charge of the Court in language precise and plain, and intelligible to the minds of the men who composed the second jury, knowing that upon this it much depended, whether the prisoner should have a fair trial or not.

I was satisfied that, under the new Evidence, the crime, in law, was murder in the first degree. Both before and after the Verdict, I gave the testimony a laborious, thorough examination, endeavoring to put the subject before my mind in every possible view, with the most ingenious defence that might be taken of it. The actual defence of Johnston was a poor one.* I appointed the only attorney who would 178 take the case, three declining expressly, although two of them had endeavored to make

arrangements for a fee, in which case they would have defended him. "Public opinion" was against him!

James P. Johnston, of El Monte, shot and killed Henry Wagner on March 30, 1857, in the latter's saloon in Los Angeles. After a long trial he was convicted and hanged Oct. 3, 1857. Immediately following this murder the authorities "arrested every drunken person found on the streets without regard to race, color, position in life, or previous condition of servitude, the result being a motley congregation in the city jail, including at one time a doctor, two professors, a Mormon elder, numerous Indians, and loafers of every shade of complexion from lily-white to coal-black."—Editor.

His actual attorney was "sick," as he claimed, at the most critical period of the trial. Johnston's wife came to my house; took a seat; appeared greatly at a loss to open the conversation. At length she asked:

"Judge, what do you think will be done with my husband? They say it all depends on *you*."

It may be imagined that I felt serious at this View of the case, and the more so that the poor woman manifested the deepest distress. I endeavored to explain the matter; she finally said,

"What can I do?"

I advised her to see at once Col. Jack Watson, who was on a visit from Monterey. I assured her that he would make no charge for his services. The next day he came into Court—without the advantage of having himself examined the witnesses—and made an eloquent speech on behalf of the prisoner. But without effect. Never shall I forget the scene in the Courthouse, immediately after the jury pronounced their verdict.

After his conviction, I found there was a strong opinion prevailing, that his execution ought to be fixed by me at the shortest time (thirty days), and this, notwithstanding he had begged for the longest. Such was not my opinion. I had once before sentenced a prisoner for less than sixty days (47 days); I have always regretted it. But he died with evident repentance. There were some arguments in Johnston's case in favor of the shortest time, such as, that he had friends who might aid him to escape; that his wife must have access to him, and this would require a laborious and extraordinary vigilance from the officers; that he was known, it was said (his wife having intimated

that he would never be hung), to have sent to San Francisco either for 179 poison or for some acid to facilitate the removal of his irons. It was observed, too, that an *example* was necessary.

The following is my address to the prisoner, as reported by the *Los Angeles Star* :

“You, James P. Johnston, upon a second trial, with all the privileges of a legal defence, have been found guilty of murder in the first degree. Such is the decision of a jury of your countrymen, carefully selected, and whose intelligence and honesty there is no reason to question. I have devoted to your case the most serious and anxious attention. I can discover nothing to make me doubt the justice of their verdict. If I were not convinced that it is right and in accordance with law, I would not hesitate to grant you a new trial. This cannot be done. I am unable to discover a single feature of mitigation that relieves the dark atrocity of your crime.

“In an evil moment, by your hand, was Henry Wagner hurried into the presence of our Maker. He had done you no wrong. The occasion for this dreadful deed was sought by yourself. In vain to say your own life was in danger; there is no satisfactory proof that he had a weapon at the time you fired. But, if he had, I am bound to say that such had been your deportment toward him within less than an hour before the fatal difficulty, that he would have been amply justified in arming himself then and keeping well on his guard against surprise. This would have been the height of prudence, in his situation, as disclosed by the whole testimony; and, therefore, it can be regarded only as his misfortune, if he did not succeed in getting a pistol until the instant of your final deadly assault—an assault made with such impetuous energy of hate as to leave him incapable of defending himself. No; with you rests the blame. You might easily have avoided this unhappy result. But you were deliberately bent on doing mischief, and you were sober enough and in the full possession of your reflection, so far as I can judge from your conduct.

“It is idle to pretend that the deceased gave you any sufficient provocation. Conscience might have controlled or repressed that capricious and baseless resentment—the secret growth of your own heart—which ripened so rapidly into a settled hate of your self-chosen and unoffending antagonist.

“Remember your first altercation in the cellar. You had killed a man before,’ so you boasted, ‘and you would have another tonight.’ This expression might have been deemed mere bravado when uttered, if it had not been followed, alas, by a too prompt realization. At that time your violence and wrath was met and diverted—would that I could say appeased and conquered—by the mild forbearance of him whom your eye seems at once to have marked out for destruction. It was a very reasonable and proper request of his a little later (the same he had made before), that order should be kept in his own house, and it afforded not the shadow of a pretext for your harsh and insulting reply. Such a reply was well calculated to move him to some impatience, and present the opportunity so convenient to a predetermined malevolence. Then it was, according to the witness, Henry Krouse (who is corroborated by E. J. Sideman), you attacked him pistol in hand—he unarmed—drove him to his 180 desk and there gave the mortal shot, accompanying it with an exclamation than which there could be no surer index of the fell spirit of Revenge.

“I will not dwell longer on these sad circumstances; they involve you, with your little family, in an irretrievable calamity. Let me, in all kindness, beg you to banish from your mind every thought of evading the punishment, which, for your rash act, must visit you in a human tribunal. I would indeed be more cruel than kind, if in any way I should encourage you to entertain a false hope of escape. I have heard you say—and I believe—that you would give the wealth of worlds if you could, to bring back him whom in the pride of his youth you slew so causelessly, to the society of his friends and the enjoyments which may be gathered here below. May there not be for you even a consolation in a deep, religious sense of that atonement you are about to make, with your own life, both to human and divine law? The thought may be worthy of meditation. I believe that you have felt a sincere repentance; in parting from you now, forever here, I will not refuse to credit your declaration before the Court. A knowledge of this, it appears to me, must temper with sympathy and respect the judgment which men will pass upon your character. Still more will a profound and faithful contrition tend to soothe your last moments, as you shall look up with a never-failing trust to Him who ‘delighteth in mercy;’ to Him whom will cast all our sins into the bottom of the sea.’

“It only remains for me to pronounce the judgment which the verdict of the Jury demands from this Court.”

During the delivery of this address, the Judge was deeply moved. The most solemn silence prevailed throughout the court. It was a painful scene, and was so felt by all present. The prisoner remained unmoved throughout the terrible ordeal. Prisoner was then taken in charge by the sheriff and conducted back to prison.

While the preparations for his passage from Time, to Eternity were being made upon the scaffold, I at first retired to my room, and, as well as my frailty would permit, prayed to God that He would have mercy upon the soul of the condemned, feeling that it was right and fitting for me, although a sinner, to continue in the spirit of the simple prayer which old legal custom requires from the Judge who pronounces sentence of death. I prayed sincerely. Nor did I forget the wholesome prayer of the Church after the soul had passed to the bar of God, where I too must come. Chauncey repeated the same prayer with his innocent lips, on his knees.

I had not intended to witness the *finale* of the tragedy, although it took place in full View of my back door, at a spot where nearly the whole City could behold it from their houses. Chauncey's curiosity was much excited; he frequently called me out. I do not think I perfectly succeeded in making him comprehend the proceedings.

Going out thus at his calls, I could see the vast crowd upon the hills, the armed men around the scaffold, and a few upon it. The sun beamed brightly upon the white form of one, the rest were in black. Once I distinctly heard an invocation to Deity, from the preacher, no doubt; then twice I saw a motion of the hand, as if the condemned was speaking. To me, it seemed that they detained him very long in a position so agonizing. Finally I became interested. I put on my spectacles. Another interval, brief! A slight change Of place by the forms in black left the *white form* alone an instant. On another it sank out of my sight behind the mass of spectators. The throng there remained as before, as motionless as the ground under their feet, save that now and then a bayonet glittered; they seemed to stay very long. My attention was called away. When I looked again, not a solitary

person was to be seen. I was up in town soon afterward on business. There was an unusual absence of levity among the men I met on the crowded streets. The only person I made an inquiry of was the French barber,

“How did he die?”

“*Trés bien* ,” was the reply.

Oct. 7th: While writing letters to-day the annexed invitation was delivered to me, by the colored boy who is employed to visit the dwellings, etc., for this purpose.

“You are respectfully invited to attend the funeral of the late Mrs. Anne Eliza, wife of Mr. W. M. Stockton from the residence of Mrs. Macy, in the City of Los Angeles, on Thursday, the 8th of October, 1857, at Three o'clock, p. m.”

This lady lived near the Mission of San Gabriel, at what is called the Pear Orchard, an old establishment of the Mission Fathers. Her husband now claims title to it. There are probably over a hundred bearing pear trees, of many varieties. A pleasant place to visit. Emily once spent three weeks there when she was sick. Nothing could have surpassed the kind attention lavished upon her by 182 Mrs. S. and husband. A few months ago Mrs. S. became ill. She went to the Hot Springs of San Juan Capistrano, without relief. She was an excellent woman; I could not praise her too much.

Dec. 6th: The rainy season coming on and being compelled to board at the Hotel, I was obliged to give up the house in the lower part of the City. I have a comfortable office nearly opposite to the Hotel. Chauncey eats with me there a good deal. I cannot take him to San Diego, as the little steamer rocks a great deal and he would be seasick. So I will have to leave him for two weeks. My room is large, an old-fashioned fire-place, like that of our late residence.

To-day at 10 A.M. I began, and at 4 P.M. finished, the trial of a man whom the jury found guilty of murder in the first degree. A similar verdict was rendered on Saturday last against another, after a

trial of four days. Both are to be sentenced by me to death on Saturday next (19th), to which time I deferred the judgments, in order to give the poor unfortunates all the time I could.

Our community has been in considerable excitement about the Mormons of Salt Lake and preparations are making here to furnish our quota in case the Government should call for volunteers from California. The officer in command of the U. S. troops, Col. Johnston, is brother-in-law of Dr. Griffin, my sister Louisa's husband. I feel no little solicitude for his fate, Since the last news from that quarter bears every indication of a bloody struggle between the Mormons and the troops. I fervently trust that the former will abandon their hostile attitude at the last moment.

April 2, 1858: I am again a candidate for Judge. The election will take place in September next. I found that a serious combination had been entered into to prevent my election. It has resulted in two candidates being in the field. I think, however, that the most formidable will be withdrawn. I have determined to run without a party convention, as I did in 1852. This course is countenanced by a large majority of my Democratic friends. I have met with a support, 183 since I first clearly presented my name, which gives me the most delightful satisfaction.

Up to this time my salary has been \$3000, commonly payable in scrip at 50, 60, or 70 cents. The present Legislature has raised it to \$5000, payable in cash, this new provision to take effect on the first of January next. I must pay some election expenses, and I owe a note of \$500 with interest at 5 per cent a month.*

On Tuesday last Judge Hayes, in the District Court, made the following order: "It appearing to this Court that the room in which it is now holding its session, is altogether unfit for the purpose of a Court Room, by reason of its want of accommodations for its officers and juries, and a general dilapidation of the house, and it further appearing that the Sheriff has failed to procure a suitable room, under the previous order of this Court, for want of sufficient time, "It is therefore ordered by the Court, that the Sheriff of Los Angeles County do procure a suitable room in which to hold the session of this Court, and that he also procure a proper jury room, and a room for the Judge's chambers. And it is further ordered that the Sheriff furnish the aforesaid rooms in a suitable and proper manner for the accommodation of this Court, its officers and juries, and that he supply the same with the necessary fuel, lights, and stationery." The Court House, it is true, is in a dilapidated condition, and when the order was made, a stream of water was pouring down each side of the Judge on the Bench. *Los Angeles Star*, Dec. 31, 1859. [The Courthouse was at this time on the northwest corner of Spring and Franklin streets.—Editor]

When I was at San Bernardino last, I obtained two small fir trees and two pepper trees (a most beautiful evergreen) to plant over Emily's grave. Owing to the arrangements being made for an entirely new cemetery, I was advised not to put them there. With many other trees and flowers, they are planted around the large Cross that stands in the yard of the Church down in the City. They may still be considered as adjoining her resting-place, for among Catholics the place where the dead repose is as a part of the Church.

Nov. 4th : I often think of poor Ben Moore. I visit his grave three times a year. On my last visit to San Diego, a friend and myself went to the battle ground of San Pascual, where 184 he fell, distant about 35 miles from San Diego. It is within a few yards of a small Indian village. The old Indian chief shewed me the exact spot where Capt. Moore expired. Two Californians who were present explained the manner of the fight, and I made full notes of all the circumstances. Lt. Churchill, U. S. A., promised me to go and make a sketch of the battle ground. It has not yet been done.

January 5th, 1860: Tomas, an Indian, was Sentenced to be executed on the 27th day of September last, but escaped from jail just prior to that day. He was subsequently re-taken, and on the 4th day of December I appointed the 31st of January for his execution. He had in cold blood killed his wife and daughter at the Tejon Reservation, to which place he belonged.

In fixing his execution at so remote a day, I was governed entirely by the consideration that he ought to be allowed all opportunity for religious instruction. Today I was mentioning the subject to Father Raho.

"I was glad ," said the Father, *" that I had not baptized him ,* before his escape; because, on my late missionary visit to the Tejon, I ascertained that he had announced that he had come back there solely to kill the alcalde of the Indians and two others; and this being done, he was ready to die and cared not what 'they did with him'."

Dr. Hayes, physician of the Tejon establishment, informs me that the Indians are very much afraid of Tomas; consider him a bad and dangerous man and desire his death.

In a conversation this evening with Dr. J—— G—— whose ideas are always benevolent, he advanced the opinion, that this Indian ought not to be executed, and I am more than half inclined to agree with him. I suggested, that some of our citizens should petition the Governor for a commutation to imprisonment for life, in which I would concur, although I felt it to be inconsistent with the obligations of my position, to take the initiative in such an application. I said nothing to Dr. G. of the religious motive for such a step, arising from the obduracy of this poor, uneducated man; but put it upon the ground, that his punishment 185 capitally was not likely to be conducive to one end of punishment, namely, as an example & a terror to those amongst whom the crime was committed, none of whom, I supposed, would be present, and, perhaps, not a half dozen of them would ever hear of the event.

(The execution will be private, within the walls of the jail-yard, under the present law.)

On the morning of the day of execution, a strong feeling began to pervade the community in reference to this prisoner, Dr. Jno. S. Griffin, Dr. Thos. Forster, the Rev. Father Raho (who had been attending him religiously), as well as many others, expressing the opinion that his mind appeared to be not above idiocy, or that he was insane. An application being made to me, under our statute, I gave an order concurring in the summons by the Sheriff of a jury of twelve persons, to determine upon his supposed insanity. Accordingly by 2 P.M. the inquisition was concluded; and the jury found him to be *sane* —contrary to my expectation, and, as it seemed to me, to the expectation and wishes of a large number of the people who were in attendance.

A feeling of *awe* appeared to rest upon society—of doubt and fear—lest this poor man after all should have been found guilty originally when insane, or executed in that state, even if his conviction was right. I confess I could not help now and then participating in this solemn feeling of all around me. The Los Angeles *Star* gave the following brief account of this execution: EXECUTION.—On Tuesday last, a miserable, imbecile looking creature, Tomas, an Indian, was executed in the jail yard, for the murder of his mother and wife. Some humane persons had an inquisition held -before the Sheriff and a jury of twelve, as to his sanity, or moral accountability;

the jury agreed that he was a proper subject for the operation of the law and he was operated upon accordingly.

Rev. Father Raho told me there was no person to speak for the Indian, before the Sheriff's jury. His attorney, appointed by me at the trial in court, should have attended to this; long since, I intimated to him my own opinion that there should be a commutation of punishment.

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1864— (*A Retrospect*).

Among my correspondence I find the following letter from Col. A. W. Doniphan to Capt. Jefferson Hunt, of San Bernardino:

Liberty, Mo., Sept. 1, 1852. I was pleased to learn that Mr. Hayes was a candidate for Judge. with a fair prospect of success. The office could not be entrusted to worthier hands, nor the ermine more secure from a stain. If any of the old and well-remembered friends of the long and bitterly persecuted Latter Day Saints should be in your district, say to them from me that duty and gratitude require that they should now help Ben, for when he was a stranger in our State, he boldly stood up for their rights and nobly sustained Atchison and myself, in resisting a reckless persecution, when there were few to say "God save them!" They know I have been their fast friend amid the blackness of darkness, and would now be the last to deceive them, when we may never meet again.

In respect to office, I cannot say that I have to complain of ill-luck. Soon after my arrival at Los Angeles, Feb. 4, 1850, Opening a large package, I found it to be a commission from Gov. Peter H. Burnett for Notary Public, the more valuable because, so his letter advised me, this was all he had left to bestow, so carefully by that time had all the offices of the new State been sought for and "gobbled up." I did not qualify.

A secret *junta* of all the leading Californians, at the residence of Don Agustin Olvera, early in March, selected me as its candidate for County Attorney, an office then provided by law, in addition to District Attorney. Our ticket had a large majority. Native Californians were then in

the ascendancy. Don Agustin Olvera became County Judge, Don Ignacio del Valle Recorder; Don Manuel Garfias, Treasurer; neither could speak Or read English. Benj. D. Wilson, Esq., was County Clerk. We took the oath of office April 1St, by simply signing the constitutional oath, although a sort of altar surmounted by a large crucifix and with a cushion to kneel upon, had been prepared according to the old style by Don Ignacio, whose piety was somewhat shocked at our cold, unsentimental form on such *gran ocasion* .

During the previous months, the acts of the Legislature had come down to us from steamer to steamer, in little pamphlets in English. Day and night, often late, I worked at the translation of them into Spanish, which I could read very well but could not speak. The translations were revised 187 by Don Antonio F. Coronel, or other persons occasionally, to correct any idiomatic errors. Thus these gentlemen were able to post themselves in the new legislation for *la patria* , and all of them soon made as good officers as the County has ever had. Don Agustín Olvera rapidly acquired a knowledge of the English language.

Mr. Wilson, occupied with his property, which was fast rising in value and which has been the foundation of a Solid fortune, left his office to the care of deputies, among whom Dr. Wilson W. Jones may be mentioned for his efficiency. In September, 1851, I resigned the office of County Attorney, and Lewis Granger, Esq., was appointed. At the election of March, 1850, Col. William C. Ferrell of San Diego, also a nominee of the *junta* , was elected District Attorney. Afterward Thomas W. Sutherland, of San Diego, held this office awhile, then Benjamin S. Eaton, Cameron E. Thom, etc. I must not forget the first Sheriff, George Thompson Burrill, Esq., brother of the author of a fine law dictionary. He had lived in Mexico. His pride was always to appear in public wearing an infantry sword; this was not eccentricity, but he believed it to be an insignia of his high office, all the duties of which he well and faithfully discharged.

The principle governing the judicial election of the year 1852 is shewn by my election address of 1858. In the election of November 2, 1852, San Bernardino belonged to Los Angeles county. The precincts in Los Angeles county were: Los Angeles, 363 votes; San Gabriel, 170; San Juan Capistrano, 65; San José, 50; Chino, 14; Santa Ana, 37; San Pedro, 38; San Salvador, 75; Robidoux,

56; San Bernardino, 135. My majority over Myron Hunt, Esq., my only opponent, was 733 in this county.

In the trial of William B. Lee for murder, the course of the proceedings finally led to the rupture of the old familiar relations between me and one of the counsel, and to an interruption of all personal intercourse between me and J. Lancaster Brent, Esq., another of the counsel in that case. From this case, I suppose, in part, and perhaps from my decision in the case of the Santa Barbara Mission, in which Dr. Den was interested, and from the hostility of others to 188 me (with or without cause), my friends gathered that an attempt would be made toward my impeachment at the session of the Legislature of 1856. I was advised that Dr. Nicholas Den, of Santa Barbara, recently arrived from San Francisco, had so stated to someone here. This was all I could learn. I immediately wrote to Dr. J. G. Downie, one of the members from this county, denouncing those whom I suspected and appealing to the records of the Court and my uniform conduct for my vindication, and my readiness to defend my honor at any moment. I received the following letter in reply:

JOHN G. DOWNEY TO BENJAMIN HAYES

Sacramento, Feb. 13, 1856.

Your favor of the 4th inst. came duly to hand, but on account of the *Sea-Bird* having left the day after her arrival, we had no time to answer our letters. This fact pains me, inasmuch as it will keep you in suspense, in regard to a matter which must cause you so much anxiety. If such an effort is being made as you alluded to, it is being managed with much dexterity. I am confident that no such move is on hand, for Wilson, after reading your letter, felt incensed, and said that he had not intended making a speech during this session, but that, should such a move be made, he would not only speak, but denounce it, and employ the best legal ability in the State for the defence. You have a good friend in the person of Mr. Farley, Speaker of the Assembly, who will render me important aid in ferreting out any such conspiracy. You may rely on my untiring efforts to seek information on this subject, in my own way. But, as you yourself suggest, the thing may have been intended; but they have overreached themselves, and found it would not take. Do not suffer this matter to prey

upon your mind, for, should this effort be made, it will eternally damn its author, and bring him-if he be a lawyer-into disgrace in every Court of this State. Therefore, I consider it highly improbable, knowing the utter impracticability of succeeding in any such perfidious design; but, like yourself, I believe certain parties fully capable of doing anything that would be calculated to injure you, if they thought they would be successful. Had I known anything of this matter, I could have found out from Nicholas Den, as I saw him every day at San Francisco, as he is very communicative, and would have told of whom he had heard it, etc. He, however, is a great talker, and from what I can hear, very much inclined to exaggerate. I will keep you informed on this head, and consider it as a religious duty to use every effort in my power to prostrate any and all designs calculated to militate against your honor and integrity. With many good wishes for the welfare of yourself and family, believe me your very sincere friend.

In 1858 my majority in the district was 1340, consisting 189 of Los Angeles, San Bernardino, and San Diego counties.* In 1863 the counties of Santa Barbara and San Luis Obispo were added to this district. Hon. Pablo de la Guerra was elected by 59 majority. I had 10 majority over him in the rest of the district, but the soldiers at Fort Yuma gave 69 votes, solid, against me. I held this office from January 1, 1853, to January 1, 1864.

The precincts in Los Angeles county in 1858 were Los Angeles, San Gabriel, El Monte, Los Nietos, Mission Vieja, San José, Santa Ann, San Fernando, La Ballona, San Pedro, San Pedro Rancho, San Juan Capistrano, Fort Tejon, Reservation. In San Diego County were San Diego, San Luis Key, Temecula, Cuyamaca, and San Ysabel. In 1860, a Sebastian Reserve precinct appears in the newspapers, apparently the same as Reservation. In 1861 the papers mention, in addition to the above, Tehatchape, Lower Mining Precinct. Upper Mining Precinct, Anaheim, New San Pedro, San Francisco Canon. In 1862 the Los Angeles County precincts were Los Angeles, San Gabriel, El Monte, Azusa, Los Nietos, old Mission, San Jose, Santa Ann, Anaheim, San Juan, San Fernando, La Ballona, and San Pedro. In 1864 we find Soledad, Wilmington, and Santa Catalina mentioned and in 1865 Halfway House.—Editor.

During the September canvas, 1859, I was grossly attacked in the *Los Angeles Star*, in the heat of the political excitement then raging, and possibly—I am loth to make the charge—from personal malevolence.

The accusation was, in substance, that I had induced the Democratic voters, at a primary election for delegates to a County Convention, to desist from voting, after the polls had been opened; and that I caused the ballots already given to be thrown away.

In the public prints, I took no notice of the article directed against me, under the designation of a "high judicial functionary." Two of the gentlemen whose names appear in the "Card" annexed were to be the Judges of the election, if one could have been held; all three of them being well-known throughout the District for their integrity, I was content with their "Card." Anything from me seemed to be superfluous.

TO THE PUBLIC

We have learned that in the *Los Angeles Star* of June 11th the Judges at the primary election held at San José are charged with having refused to keep the polls open, and of having destroyed the ballots after the election had commenced, and that this was done through the advice of a high judicial officer. In reply, we say the charge is entirely false. On the 1st day of June there was no election, in consequence of there being but a small number of electors present-not to exceed ten in number -and for the absence of the Judges of Election, Don Santiago Martinez and Don Ramon Ybarra. The first named did not appear, and the latter left very early in the morning, not having remained more than half an hour.

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This accusation not coming to our knowledge, has not heretofore met with a denial, but we now feel called upon to hurl back at the base imposter the lie contained in such communication to the Star.

RICARDO VEJAR RAMON YBARRA SANTIAGO MARTINEZ

San José, July 9, 1859.

ANOTHER CHILD RETURNED TO ITS PARENTS

Elsewhere in our columns will be found the card of Messrs. Véjar, Ybarra and Martinez. By reference to the *Star* of the date referred to, it will be seen that the foul and slanderous charge is not a communication, but is made in the leader of our self-righteous contemporary, in which appears the following statement: “An election was held at the time indicated in all the precincts of the county; but in San José the officers of the election were persuaded after it had commenced, by a high Judicial functionary, as we have been informed, not to continue the same, and the ballots were cast away without being counted.”

Mr. Véjar, at whose house the *Star* charges this high-handed outrage was committed, as well as the well-known and honorable neighbors of his whose signatures are attached to the card, spurn the vile calumny, and wash their hands before the people.

Thus it is, that although these villainous chicks may wander and stray away during the day, at night they return home to roost with the old hen that clucked so fiercely during incubation.

There is not one word in the card to warrant a single assertion made by the *Star*, and the only object of the article appears to have been to draw Judge Hayes on the question. Will the *Star* condescends to inform the public who was its informant that the ballots were thrown away?

(Southern Vineyard, July 26).

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VI SAN DIEGO IN 1860-1861; LOWER CALIFORNIA AFFAIRS

Jan. 7, 1860—San Pedro: The rain last night has not left the roads as muddy as I expected to find them. Start at 1 P.M., in a splendid coach with six horses; clear and cold, a stiff breeze blowing over the plain. In 18 miles reach New San Pedro; my first visit; surprised to see so much improvement. Banning gives us a warm greeting, and while they are changing the horses makes us sit down to dinner. Six miles further to the landing of A. W. Timms; sent aboard in a little pilot boat; glad to meet again Capt. Seely and my old friend Gorman, the mate. Find aboard, of San Diego acquaintances, Capt. Bogart and young Mr. Ames, of the *Overland Mail*. J. Ross

Browne is here also. He is now well and favorably known on the coast. He is the agent of the U. S. Treasury Department; also has somewhat under his eye the Indian affairs of this section of the Union (Oregon included). Had some conversation with him, in relation to the Indians. He strongly condemns the management of the reservations, with the exception of Klamath. Has promised to aid me in procuring documents I need on this subject.

The sea is smooth, the moon shining brightly, but one prefers the coal-fire of the saloon to the deck outside; in agreeable conversation, it comes to be time for rest.

Jan. 8th: And, indeed, it was rest for me last night. I slept soundly, until the report of the vessel's cannon awoke me, as we were rounding Ballast Point, to enter the harbor of San Diego. Rain is falling at Old Town and in the direction of Lower California. Lt. Moore and other friends are waiting on the wharf. Soon off for Old Town in the carriage of the landlord, Mr. Tibbetts. As we approach the bells are ringing for church. Pleasant meetings with acquaintances; ever the same hearty, cordial and warm welcome; I 192 have not Seen any difference during the space of seven years.

What a Surprise! Mr. L. V. Prud'homme came smiling:

“Do you know who is here?”

“No. Who can it be?”

“Mrs. Burnett and her daughter!”

The wife and daughter of my old friend, Peter H. Burnett! I hastened to call upon them in the parlor of the Hotel. Twenty years near have gone Since last I saw Mrs. B. She was then supposed to be at the last stage of consumption; none of her friends believed that she could survive the long toilsome journey from Missouri to Oregon. Her health, however, rapidly improved. She is now a matron hale and hearty, and has lived to See, I think, eight grandchildren growing up around her.

Jan. 9th: The town has been kept in considerable excitement, by the trial of Monsieur Petit de Vergennes, for perjury; the third jury ultimately convicted him. I Saw him yesterday afternoon, when the Sheriff conveyed him to the door of the Estudillo mansion, to say Adios to the family. Doña Reyes came to the door, remained a moment, and retired. At that distance, I could not hear what she said, but doubted not that her eyes were full when they beheld the fetters upon his hands. A spectator informs me that the tears poured down the cheeks of the prisoner. The good-hearted sailor, Capt. Seely, with the purser, was near me at the time.

“A shame,” exclaimed the Captain. “He shall have a cabin passage. I will intercede to have him placed in the hospital!” De Vergennes has flourished here and at Los Angeles, as a physician. Among the native Californians, he has passed well. I have always considered him rather a fool than a knave, although he must have been guilty, in this instance.

Later in the day I called upon Doña Reyes. She has long been an invalid; now looks very well. She ascribes her cure entirely to him; and gives him credit for twenty other cures here, in difficult cases. She is full of gratitude

A CAMPAIGN HANDBILL of 1858

193 for his services, and a deep sorrow for his fate. Singular people! Doña Reyes sings sweetly the Spanish songs. Inquiring for the guitar, for a friend to accompany her, “the *Doctor* had taken it with him; it belonged to Doña Rosaria, and she gave it to him” to console him in what they would call his captivity. They consider him as one unjustly persecuted, not as one justly punished. Nor can the Doctor play a single air with the guitar. A sentimental sort of trial, from beginning to end, except to the taxpayers; the costs, payable by the County, being \$2500. A fair illustration of the expense of administering the criminal laws in this part of California.

Opened the term today. Wm. C. Ferrell, Esq., who is attorney in several cases, does not appear. He is known to have been working at his papers up till 3 o'clock this morning. One thinks, he went out into the hills for a walk, and has lost himself in *geological* speculations; George Ryason says, with

a knowing sort of positiveness, that Ferrell has gone on sudden business to Lower California. Not a few still express uneasiness on account of his strange conduct.

I forgot to mention that one of my brother-passengers was Gen. José Castro. He is on his return to Lower California to resume the command; left today with a single servant; opinion is divided as to the result. Col. Kenrick, Indian agent, and J. Ross Browne left today for a tour among the Indians of this county. I am glad of it, for the benefit thus likely to accrue to the Indians. Both these gentlemen deserve the highest encomium for philanthropy and official fidelity.

My room is well furnished, commodious, quiet, but too cold for writing; gladly, therefore, I accepted the invitation of the County Judge, D. B. Kurtz, to make use of his office, and betook myself there as night came on; a coal fire; very comfortable. Soon saw I would not be able to write; rather pleased than otherwise at the prospect of a cheerful “time” with the ladies.

Doña Reyes rallied me on my “love-scrapes.” I never heard her talk so well before. Kurtz, she said, was getting 194 fat upon *calabazas*. (When one fails in his love, they call it receiving a *calabaza*, a squash, I believe). She talked of a thousand things in her prettiest manner, and when she retired wished us “pleasant dreams” in English of the softest accents. Joined by young Mr. Forbes in the parlor, while Kurtz and I remained in the office, she sang Spanish songs; charmed by the melody, I remained an hour longer than I intended.

Doña Ysabella Ruis was there too; she is the mother of Mrs. Maria Ampara de Burton. Occasionally came in Doña Victoria, the mother of Doña Reyes. Ysabel Pedrorena also, just blooming into womanhood, in whose future many take interest.

I had a slight toothache, learning which Doña Victoria declared she could cure it, and disappeared. Soon the venerable lady came back, holding in her two hands a piece of cotton rag. At first I thought she had something to put in the tooth; she made me understand that her prescription was to be taken outwardly. Accordingly, as directed by her, I held out the *third* finger of my left hand, she tied around it the rag, which, I observed, had on it two or three fragments of garlic. If it had been

chile colorado on the tenderest skin, it could not have pained me more than this did after the lapse of an hour.

Speaking of going down the bay to see them capturing whales, I used the word *bayona* , which made the ladies smile; they corrected me with *ballena* .

Free from toothache at this moment; instead of it, precisely three little blisters on my third finger.

Shewing Doña Victoria the state of my finger, she says: “That is *el anillo de cordon* .” I believe she has a spice of coquetry, even at 60; I confess I am somewhat susceptible at 44.

Jan. 11th: Evening with Doña Reyes and Ysabel, and Judge Kurtz; Doña R. in good spirits and sings for me *El Marinero*:

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EL MARINERO Cada instante que paso en la tierra Me es tan corto que parece un sueño Ni en los brazos de su caro dueño Halla abrigo el marinero infeliz; Las borrascas de un mar agitado Me recuerdan a cada momento— Hay, dios mio, no mas sustentimiento! Cielo santo, no quiero vivir.

“Do you know, Doña R., who taught me that song?”

The quiet but quick Ysabel took me up and guessed at once:

“Dolores Alvarado.”

Ysabel seemed to be Struck with my profile on the white wall—reflection of the candle—nothing would do but I must submit to her drawing the outline with a pencil which she ran and brought; Doña Reyes amusing herself by giving an extra touch to the proboscis of the County Judge. When the moon rose Kurtz went out to shoot ducks on a pond near the town.

Jan. 12th: Every morning here has been cold, this likewise. Gen. Drown and myself went to New Town. Found Dr. Edgar at his quarters; he accompanied us to visit Capt. Ketchum. Soon

arrangements made for a sail up the bay in the Capt's. boat, the *Sirena* . Mrs. Ketchum a very pleasant lady; she spoke of the suspense as to their future destination, in the frequent removals to which army officers are subject.

Sailed nine miles up and back; within sight of the houses of La Punta, where reside the family of Don Santiago E. Arguello. Pelicans flying over and around us. There was plenty of ammunition, as Capt. N. called it, to wit, a well-filled tobacco box, with pipes for twice our number. I did not smoke. Our crew were four soldiers who aided the Capt. in managing the sails. Jimmy went with us, the interesting son of Mrs. Netchum by her first husband. The voyage ended happily; I shall long remember it. Lunched at the quarters of Dr. Edgar, after which Capt. N. came over. Amid the wreaths ascending from their pipes beamed many a smile at the anecdotes that filled 196 up the time till the setting sun admonished us to be on our way. Capt. K. was on the Missouri frontier when a youth, in 1819 I think; his father was an officer of the U. S. Army.

At the Estudillo house in the evening. Doña Victoria seems to be proud of the Spanish descent of Ysabel [Pedrorena, Ed.]; shewed me the miniatures of Ysabel's father, grandfather, and grandmother, and of two uncles. One of the latter is secretary to Queen Cristina; the other was a Carlist, and was killed in the troubles.

Jan. 13th: The picnic at the lighthouse. Preparations. Mrs. Felippa Marron and myself, Ysabel and Mr. Williston, Doña Reyes and Capt. George Pendleton, Luz Marron and her brother, Doyle and madam, Mrs. Woods. Arrival. Bogart and his clams. The chowder. Dance. Doña Reyes' belt and the guitar. The whole might deserve a description, not forgetting Reiner, an ingratitude which, I fear, he has too often met with. Very cold on our return.

J. Judson Ames; Ferrell's history; the San Diego *Herald* ; Wm. H. Noyes (sick again); Jack Stewart; Wall and his stories; wedding of George Smith; Padre Juan; whaling history; relations of Lower California; property of John Hayes; Col. Magruder; New Town; lighthouse; tide-gauge and Cassidy; present picture of San Diego, compared with past. 19th: If it does not rain, Doña Victoria is going to Los Angeles; her son, Guadalupe, offers me a seat in the carriage.

Capt. Packard informs me that the whaling season is from December till April; can probably within that time make 1000 barrels, worth \$13,000. Expects on this steamer, from San Francisco, enough casks for all his purposes. The whales are taken out at the kelp, as they pass down, on their way to calve in the bays and inlets of the Lower California coast. Several ships are now below on that coast, engaged in whaling.

Dense fog at night, heavy wind outside the harbor.

Talk with old Doña Juanita Osuna and Don Julio about their rancho troubles; they come to town and claim an 197 audience, whenever I am here. Two weddings of soldiers this week at New Town. Jimmy went to one, and, as Mrs. Ketchum told me, returned earlier than she expected him, saying:

“I did not enjoy myself as I thought I would; Mrs. Connors said there was but one cake, and that was for the Judge.”

Everyone who knows Judge K., who performed the marriage ceremonies, will sympathize with Jimmy.

20th: The funeral. Whilst engaged in burying Frank Steele, the Catholic bell tolls for an Indian woman. Returning to the hotel, we learn that the eldest daughter of Sheriff Lyons is dying.

Is my little boy still living, or will the steamer bring me bad news? An arrival from Lower California brings the intelligence that Gen. José Castro, upon his arrival at Santo Tomas, and taking the command, fined Don José Saiz \$10,000, and Geo. Ryason \$2000, for the part they took in the recent “revolution.” This is considered here as a very arbitrary and oppressive act.

All anxious to receive the President's Message, and to know if we have acquired Lower California and part of Sonora. A gun fires; the steamer? No; we are disappointed.

May 16, 1860: Gen. E. Drown and myself delayed by Col. Gitchell, in getting off from Los Angeles. Final start. Buggy with two mules, fine and large. Started Wednesday, May 16th, at 2

P.M. Pleasant drive to Anaheim; beautiful young vineyards; notice great improvement since my last visit. 27 miles. Next morning start, at 4 1/2 o'clock, for San Luis Rey Mission, about 60 miles distance. Reach San Juan Capistrano, 33 miles, at 11 1/2 o'clock; no hotel; Miguel has a dinner cooked for us by a Chileña; fare not to be complained of.

Visit Don Juan Abila; three handsome young Californian 198 ladies seated in a row on the porch; not introduced to them; exchanged glances now and then, impossible to avoid; daughters of Don José Antonio Yorba. Miss Nympha of striking appearance. Don Juan strongly condemns the action of Esparza, of Lower California, in killing recently in so summary a manner 15 desperados who had from time to time fled from this state to that region. He says that if the noted Chino Barela had been killed by Esparza, the native population of Los Angeles County would have sent a force there to expel him from authority and revenge the deed. Don Juan reasons that the men killed had done nothing *in Lower California*, whatever they may have been guilty of in this state heretofore. So, I find, all the native population argue, on the subject of Esparza's conduct.*

After the killing of Castro on April 14, 1860, by Marquez, who was under indictment for murder at Los Angeles, Esparza, who was left in command of the Lower California frontier, determined to rid La Frontera of the Californian outlaws who infested that region. About May 1, 1860, he executed Solomon Pico, Andrés Fontes, one Alipaz, and others. Serbo Varela's sentence was suspended and he returned to Los Angeles, where he was found murdered four months later. He was loved by the old American settlers because he saved the lives of a number of them after the attack at wino during the Mexican War. Some accounts state that Pico killed Fontes.—Editor.

Visit Doña Ysidora, the estimable lady of Mr. John Forster. He is now absent above, but expected on the next steamer. Doña Ysidora is a sister of Don Andrés and Pío Pico. Very lively; praises Nympha highly; insists that we must stop at her house on our return. Photograph of Don Pío hanging upon the wall, the same one I gave to Estefana, now Mrs. Capt. Johnson.

At half past one leave, the tide rising on the nine mile stretch of beach we have to travel; hasten on; coming to the hills, our mules sweating; instead of stopping to refresh them we push on; at Las

Flores, an old Mission establishment, discover that we shall have to camp for the night. One mule will not go further; he seems to consider 50 miles enough.

Here there appeared to be only a couple of *vaqueros* . They were driving a band of mares into the corral as we arrived, the sun still an hour high. One of them came to us, a native of Sonora, and kindly informed us that his *comadre* would give us something to eat, and we could sleep at the house they were quartered at. Asking me for 199 tobacco, which I gave him, he went off and we made our way back to the house. I confess, upon examination we were not much prepossessed with our quarters. I had, however, before camped in worse places. In a little while the vaquero took us, about a quarter of a mile, to his *comadre's* , who was busy cooking supper. A pleasant spoken little old woman from Queretaro, Mexico, about a year here. To all our questions she responded quickly and pertinently: "I was the bearer of the holy oils from Father Raho to the parish priest of San Diego." Mentioning the fact to these poor people, the men reverently raised their hats and the woman made the sign of the cross.

She and her husband were living in a little shed, open on three sides and roofed with straw. They are here, for the present, in order to watch their cornfield nearby against the inroads of Mr. Forster's cattle at night. She appears to be the head of all affairs; ordered grass to be carried up to our animals, etc., etc.; the supper soon came from the hands of this active housekeeper. Fried eggs, *frijoles* , coffee with sugar, we ought to have been, and were, satisfied. She told us we should have a bowl of milk before starting in the morning. Supper finished, as we were about to retire to the hill Gen. D. put a two dollar and a half gold-piece into her hand. She exclaimed, "O, what shall we do here!" as if she was at a loss for change. He told her it was all for her, with our thanks besides. We left her in the midst of the invocation she began to *Maria Santissima* and all the saints to protect us on our journey, in life and in death. One of the men brought us water; another followed us with grass. In a word, we lacked no attention from these simple people.

Fortunately our worthy friend of the Lafayette, in Los Angeles, had the day before provided us with a long loaf of bread, cut in half through the two ends and thickly buttered. The Gen. and I consumed one-half at supper and gave the buttered side to our hostess. Having neither bread, nor flour to make

it, she seemed to be well pleased. I heard her say, as if speaking to herself, "All this comes from the house of the padre!" I wonder if she did not take me to be a priest. This is a pretty valley; narrow; formerly an Indian pueblo (see my Mission Papers).

We had brought barley, in the grain, from San Juan. Finally, to avoid fleas in this dilapidated house, we made our bed on the pavement outside. The cushions of our buggy Seat served for pillows; I had brought along a double blanket; this, with the Gen.'s light shawl, constituted bed and covering. We tied the mules to a stake in front of us, stirred up the fire with brush, and retired to our "blessed couch" for we were tired. The Sonorian is married and went home, in the low ground near his *comadre's*; some candy which I had brought for a young friend further on the road I gave him for his child; who, although still at the breast, knew how, he said, to eat *dulces*. A Mexican youth slept by the fire, on the opposite Side, with less protection from the cold air of this night than we had. Just before going to sleep, he told us that people, strangers, were in the habit of coming there at any hour of the night. As a matter of prudence, for the safety of our animals, I determined to keep awake. The General slept soundly through the greater part of the night; I did not sleep at all; so I saw the new moon rise before daylight, and derived an unusual satisfaction in watching the stars.

Our mules ate indifferently; seemed to disrelish their barley which we had kept in water for them several hours, and travelled badly the next day.

18th: At daylight we were up; soon everything was in order for the start. Our friends milked their cows, but we declined the milk. Bidding them a friendly *Adios* we put out for San Luis Rey. Could not get the mules out of a slow walk, and were still 50 miles from San Diego. Concluded to breakfast at Tibbett's. 12 miles. Nobody home except Mrs. T. and her children; husband out cutting extra oats for hay. Did not think to ask her for horses; afterwards were given to understand by her husband that we could have obtained them. She is a native lady, a daughter of the old soldier Don Juan Rodriguez of San Diego, a charming woman, an admirable housekeeper. In a little while, 201 she gave us a good breakfast. Long chat with her, while the mules were greedily devouring the oat hay, for two hours. Pretty and interesting children. Tibbetts is from New Hampshire; branch of the family in San Diego. His improvements. Miss Mary Tibbetts. Former stage route of Capt. Paul.

Fruit. Soil. Mission of San Luis Rey. Don Jesus Moreno's letter, once Sent by me, to San Juan! An Indian *rancheria* remains here, near him, on the river; it has some peach trees. The oat hills run from San Luis Rey River toward Santa Margarita valley; they can yield an immense amount of hay.

Don Jesus Moreno, Don José Antonio Pico with his spouse, Doña Magdalena, occupy part of the Mission buildings; keep little stores. Don Jesus is justice of the peace. Alas, the cherished *fiesta* is now interdicted by the Vicar-General, my old friend Father Raho, on account of the disruption and irregularities attending it.

Don José António Pico and Don José António Cot held a claim of twelve leagues, including this valley and Pala, from Governor Pío Pico, which has been confirmed by the U. S. Land Commission to their assignee, Wm. Carey Jones. To the Catholic Church has been confirmed the Mission Church, with buildings and gardens, containing 53.39 acres. This was the last [eighteenth-Ed.] Mission established in California. It is said to have surpassed all the others in splendor. It is fast going to ruin. When I first saw it, in 1854, an expenditure of \$500 for repairs on the roof would have preserved it many years. In its decay and solitude the old grandeur yet lingers there. Its condition January 2, 1847, when Commodore Stockton and Gen. Kearny encamped there, is thus described by Dr. John S. Griffin in his *Unpublished Journal* :

This Mission is situated in a large valley, with handsome grounds. It is an extensive building, the front being five hundred feet, including the Church which is said to be beautifully ornamented. It was locked up and we did not see the inside, though some of the sailors did break In at the back window, and, I am sorry to say, removed articles, fortunately of little value. Every effort was made to discover the sacrilegious scamp, without avail.

The rooms in the Mission are very commodious, many of them adorned with rude paintings, some of saints, others of birds, marvelously resembling a goose, (the refectory). The chairs are of oak of the most 202 capacious dimensions and covered with dressed skins; the sofas also are of oak of like capacity.

There is the finest and most extensive vineyard, olive garden, pear orchard, a great deal of land enclosed for gardens; the fences made of adobes and covered with tiles; the lands well irrigated, with beautiful reservoirs for water.

The internal face of the building is a square about 300 feet on a side, with the corrals and what I took to be the quarters of the laborers on the right flank. Colonnades all around the four sides of the square. The whole front of the Church to the right is a long row of colonnades. The whole building presents a most grand appearance. It is all of brick about eight inches broad and some two inches thick. It is roofed first with reeds, then with some composition; over that brick and earth, tiles covering the whole. These tiles present very much the appearance of a flower pot split vertically and the bottom broken out.

Refreshed by the kind hospitality of Mrs. T., we started full of hope for the rancho of Col. Cave J. Coutts four miles distant, passing the Mission buildings. Arrived at 3 P.M., received by his excellent lady, Col. not at home; soon he came, with Dona Ysabel Alvarado, who is to remain in charge of the house until the return of the Col. and lady from Los Angeles, for which place they start day after tomorrow. Mrs. C. has been seriously sick; sad to see the change in her appearance, all the roses gone from her cheeks. Of her children, Billy, Cuevas, Nancy are here; Maria Antonia is at school in Los Angeles. Mrs. C. a daughter of Don Juan Bandini. Her flower garden; passion for flowers. This rancho the abode of industry, elegance, and hospitality. Almost "open house." Recent sale of cattle, 200 head at \$30 per head, good in these times. Col. C. almost lives within himself. Crop of barley fine; windmill; reservoir for irrigation; store; workshop; proposed dam. Col. C. native of Tennessee, former Captain of Dragoons. His anecdotes of Nathan Boone. Number of this household, Indians and all included. Juanito Marron in the character of a vaquero or mayordomo!

Conn, an old soldier now in the employ of Col. C., came from the barley-field about sunset and did everything for our mules. Col. C. cannot let us have horses, having sent up his work-horses with the cattle, except those he needs for his trip to Los Angeles. Have to stay, and rely upon our own animals, with an early start, to reach San Diego before noon of Saturday.

Saturday, 19th: Off at half-past six; beautiful road through immense fields of wild oats to Encinitos, 13 miles; make it in 2 1/2 hours, unavailing, soon we enter the hills and it becomes certain that we shall not arrive at San Diego as we expected to do. For the most part, a dreary country from this rancho on. Stop to give the mules water at Soledad. Meet the young widow of Don Bonifacio Lopez, recently deceased. Smiling and polite; she is just out of her garden; with a man's hat on, I did not know her at first. Two boys, "chips of the old block"; she says she has at her father's (the place has the cognomen of *Valle de las Viejas*), several young single sisters!

Gen. D. pointed out the steep ascent, and a narrow path indeed, up which Don Bonifacio used to gallop his horse, full speed, and down again at the same gait, to the infinite admiration of his fellow-countrymen, all of whom are remarkable for their horsemanship. It is in view of his residence, quite near; if I lived there, so perilous is the feat, that it seems to me it would haunt me in my sleep. This land of Soledad is claimed by the City of San Diego, and has lately been offered at public auction, with what result I do not know.

Twelve miles more, road pretty good, brings us to the door of the Franklin House. As we drive up, we see a crowd about the courthouse, where a trial is going on. They come to greet us, with the characteristic friendliness of all the population of this place.

We are too late. *At noon* the Sheriff adjourned the District Court till next term. Many persons were disappointed, but I found, upon inquiry, that there were only two cases that could have been tried.

The "celebrated" Esparza had left about half an hour before I arrived. He was there as a witness in a case between Don José Saiz and Mr. R. K. Porter, both of Lower California. I regretted not having seen him; a conversation with him would have been useful to me.

He certainly has done a bold deed, and monstrous, if it be wrong. While here, a subscription was made for a 204 grand ball which was proposed to be given to him in honor of his conduct. There are

few American ladies, comparatively, and the ball “fell through,” the Californian ladies declining to attend. The expression attributed to one or more of them was: “We will not dance in blood!”

All the Americans, however, warmly applaud Esparza. It seems, among other of his proceedings, he ordered his partisans to kill William W. Jenkins, a refugee of Los Angeles, wherever he should be found. He was pursued even to the rancho of San Ysabel, far on the American side of the line, but they did not overtake him. Jenkins had been accused of burglary here, and fled. The charge cannot be maintained. He is most respectably connected at Los Angeles. I suppose that his life was sought, in revenge for his having killed a Mexican at Los Angeles, some years since, when acting as constable, for which he was indicted, tried and acquitted. Many of the population of Spanish descent have now forgiven him.

Sunday, 20th: All San Diego is in a ferment. H. Dalton, convicted yesterday of grand larceny in the Court of Sessions, escaped last night from the cage of iron that constitutes the county jail; he must have been aided from the outside, and suspicion fixes itself upon two boys whose sympathies he had managed to excite.

Col. Kenrick, Judge Witherby, Jack Hinton, John Minter, Yager of Fort Yuma, are in the city. Col. K. has obtained from us the promise to visit Pala and Temécula to see the condition of a portion of the Indians under his care. Jack H. says that he often sends up to Los Angeles, to inquire “if the Judge has been drinking!” Judge W. invites us to pass by his rancho on our return. And I have had the pleasure of visiting the bride of my old friend, Minter. Hinton has offered \$20,000 for six leagues of the rancho of Santa Margarita; he has now about 1500 head of cattle. Judge W. offers to sell his rancho, Escondido, or Rincon del Diablo, gold-mine, cattle, and all, for \$30,000; he wants to go back to his native state, Ohio.

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22d: The steamer is in. “Charleston Convention” dissolved; the “Heenan fight” confirmed; these have been the prominent topics of discussion. Attend to some chamber business. All well in Los Angeles, at least all of my family, but a friend of mine has met another blow in the death of his

child, and the information I have concerning the scenes, at the funeral obsequies of the mother, is distressing.

Take out the buggy, and Mr. Mason kindly drives me to New San Diego, to visit Capt. and Mrs. Ketchum, Dr. Edgar, and Lt. and Mrs. Moore. There, meeting Capt. Seely, we go aboard the steamer, to shake hands with the jovial Capt. Gorman. Agreeable visit to these officers, and the steamer.

At night call to see the ladies at the Estudillo mansion, Miss Reyes, Gertrude Arguello, Ysabel Pedorena. Ysabel is very jocose; calls me her uncle. In the pretty fashion peculiar to San Diego, I put on today the colors of a lover, *novio*, a white pink. But, alas, it was given to me by a married lady; and yet not alas, for she is a warm friend, Mrs. Sarah Doyle.

The suspense is over. The indefatigable A. B. Smith, 40 miles from here, and near San Luis, caught the escaped Dalton, and brought him in an hour before the steamer was to sail. The court met and, in the excitement, sentenced him to imprisonment for *twelve* years. The prisoner is quite a young man, of handsome address; he sent for law books and defended his own cause, exhibiting, however, a proficiency in law rather suspicious and indicative, many thought, of a previous familiarity with the police office.

Wednesday: A glorious day for a journey. Bills paid; with a lunch for four, barley for the mules, and kind adieus, we start, accompanied by Col. K. and Judge W. At Soledad no sign of the black-eyed widow. Eighteen miles further brings us to a spring of cold water, under a wide-spreading sycamore, on the rancho of Penasquitos. Lunched on ham, hard eggs, and delicious bread, put up by Mrs. Ware. For 206 several miles the road, in good condition, runs up the canon of Paguay; leaving it finally, another level stretch is passed over rapidly, and we descend the only hill we have seen for 20 miles, to the bottom of a stream, where Gen. Kearny was so closely pressed by the Californians in 1846. The Judge and Col. K. rode on to the rancho of the former, a mile and a half beyond, while we went up to call upon Mr. and Mrs. Henry Clayton of San Bernardo. It is bad to wake Some men

out of the *siesta* , yet we had a few moments of pleasant chat with the family. Tea and ham and eggs offered; “saved ourselves,” however, for the repast in store for us at Judge Witherby's.

His rancho is buried among lofty hills, over one of which, very steep and long, I walked in the approach. At length, the houses, with the camps of the miners, appeared in a view close to us. Here we found Dr. George McKinstry, from San Ysabel. Visited the miners, Jno. O. Wheeler, James W. Morrow, from Los Angeles; a company of three others called “the Cincinnati boys”; and the negro Jesse who works, like Col. Benton, “solitary and alone” and to whose industry, indeed, we are indebted for first putting this ball in motion. Wheeler guided us a quarter of a mile off, upon a high ridge, to the “diggings” and shewed us the different operations of the several parties interested. For me all was new; I have never before seen a gold mine. I obtained much information as to quartz, processes of mining, etc. Brought away fine Specimens of quartz. With the machinery now in use, \$40 per ton is the highest yield, exclusive of the value of the tailings. An experienced miner I have met with since, tells me this quartz is among the richest in the state, if worked in a proper manner.

Judge W. was never married. The visitor regrets that the house is not presided over by one of the fair, but Capt. Kelly is a capital cook, the Judge a sociable host; one is comfortable, “free and easy,” while he stays, and departs with feelings responsive to the kind invitation to return soon.

24th: We left next morning; a level road to Col. Coutts'. The 207 house more lonely than when we passed a few days ago. Billy and Nancy entertain us with their prattle; Nancy, who does not talk plain yet, tries to please me with the flowers, as we are walking through the garden. Coming back, I find Billy tying a little dog up to a post, I cannot tell what for; presently he brings a big currycomb and brush, which he can hardly manage, and by his treatment of the imaginary pony, I can comprehend what is running in Billy's mind. Doña Ysabel is quiet, a demure widow, I cannot draw her out, even with the potent artifice of patting her fat little boy on the head, every chance I get.

Blount Coutts, brother of Col. C., arrives about sunset. The children have not seen him for a long time; they are now full of glee; little Cuevas, the most talkative of all, went with his mother to Los Angeles.

25th: Supper, such as one has here, gave me new life. Long before dusk, next day, we were at San Juan. Mr. John Forster had returned, Mr. and Mrs. Coutts had got that far, on their way home; Charley Johnson accompanied them. Cuevas and I are soon again on the best of terms, and when I finally bade him goodnight, it was with a promise to send him a steamboat full of marbles. I gave Mrs. F. a beautiful wildflower from the *barrancas* of Las Flores, which I had carried in the buttonhole of my coat. She politely placed it in the vase of roses on her centre-table. Don Jesus Guirado here. After supper, he accompanies with the guitar one of the little girls of the family, who sings very well her Spanish songs, breathing the very "spirit of love."

By the industry of a little Italian, the old Mission garden, which three years ago I considered ruined, has been completely restored. Olives, pears, that once administered to the enjoyment of the Fathers, are again productive. Many young peach trees have been planted. Corn, every species of vegetable, alfalfa, etc., etc., are growing luxuriantly. The Italian is trying an experiment with Russian wheat. A fine stream of water was running through the garden at the time, but the scarcity of water, in this valley, is a considerable obstacle. I would consider it almost a 208 miracle, if this garden brings to maturity every thing that is planted there, yet the Italian and Mr. Forster are both Sanguine. San Juan was named San Juan de Arguello after Don Santiago Arguello, when it was organized as a pueblo.

We slept in a beautiful room, and a bed most favorable to sound and delicious sleep. A nice breakfast was ready, before I was dressed; I did not let them wait for me long. I should not forget the Rev. Father Vincente Slover, parish priest, whose amenity attaches everyone to him; nor refrain from an expression of the regret that is felt in contemplating the poverty and dilapidation of the church in which he celebrates the divine services. The people have had the design of rebuilding

the old edifice that was destroyed by an earthquake in the year 1812. The expense is estimated at \$7000. The present state of their pecuniary affairs delays an undertaking so desirable.

26th: The ladies of the household were at mass, and we were compelled to leave without seeing them. We made Los Angeles, 60 miles, at about half past eight o'clock, stopping at Anaheim a couple of hours to feed the mules and take a lunch ourselves.

And I am glad to be at home again!

When we struck the plains, nine miles this side of San Juan, a beautiful mirage off toward the seashore, lofty cliffs with two vast bays on either side, connected by a narrow channel, the scene changing about mid-day only, as it were, to exhibit an outlet to the ocean, the whole, with the white tops of the hills thus created by the freaks of Light and Fog, being, to perfection, an Arctic scene. Even as the twilight faded away, beyond Los Angeles, the two bays could be seen, apparently divided by a belt of land, one of a crimson hue, as when the sun's last rays tint our mountains, the other of a deep blue, or rather leaden color. The whole day, until we entered the city, we enjoyed this spectacle. I have never seen it before so splendid on those plains.

We passed in view of the little hill, or mound, near which Barton was killed.

THE MISSION OF SAN LUIS, REY DE FRANCIA

THE MISSION OF SAN JUAN CAPISTRANO *Copyright photograph by C. C. Pierce of paintings made by E. Vischer in 1865.*

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Since my return, Wheeler and Morrow have washed up their 20 days' work at the mine above mentioned; the yield is about \$33 to the ton of ore. They have come to the city now, to get better machinery. I have mentioned Jack Hinton, as we call him; ^{*} he was formerly a soldier in the Dragoons, more recently a merchant at San Diego and Fort Yuma.

Hinton's real name was Abraham T. D. Hoornbeck. He was from Rondout, New York, assumed the name of Hinton, and enlisted in the U. S. Army for the Mexican war. The firm of Hinton, Hooper, & Co., had extensive

Interests on the Colorado River and in Arizona. He also owned several thousand acres of land in San Diego County. His interest in the famous vulture mine in Arizona was very large. He died at the Agua Hedionda ranch on June 26, 1879.—Editor.

June 18: Started for San Bernardino. Passengers Letha Alice Ballou, Rev. Hosea Ballou, Greward and child, two Jews. Foggy till nine. Road to San Gabriel. Mission of San Gabriel, past and present. Prickly pear fence. The Monte. Thompson. Rubottom. San Gabriel River dry. Workman's and Roland's. Great numbers of cattle and horses. Palomares. Valley of San JoSe, thence to Cocomunga. Wild flowers. Clancy's. Meet Allen on his way to his vines. New brick house. Postoffice box on the fence. Scenery on the road at Cocomunga and toward Robidoux's. One acquainted with the people and country has many interesting reflections. Grass all dry. Rancho del Chino. Desert to Garner's. Arrive in town a little before sunset. 63 miles. Road made by Mormons, it has not the same busy aspect as formerly. Crops this year. Bear Valley. Dullness of business. Dancing. Schools. Meeting with old friends, Conn, Allen, Dr. Wosencraft, Col. Jackson, Judge Brown, Judge Boren. Ventriloquism. May Edgar. Mining prospects in different directions. Establishment of San Bernardino *Herald*. Porch of Jacob's hotel. Jacob's quarrel with the ventriloquist. Matrimonial relations here, Mormons. Manuel Ochoa and Cayetano Martinez. Shea's case.

Visit of mine and Emily's over the county when I was a candidate—the scene at Chino—Mrs. Hereford, etc.—the Mormons—the Monte—at Dr. Macey's—at Miguel White's—at Alvarado's.

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July 10: Started to San Bernardino. Passengers John Brown, Rev. Mr. Greward, printer for San Bernardino *Herald*. Silence of Mission San Gabriel. Long range of hills as we approach Palomares'. Joseph Winston encamped at Clancy's with his waggons from the Mohave. Friendly Irishman from the neighboring mountain. Garner's, his money adventure as John Brown tells it. Visit to Mrs. Brown and Laura. Proposed baptism and party. Dancing-school. Miss Pearson and “O Gently Breathe.” Court next day, the case of the Justices of the Peace. Jno. Brown and Bottsford waltzing. James Waters. Visit to Mrs. Whaley's, whose child we were to baptize. After supper visit to Brown's. Return to Los Angeles. A Jewess on the stage, Mrs. Cohn.

Great excitement prevails in the city of San Diego, and, indeed, throughout that whole section of the country, in regard to the affairs of Lower California and the safety of Esparza. He has the sympathy of all of our peaceful and law abiding citizens, and we do most sincerely hope that he will rid the country of that gang of desperados who now infest that unfortunate country.

Intelligence was brought to San Diego in the beginning of the week that Esparza was encamped at Ysidro with 150 men, but only 9 pounds of powder. The citizens immediately assembled and raised funds to procure munitions. Col. Cave J. Coutts acted nobly on that occasion; he readily consented to lead any company that might be raised to march to the assistance of Esparza. This, afterwards, was deemed unnecessary, as it was found that the Governor was not only well fortified, but had been joined by a number of Americans, among them a company of otter hunters, unerring marksmen.

On the 31st ult., the citizens forwarded 125 pounds of powder, with lead, caps, etc., all that could be obtained. This was forwarded by sea, on board a whaler, the party entrusted to have \$100 for his services. The reason why so much interest is felt on behalf of Esparza is, because the people of San Diego have been protected by him in their persons and property, to a greater extent, they say, than the U. S. Government has ever afforded them.

Mendoza, the enemy of Esparza, has with him about 400 persons, of whom about 40 are Mexicans, the remainder Indians. It was rumored that he had been appointed Governor, but it was false. He is the leader of a band of murderers, nothing more. Yet even he has his sympathizers. For a woman (whose name we withhold), was procured to purchase ammunition to forward to this gang of cutthroats; 70 pounds of powder were thus obtained, previous to the condition of Esparza being known.

Great Indignation is felt at San Diego against George Ryerson for his course in favor of Mendoza. He searched Mrs. Porter's 211 house for arms, took all he could find, with five or six saddle horses. Mr. Porter was at the San Quentin salt mines, loading a brig.

Los Angeles Star , Nov. 3, 1860.

(List of outlaws whom Esparza was attempting to drive out of Lower California.)

The above is a list of most of the band of thieves, as furnished me by the best authority in Lower California. They are probably all now in Los Angeles and San Diego counties, to the great annoyance of all rancheros.

Esparza has located himself at Descanso, about 14 leagues from San Diego, with a sufficient force for protection against such bandits as may now be preparing about Los Angeles to make another attempt to take his life and make a home for thieves. In the meantime, what are our glorious Federal authorities doing, and what have they been doing? Well may the citizens in this county say that Esparza has given us more *protection* than our own great Democratic Government.

José Matias Moreno, * of San Diego, is looked upon as prime mover in all that has been going on below; and now, for fear Esparza may come up to San Diego after him, has left for up country in haste. This man, who has been ruled out of court in land cases, has been in San Diego a number of years at the favorite employment of *doing nothing* , in hatching trouble in Lower California, and thereby keeping this country in a constant muss. We truly hope to see Esparza here in town, and to pay this said Don Moreno a visit, which we have every assurance he will do.

José Matias Moreno, a resident of San Diego, was Secretary of State of California under Pío Pico and frequently testified in land cases. He claimed to have been commissioned Governor of Lower California by the Mexican Government early in 1861. a commission which Esparza also claimed to hold. In the absence of Esparza, Moreno attacked Descanso, but later withdrew to the mountains. He had 200 men. At San Diego this force was taken for Mendoza's outfit and Maj. Armistead proceeded to the line. Moreno was suspected by the better class at San Diego. The Bandini and Arguello families, who were friendly to Esparza, moved their personal goods and stock up to San Diego early in 1861. a large number of persons from La Frontera having come there.—Editor.

Mendoza is supposed to be lurking in the vicinity of San Diego, though he is reported to have gone to the Colorado. The Ibarra are reported to have stolen a number of animals, both cows and horses, and driven them up in the vicinity of San José, in Los Angeles county, where they have relations.

Los Angeles Star , Dec. 18, 1860.

August 13th: Chauncey went to Public School of Miss Emily Foy. His aunt took him; he cried, so a little girl tells me; well that I was not there, else I would have yielded to my sympathies and taken him home again.

August 15th: Chauncey went to sleep to-night at his Aunt's, so that he can go to school early tomorrow morning. I take Miss 212 Laura M. Brown and Miss Kate Whaley to the Sisters of Charity to-day.

16th: Court in session. Chauncey's school fever did not last long, he did not like it so well in a short time, but he was taken away for another reason which, I believe, I have explained somewhere. Bright starlight, cool, no arrival yet, midnight, from the steamer. Overland mail from San Francisco not arrived; it was due yesterday afternoon.

Jan. 9th and 10th, 1861: Both fine days, except toward dusk, when clouds threaten rain again. Steamer arrived on the 10th and the Overland Mail due last Monday. The steamer was reported to be seen entering San Pedro yesterday about sunset. They bring news little favorable to the Union. What fanaticism, or obstinacy, is this of the Northern States, that maintains a bar to harmony, constitutional government, liberty!

[Sunday] Jan. 13th [1861]: I was mainly induced to go by land to San Diego, on this occasion, by the desire I have long had to see this region when clad in its verdure. All my other journeys by land except in January 1850 have been in the dry season. We have no stage now, and the expenses are greater; but I thought I would be amply remunerated by the improvement in health, as well as the acquisition of information of the exact condition of the people and their affairs. Chauncey too needed such a trip; he was just about well enough for it; the weather had the appearance of being settled. I determined to take him along, in fact, I could not conveniently leave him here, under present circumstances.

J. R. Scott, Esq., started at the same time with John Rains. District Court adjourned the 12th. Procuring a buggy and two horses, we started about 11 A.M. Mr. Samuel Prager accompanying us, a most pleasant companion, and quite a favorite at San Diego.

13th: Chauncey's valise well filled including a bottle of 213 cough medicine, of which, it turned Out happily, he took none, not coughing once even. We had reason to congratulate ourselves on having taken an extra pair of blankets, which his aunt and Cousin Mary pressed upon us. The beautiful kite I had made him to take along, he concluded on leaving to present to his cousin Fred. Dressed in red flannel shirt, with horn over his shoulder, he well represented a hunter, and still more when, at Chino, I made him a bow of a willow branch, with sticks of the same tree for arrows. He had plenty of marbles, too, both for himself and for little Cuevas, the youngest son of Col. C. J. Coutts, of Guajomito. Philip Of the Lafayette, provided us with an excellent lunch. We are off!

The morning is clear and delightful, the horses splendid, the carriage commodious for the three, the roads good, notwithstanding the recent rains, nor did we find any trouble at the rivers, as we had apprehended. The Los Angeles, San Gabriel, Santa Ana, Santa Margarita, (at the head), San Luis Rey, San Diego, all had plenty of water flowing briskly, but easily passed. Within a few hundred yards, in the approach to the Santa Ana, one of its sloughs, or a creek, (I forget whether this is a separate creek or not), was deep enough to run a little into the buggy, our only difficulty as to water, if I except three wet places of no great distance, in the valley of San Jose, Chino, and Temecula, respectively. The pass of Temecula, leading toward San Diego, is always spoken of as "very bad" and even in more exaggerated terms; this is the second time I have crossed it (once before in 1858) in a carriage, and without other inconvenience than a walk up the short ascent.

On the fourth day at dusk we reached San Diego. The whole distance is 154 miles, as follows: From Los Angeles to the Monte 12 miles Thence " San Gabriel River 2 " " " Workman's 6 " " " Ricardo Vejar's 6 " " " Chino 12 " " " Santa Ana (crossing) 8 " " " Temascal (rancho) 9 " " " Lagunita " " Laguna (ranch house) 15 " " " Willows (station) 11 " " " Temecula 10 " 91 miles

From Temecula to Guajomito (Coutts') 25 miles Thence " Encinitos (A, Ybarra's) 13 " " " San Dieguito 7 " " " Soledad 6 " " " San Diego 12 " 63 miles Whole distance 154 miles

As we went direct to the pass of Temecula, I estimate our distance at 150 miles, the village of Temecula remaining to our left, that is to say, the main village where is the Overland Mail Station.

We returned by San Juan Capistrano, a distance of (?) miles, a table of which it may be well to insert here:

From Los Angeles to San Gabriel river 8 miles Thence " Laguna (new rancho) .. " " " Los Coyotes (rancho) .. " " " Anaheim .. " " " Santa Ana river (crossing) .. " " " House of Sepulveda .. " " " Junction or road to Teodosio Yorba's .. " " " Serrano's (or Aliso's) .. " " " San Juan Capistrano 9 " " " Mouth of valley on beach 2 " " " San Mateo (creek) 8 " " " Las Flores (houses) 9 " " " Santa Margarita (crossing) 6 " " " San Luis Roy Mission 3 " " " Guajomito 4 " " " San Diego (as above) 38 "

This last road is somewhat more sandy than the other, and, upon the whole, more level. From Los Angeles, in one direction, it is level to the river Santa Ana (46 miles), winding through the high hills of the Rosa de Castilla rancho near the city, then returning to those that hem in the valley of San José; at length ascending from the Santa Ana to the mountain valley of Temécula, and its loftier pass. Thence over a broken country, with long slopes on the southeast side of the hills and ridges, it descends to Montserrate and the banks Of the San Luis Rey; and over the same character of ground, not without an occasional level of a mile now and two miles then, as on leaving Buena-vista (Soto's), at San Alejo, Soledad, and False Bay, it enters the "Old Town" of San Diego.

On the other hand, you have a level plain, it can hardly 215 be called otherwise, from Los Angeles to San Juan. A little valley communicates with the seashore on which, at low tide, as we found it, the carriage easily moves at the rate of eight miles an hour, up the bank of San Mateo, you have for the most part level ground, or only a gentle rise, to Las Flores; here a long, easy Slope leads to the

bad hill of Santa Margarita; and beyond the river of that name another lofty rise occurs, separating this from San Luis Rey river. Thence four rapid miles to Guajomito.

At the Mission of San Luis Rey, another road goes off intersecting that we travelled at Encinitos, distance, 16 miles; passing by Agua Hedionda rancho, now in the possession Of my old friend Jack Hinton. The long slopes on the southeast of the ridges make this more pleasant going than coming. I always avoid it when I can, having still a vivid remembrance of trying to find San Luis Rey one night on my way to celebrate the *fiesta* of San Luis in company with Hon. J. W. Robinson. Within a mile of the Mission, just below the ridge by which you approach it, we became somewhat *bewildered* , wandered about hither and thither, repeatedly, as we ascertained at daylight, tracing the track of our own buggy in the sand, to the infinite amusement of the ladies of Guajomito, to whom we tried to account satisfactorily for our non-arrival at an earlier hour. It ruined the feast for me that day. This was the mail-stage route, when we had a mail between Los Angeles and San Diego.

Left Los Angeles January 13th, arrived at San Diego 16th. On the 22d we left on the return to Los Angeles, where we arrived 25th.

I have often traversed this road, with very various feelings, and objects; for me it is full of memories; as a weary emigrant I first saw it, and about the same season, I think. I miss some of the herds, that then fed upon its rich pasturage. In their place, however, perhaps as much of mere wealth, indeed, much more, must be centered in the flourishing settlement of the Monte, which was then inhabited only by a few souls near its lower end, or the Mission Vieja. The population too of the Mission of San 217 Gabriel has considerably increased, and even may now be treated with the dignity of a Town. Then, almost my first acquaintance, Mr. John Roland, having married a second time and to an American lady, rejoices in a mansion of brick, which is conspicuous as you pass within a few hundred yards; first pausing near, to take a glance at the Catholic Chapel recently erected by Workman. As of old, the plain in front of them, and all the hills, are covered with their cattle, and horses, and sheep. I should call this the heart of the County of Los Angeles, taking together the Mission Of San Gabriel and farms thereby, the ranchos of Santa Anita and Azusa, the Monte with its schools and stores and hard-working American farmers, and the valley of San José

up which the road goes after leaving the Puente, which is the name of the rancho occupied by the Messrs. Workman and Roland. It is long Since I have visited these gentlemen, and this reminds me that thus I have lost one Source of enjoyment.

Mrs. Roland was the widow of an emigrant from Texas, Mr. Gray, who was killed.

The trials of the first settlers have been severe, and these of the Monte have had their share; not the least being the uncertainty they have so long had as to the title to the land they have literally made to "blossom as the rose." It is all claimed by Workman, under an alleged grant of Gov. Pico, as part of the Mission. But of this in another place. The Monte, its first wood-choppers, its present snug farmers, its roughness and its polish, its "public opinion," distinctive, in some respects, from that of the rest of the county, its religion and temperance and politics; all this would supply an interesting theme for reflection, in considering our social progress.

Speaking of Workman's chapel, I have often been tempted to ask myself, has he built this to satisfy the condition in the grant of Pico, which was to provide for the maintenance of religious worship at the Mission?

The Monte boasts of a town called Lexington, where there are some stores, etc. The hotel of Mr. Gabriel Allen is some distance beyond, on one side of the road. Where 217 we cross the river San Gabriel the sand absorbs all the water in summer; but a few miles below, a new river (as it were) issues forth, which waters a considerable tract on the Ranchito of Don Pío Pico and Santa Gertrudis (now of Gov. John G. Downey).

Leaving all thought of these, we enter the valley of San Jose, full of agreeable people, fond of festivity, industrious withal. Here I have electioneered, and "with a vengeance" too. And here I have twice received every vote of the residents. Let me think; a ball once cost me \$400. This *Valle Josefina*, verily, I should well remember its green fields and picturesque hills. Kindness rules these people when they deal with me, and I meet them always with good will. The feast of San José. Guitar (peg lost). Ricardo Véjar and 100 in family. Palomares. My heart would be cold to forget the faces of old I was ever happy to see in this smiling valley. Alvarados, Véjars, Ybarras, their

fortunes have changed since 1852, and threaten yet a greater change as the spirit of speculation begins to brood over and close around them. Longer here perhaps than elsewhere have lingered the ancient California customs, the elegance of manners, natural hospitality, courtesy, mirth. Home of *jarabe* and *son*, of Trust as well.

We pass through without stopping, so many of our friends have gone to the Rincon, where last night was married a son of Roland to Zenobia, a daughter of Don Bernardo Yorba.

Reach Chino at sunset and summon to our aid John Rains, from the warm fire where he and "Old Scott" are spinning yarns. By family interchanges, the present proprietor is Thomas Carlyle, now absent above. He married one of the daughters of Col. I. Williams; John Rains married the other, Merced. A vast estate thus came into good hands, for both are enterprising and safe men. Mr. Rains will soon remove from here to his own rancho, adjoining and immediately opposite to this, namely, Cocumonga. Col. Isaac Williams once owned the Rincon on the river Santa Ana and bounding the present tract; exchanged it for the Brea in the hills to the west, in which he fondly imagined there was a coal mine; subsequent examination proved it to be the common brea or pitch of the country, used in covering the roofs of the houses. This was one bad speculation, for the Brea rancho is practically worthless, the Rincon very desirable, particularly to the owner of Chino, both as additional range for his cattle, and for agricultural purposes likewise.

Who can count the expenses of this liberal gentleman in his day? His hospitality was unbounded, in fact, his house ever Open. Sometimes he was victimized. A lawyer and lady came along, she remained to teach his young daughters, the husband, on contract, to make mattresses. Out of this, a few months' entertainment in this bounteous domicile, grew a lawsuit; in the end, a judgment by default for \$4000 and costs. Another exacted half the amount, on some agricultural arrangement, and destroyed a good vineyard into the bargain. It is surprising that he remained worth so much at his death, with his losses.

Mr. Rains pointed out to me three of the children who now, with their mother, are living at the rancho. The mother is a daughter of Pablo, now deceased, who was chief at Temecula when I

passed there in 1850; she has been married twice since the death of Col. W. Her first husband, Holman, died; the second she was divorced from after he had squandered much of her property. The education of the children is amply provided for in the will, and is a permanent lien upon the land. The children are handsome. The story of Pablo; his title at Temecula; Col. Williams and the Indians generally; his treatment of them; his idea, as he told me, in accepting the Indian agency from Commissioner Barbour; the story he told me of his knowledge of the gold on the Sacramento; his arrangement with Captain —— for bringing him muskets on his ship, and for bringing 500 men across the mountains from the States; what Don Abel told me when I mentioned this; Col. W.'s resistance to Mexican officers who demanded to search the house.

Rally of Americans here in the war; attack upon the house; surrender; imprisonment of Roland and others, B. 219 D. Wilson, James S. Barton, John Reed, etc.; Col. W.'s claim against the U. States for war damages; his visit to Washington; appointed Collector.

The night passed off well, without other incident than the arrival of some gentlemen from the wedding.

The mountain of San José in front is covered with snow; San Bernardino too, and San Jacinto are in sight. The city of San Bernardino is distant 30 miles, passing Guapa and Jurupa ranchos, and the New Mexican settlement of Agua Mansa, a plain (it may be said) the whole way, much of it deserving to be characterized as a desert. We are now in the county of San Bernardino, the west line of this rancho being the boundary. Chino full of cattle; those of San José mostly range here, which used to be an “eternal torment” to Col. W. He even meditated much upon fencing in his whole land to keep out intrusive neighbors, whose cattle were too numerous for their land.

Breakfast; *adios* to Doña Merced and her three pretty children; pass the road leading to Temescal Tin Mines; lunch on a pretty rivulet. Cut some more willow arrows for Chauncey. He is keen to shoot birds, all of which, however, get off before he can have a shot. I am surprised and pleased with the knowledge he has of different species of birds; beats me, with my nearsightedness also

against me. Dr. W. W. Jones gave me an account of the Tin Mines last year; he was then one of the proprietors; has since “sold out,” I believe, at a good price.

Temescal appears to be in decay.* Some men are repairing the old house. The Pass here is narrow; road good. We are ascending rapidly. Did not stop at the station; Mr. Greenwade lives there; married to the widow of Capt. Dorsey, whose tragic death is so well remembered.

The claim of Leandro Serrano's successors In Interest to Temescal was rejected by the U. S. Supreme Court. In 1819 Señor Serrano was given a license to occupy, and he remained on the land until 1852. his right never having been questioned. It was held that his written permission to occupy showed that his possession was only temporary. (5 Wallace 451.)—Editor.

From Santa Ana to Laguna, there might be a few small farms. There is one.

At length, the sun gone, we are going down by a long and gentle slope into the valley of the Laguna, over which 220 already hangs the shadow of night, while, in the far distance to the northeast, appear first the crimson hues of San Jacinto, and presently of San Bernardino also; we watch them with pleasure until they fade away, and their crests would be deemed only white fleeces of mist, if we did not know they were deeply laden with snow. And still, in the higher sky a faint tinge of pink in a long belt reflects itself upon the placid lake. This is a small sheet of water, perhaps three miles broad; brackish; now full, but went dry singularly last summer.

Night is coming on, and we must go to Kline's, some four miles on this side of Temecula. Chauncey is persuaded to sit in the front of the buggy, wrapped well in the blankets; our coats are buttoned close; and we proceed at a more rapid pace. Six miles brings us to the Willow Station. Cordially met by Mr. Clift, the road-agent. Rains and Scott “partake”; I get a bottle of fresh water for Chauncey. A pool of water, for a quarter of a mile through which passes the road. Mr. ——, who was riding along in company, had started ahead to have supper ready, so when we arrived we had not long to wait. Rough supper, however; no coffee; beds on the floor. Moody is talkative, as four years ago; and kept on after he had gone to the next room; but Kline telling him I wished to sleep, he closed. A pretty good sleep before the fire; good to see once more an old-fashioned western chimney. Of course, travellers do not stay at any of the Overland Stations, unless in case of clear

necessity. They let us have a sack of barley to take along, fearful that Kline might not have any; this was soaked and fed to our animals. Kline and Moody have been here 7 years, have 200 acres under fence. Report says they are worth \$20,000, made here. They formerly raised grain, found it unprofitable; too far to market. They cut a great deal of hay every season; it is excellent; four kinds of clover, besides the pin-grass. Their stock in fine condition. Kline is from Pennsylvania. He denounces interference with slavery, but says if a Pacific Republic should be formed, he will go to Oregon. He settled here supposing it would turn out to be government land; in the uncertainty 221 about this, he has not made any very valuable improvements. His tract is claimed by Don Luis Vignes, of Los Angeles, or his assignees.

In the mountains near is Santa Rosa, a good sheep rancho occupied by Machado. He has also bought Laguna from Don Abel Stearns. The Indian cultivation is further up the valley. Santa Margarita heads here, running out through a narrow canon to the ranch house of Santa Margarita. There is a trail from Temecula to San Juan. To San Bernardino from here, passing Agua Mansa if you choose, a first-rate road, with sufficient water and bunch-grass at this season, and indeed in summer, for the traveller. To Warner's Rancho from here the distance is 39 miles, according to the Overland Mail estimate; from Warner's to Fort Yuma 158 miles, to Gila City 18 miles further.

Standing on Kline's porch Mount San Bernardino looms up due north, San Jacinto more to the east, both very plain, and in this atmosphere seeming much nearer than they are. At the foot of the latter lies the rancho of San Jacinto, belonging to the Estudillo family of San Diego, a large tract, of great value for stock purposes. One sees and thinks of the famed pass of San Gorgonio, lying between the two mountains, justly considered to be the pass for the Pacific Railroad. We have already seen Mt. San Bernardino from the city of Los Angeles; kept it in view when upon the plain of Chino; it presented a beautiful spectacle; now as a bride arrayed in brightest colors, again a pale spectre by the side of Night, as we entered Laguna; and, since it comes to sight again, in virgin white, when we have stood on the porch of the Custom House at the Playa of San Diego.

We are now in San Diego County, Temécula being one of its townships. The Justice of the Peace resides at the main village, also Mr. Henry Magee and lady, Doña VictOria de Pedorena. She has gone to San Diego, else we should pay her a visit.

From Kline's, passing a dozen huts belonging to the Indians within a common fence, (ground in cultivation), we begin in 4 or 5 miles to ascend gradually into the pass of Temecula mountain, leaving an old adobe mission house 222 to the right as we enter it. No timber in the valley; here there are some oaks among the masses of rocks that hem in the road. Walking up the most abrupt part of the ascent, a Californian comes by, who salutes me by name, but I cannot recognize him. He informs me that a boy has been missing, and that a party of men, with Don Ysidro Alvarado, are out hunting him; his horse and saddle have been found; and he is now on his way to see if he can get any intelligence at Temecula; the lad is supposed to have been thrown by the horse.

For two miles, to Oak Spring, where I had a pleasant camp in 1856, the scenery is very rugged, the lofty hills being but a mass of rocks of a thousand shapes and every size, many along the road being as large as an ordinary house, wide-branching oaks occasionally growing up among them, which Chauncey admires much as "good places to camp." The road through the pass summit, and after leaving it, is good enough, but a rugged country around; descending a narrow ridge, another more gentle ascent, and a long slope through heavy timber; we descry the head Of the beautiful valley of Montserrate. Presently cross the San Luis Rey River and down its bank to the rancho of San Juan (the house on top of a hill on the left of the road). Just before reaching this spot, a horseman rides over to us from Don Ysidro Alvarado's, Saying that Mr. Jno. Manassee is there and wishes us to stop. As the clouds betokened rain, I was afraid to be delayed, on Chauncey's account, and we hastened on.

In the summer of 1858, I was at Don Ysidro's in a buggy, and we went across the hills to see Don Joaquin Ortega, of Santa Margarita, in part electioneering. I was then a candidate for Judge. A high, hilly country, but in general with good grazing; this was in August; there was no water in either the San Luis Rey or Santa Margarita rivers; but plenty near the house, from springs, so as to afford sufficient for irrigation. The wife of Don Joaquin is a sister of Don Pío Pico, of fairer complexion

than any of the ladies of that family I have yet seen, kind and courteous beyond expression in her manners. Don Joaquin has 223 ever been one of my steadfast friends. He was once Administrator of the Mission of San Diego, but never made money at this business, as many others have done. From his house we crossed a fine range for cattle to the head of the Las Flores valley, and then down that grassy valley to the old Mission buildings on the main road. Santa Margarita is one of the best stock ranches in California.

I do not know why Don Ysidro has not prospered more at Montserrate. He seems to have few cattle, nor has there been much ground in cultivation; lives almost in Indian style. A clever, kind-hearted man, like the rest of his name I have known.

Not far from San Juan, our horses started, apparently as if to run away; Prager soon checked them; on looking back, Manassee's carriage came up in a gallop. We were just about taking the wrong direction and his arrival was opportune. Giving us the course to Guajomito, we parted.

We got there before night; Manassee went to the rancho of Don Jesus Machado. The grass looks well on Montserrate, and in this neighborhood.

At supper the wind blew in violent gusts. One said, "It is thunder." "No," said Topir, (young Estudillo, so nicknamed), "'tis the horses in the corral," which caused Col. C. to smile, with an intimation that in Topir's absence at college he had forgotten the affairs of rancheros. One's hours always pass pleasantly here; the *tortillas*, *frijoles*, and everything else are exactly to the taste of Chauncey (I am not an epicure); the children are full of life and interest to me; Doña Ysidora vivacious, mild, witty, intelligent; Col. C. a good conversationalist, in every respect an accomplished gentleman.

Poor Cuevas, the youngest son, whom he loves best, was "in Coventry" at our arrival. The father had just sent him to sit in the corner, for quarreling with little Nancy. Father and son both forgot the matter when Chauncey delivered him the marbles of a dozen colors brought from Los Angeles.

Soon Billy and the sweet Maria Antonia joined Cuevas and Chauncey and I left them to their varied amusement under the porch.

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Mrs. C. says she has tried to get a little Indian girl to be bound to my sister; it appears to be impossible; the Indians are averse to letting their children go away so far. And if they did, she intimates, one might not be of much benefit after all; as soon as grown, she would probably be induced to leave, and the worse, if in early life treated with much tenderness, "must be raised as Indians." This seems to me to be a hard fate for that race, that there cannot be in a family sufficient tenderness and a degree of education that will wean them eventually from a taste to return to the habits of their tribes. Yet perhaps there are too many influences now working against any sensible improvement of their condition. Certain I am, from observation, that the great civilizer Religion is too little brought to our aid in the present management of Indians, even in the bosom of white families.

Col. C. related to me a new trouble he has just had, with a Californian neighbor, concerning two of his Indian servants. The Col. is also a Justice of the Peace of this (San Luis Rey) township; he mistook the legal remedy he attempted to apply, and will have to put up with the trouble for this time.

Col. C. is a native of Tennessee, a nephew of Cave Johnson. Like most Southerners, he is inclined to immediate secession. Scott and Rains are of the same way of thinking. We naturally entered into discourse upon this subject. That morning we had received upon the Overland Stage that passed Temécula while we were breakfasting a San Antonio newspaper of Dec. 29th, with the first intelligence of the South Carolina Ordinance of Secession. Col. S. is a military man, did not think General Scott of the right stamp of character for *King* ! What an idea for republican America! Yet who can keep from looking forward to even an iron Despotism, ultimately, after the Star Spangled Banner shall be dragged through all the carnage likely to follow in the first steps of Disunion!

We found Mr. George Tibbetts here when we drove up. He regretted that his family were not at home. They 225 have a snug farm, a short distance from the Mission, but on its waters. In San Diego I saw the whole family.

It is no exaggeration to consider this little rancho of Guajomito an oasis in the desert, particularly if we refer to cultivation. The 25 miles leading to it present none at all. On the 30 miles toward San Juan but two places have any such pretensions, that of Mr. Tibbetts and of Don Joaquin Ortega. Through the 38 miles toward San Diego there are two small vineyards, those of Buenavista and Encinitos, nothing more; all to the eye a dreary waste except where Nature has sown the grass and wild oat.

Between Buenavista and Encinitos, over a vast space, commencing about where the road leaves to the left for the “gold mines” of Judge O. S. Witherby, the wild oat was springing up thickly. Encinitos shewed good grass, San Alejo better, Soledad tolerable; the rest a broken mass of hills whose growth is chaparral, with the exception of the hillsides within two or three miles of False Bay and the small cañada of Tacalote, near San Diego.

But the rains in many other parts of the county have secured a promise of luxuriant pasturage this year.

There was nobody at home at Buenavista; no one has as yet been put at Encinitos, since Old Andres Ybarra sold to Mr. Jno. Manassee; nobody at San Dieguito; nobody anywhere, I believe. “My widow” might have been at Soledad, but I had no time to stop to see, for Rains drove so slow, with his mules and his ponderous companion Judge Scott, that night was now approaching.

Still—without the aid of plough or spade—it would be idle to say that this part of the country did not impress us with an idea of its beauty, now that we saw it in the coat of green. Chaparral and rock often served to beautify the hill with varied shades, and wild torrents had given it as often the most graceful forms and shapes. This strikes one from Soledad to San Diego, as much as anywhere else, and I have been pleased before, in watching their infinite changes, as I passed up in summer

through the long valley from Soledad to Penasquitos. Rugged as is the approach to Encinitos, the broad sea then in sight supplies a charm 226 for the scene, which lingers in the imagination and is heightened when the eye falls upon the broader expanse of ocean visible from the lofty elevation beyond San Dieguito; and far up this last-named valley too there spreads out at the same time a plot of verdure that assures us at least “a cottage is near.” In fact, although the old houses near the road are uninhabited, the large family of Osuna have their rancho in that direction.

While we were traversing the shore of False Bay, I persuaded Chauncey to watch the sun as he sank down, down, down from a cloudless Sky behind the waves. Might not the spectacle have been a fit emblem of the Sinking fortunes of our glorious Country? Alas, if it SO sink it shall never rise again, yet I do not remember that I thought of this, for the child then endeavored to extract from me an explanation of the sunset. Ere the twilight was gone, we were at San Diego, a coyote following us at False Bay, with manifest curiosity, almost enough to “take him to task” for it.

Prager went to Manasse's with the horses and carriage. Going over shortly after found him at table with two ladies, Mrs. and Miss Schiller; introduced to them; as I had come merely for an arrow Chauncey wanted, I left soon this pleasant society. An arrow! Never did Cupid have such a dart as the eyes of that pretty Jewess.

With this city, I am just the reverse of that inveterate hater spoken of by the poet, and “the reason why I cannot tell-” but I *do* like San Diego. *Triste* they call it, that is to say *dull*, for it cannot be interpreted *sad*. Without business, money, or any visible prospects for the future, I have yet to see the first person in San Diego who is sad. On the contrary, with all a happy spirit of happy contentment seems to govern the feelings, and they seek pleasure at its smallest fountains. To-day it is a clam-bake at False Bay; yesterday it was a pic-nic to the house at Fischer's old place; to-morrow to the lighthouse; the same day a jaunt around the beach at low tide to Ballast Point, where a whale will satisfy curiosity; for another, the Punta has the attractive society of four lively damsels; hunting, fishing, 227 dancing, chatting, (flirting), and what not. Old Rose himself says: “Well, I don't care,” then he is about to lose all that property here which I once estimated at \$18,000,000

(taking his own figuring of the year 1856) Contentment is a blessing I would fain possess to the degree it prevails here.

Apropos of dancing, Prager's friends had promised him a ball, but no music could be had. The wife of the fiddler died about the 1st of January, and he was still in *luto* and of course could not play.

The following was my business in court for the present term:

Victoria do Estudillo vs. Wm. Williams: Suit for sheep. Report of Hon. O. S. Witherby, \$2000 for plaintiff, confirmed.

Edward Hayes vs. Jos. R. Gitchell, administrator of John Hayes: Report of referee for plaintiff, \$3000; motion to set aside report and dismiss suit, set for argument at Chambers, on first Monday of March.

John Rains vs. J. J. Warner: Foreclosure of mortgage on rancho of San José and Agua Caliente.

Doyle & Giddings vs. Warren F. Hall: Change of place of trial to San Bernardino,

R. E. Doyle vs. same: Change of venue refused; jury empanelled; plaintiff dismissed his action.

J. Mora Moss vs. J. J. Warner: Plaintiff not appearing, suit dismissed conditionally, notice to be given by certain day.

Lorenzo Soto vs. Lewis Rose; Foreclosure of mortgage; new trial granted.

Edmonds vs. R. E. Doyle: Change of trial to Twelfth District Court, San Francisco.

People vs. S. Estudillo and J. A. Aguirre: Suit on recognizance. Death of Aguirre suggested, and his executrix made a party.

Volney E. Howard vs. Gray: Continued.

C. J. Coutts vs. Chapman: Continued.

I might have added to these a divorce Suit, of Frank Maradowski vs. his wife, a daughter Of old Andres Ybarra.

Law-suits often materially illustrate the history of a county; such is the fact with, I think, all the above cases, but I cannot here go into detail. I preserve the list as a guide to future observations, and the same I should do with two cases formerly decided:

Maria Ampara de Burton vs. Juan Bandini

José Saiz vs. R. M. Porter.

Both involve somewhat Lower California affairs.

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16th: Arrival. Introduced to Esparza. Chauncey gives me no trouble, amusing himself, alone, with a kind of game—the front of a church in little wooden pieces—which he is building up and taking down. Old Mr. Doyle is here, cheerful as usual, Says he brought me Fleury's history of the Jews, but Rose is reading it now.

17th: Chauncey gone across the river in a little boat with Billy Lyons. Called to See the new bride. Mrs. Capt. George A. Pendleton (Clerk of the Court). Both are perfectly happy.

Dr. Edgar, U. S. A., comes up from the post of New Town; naturally talks of the Union, calmly; he fears the result to our little army, as the southern officers must resign, in the event of a Southern Confederacy being established. Dr. E. is from Missouri, where his father and family now reside.

Took a walk with Chauncey to Stockton Hill which overlooks Old Town. The day warm, clear, the view grand and beautiful. How many objects of historic speculation, even if on an humble scale, within the compass of a glance or two. As I descended, met the Señorita Refugia Arguello near the mansion of Don Juan Bandini, where her family and her grandfather's are stopping. She has

been here three months, since the commencement of the Mendoza movement over the line, from apprehension of a foray upon the Punta, although this rancho is on the American side of the line.

Don Santiago Arguello, her grandfather, lives at Guadalupe in Lower California; brought his family here for safety, during these troubles.

18th: Called upon Don Santiago, in the midst of his children and grandchildren. He told me he would give me a book for my "history," but I happen to have it already. I told him of the picture Mrs. Caroline Hartman had painted of him for me, and of the dispute about the color of his eyes, 229 which I had contended were slightly blue, while Brinley maintained they were black; he raised his eye-lids, So as to shew me; I was right. He told me that he was the founder of Sonoma, made the map, etc.; I did not push any inquiries, although he might give me very valuable information. Called upon Miss Reyes. She was alone. Juan de Ia Cruz Bandini came in and remained awhile, an agreeable youth, now coming to manhood, and of fine appearance (it pleases me to See). At night called upon the family of Mr. Tibbetts. Mrs. T. teaches the school here, quite a flourishing School. Felicita Sings, while little Stella and Maria waltz prettily; both younger than Chauncey. Shortly afterward, a serenade outside; turns out to be Mrs. Kerren's two boys, with a curious hand-organ, the same Dr. H. brought from San Francisco and used to play at the Mission post, in days of yore. Mrs. T. brought the boys into the hall; *oh, my ears!* Still they continued to grind, and four other boys were waiting each to take his turn at it, when these should get tired. It stopped the dancing; Maria and Stella each tried to once but gave it up, whether because they could not keep the step, or wanted to see the machine, I could not understand.

20th: Too much liquor drank here these last few days, one finally has delirium tremens, an estimable man too; all is more quiet today.

Talk concerning the Union; few have any hope; all are calmly and firmly awaiting the result.

Old Mr. Doyle is from Kilkenny, 45 years in the U. States. Yesterday I visited Victoria at Mr. Lyon —Ysabel—Piedad—Mrs. Robinson—Serafina—Mrs. Writington.

Expedition to the Playa to witness the whaling operations. Rains and Chauncey and I. Prager took Mrs. Schiller in the buggy; Manassee escorted Miss Schiller; Schiller and Jo. Manassee, etc., accompanied us. Refreshments, cake, pie, etc. Capt. Bogart took part of us aboard the ship *Ocean*; we were shewn around to see everything, boilers, bombs, harpoons, gigs, guns, boats, oil, blubber, and what not. Before leaving, refreshments were 230 brought out in the cabin by the steward. Capt. Bogart then took us to Ballast Point, where two other companies are at work in this business; the ship's boat landed there the ladies and others of our party. All except myself went up the steep hill—about a mile and a half—to the lighthouse. Chauncey insisted on going with them. I remained more interested in the whale at which they were working on the beach.

Presently another party arrived—Barnes, Myers, Brill, Mrs. Myers, Miss Conroy, Miss Mulholland—on horseback, coming around the shore, Some two miles, the tide being then very low. Bridget is with them; sit down on the rocks to take tea and pie with them. Soon after we left the shore, one of Rains' mules got off in harness; Barnes caught it near town; pleasant to have thus escaped a walk of five miles.

Day clear, beautiful. View from Custom House most beautiful. Table Mt., sea, bay, etc. Cassidy has been here now five years in charge of the tide-gauge; nothing to do save watch the ebb and flow of the tide. He says he is very lonesome; he applied for five months' leave of absence. Bridget lives at his house; he has a room at the Custom House; Bogart sticks to the hulk, with one man; two others watch the solitary bright lamp on the lofty hill. These are all the inhabitants of the Playa, ordinarily I mean. Now it is more lively, and the monotony of their life is varied by a boat from the ship or Ballast Point, the sight of a whale brought in, a visitor from Town or an occasional trip there themselves. During our stay almost every day Bogart and Cassidy would draw rein on “that same gray nag” at the door of Frank Ames; come to the saloon, finish a game of billiards, take a drink, then a smoke, “pass the time of day” with a little cheerful conversation, and before sunset return to the solitude of their homes at the Playa. Thus, all the year round. The arrival of the steamer, twice a month, makes a revival for a few hours.

While on Ballast Point I drank a cup of water brought from the island opposite, somewhat brackish. Somebody has gathered for Miss Schiller the branches of the *islava*, now in bloom, and very pretty.

21st: Drizzling rain. Compton makes a belt for Chauncey as a present; formerly a Sergeant at the Mission, now a saddler. His daughter is at school at San Francisco, his wife in a "situation" in Alameda County.

A race was to come off to-day between Cris, the butcher, and José María Estudillo. The Court rendered it necessary to defer it; the Sheriff took the precaution to summon both on the jury. A busy day, a horse-race, Court, and election of a County Supervisor. Capt. Clark of the *Ocean* comes to town; regrets he was not aboard to receive us yesterday, gives me much information. Impressed with his manly appearance; I do not know why, but he reminds me of Col. Benton. Our visit had one bad effect, or contributed to it, I am sorry to say. Two of the ship's hands rowed the boat in which were the ladies and Manassee made the cooper, a tall Dutchman, a present of a bottle of whiskey. Capt. C. was out at sea with the whale boats; hardly aboard at night when the cooper seized the first mate by the throat, in reward for which he was knocked down with a hand-spike. Some further difficulty was soon quelled, and Capt. C. tried the offenders and put them ashore. They are now in town, trying to bring suit against him. He found nearby all hands drunk when he came aboard, down to the cabin boy; blames the steward. In place of the delinquent three hands intends to employ Indians, whom he can get here, at \$15 per month.

Capt. Clark informs me that he was here in 1834, as a whaler. He was at Monterey in 1831, but did not then pay any attention to the California whales, the object then being the sperm whale. In 1842, he caught two whales inside the harbor of San Diego. He was here again in 1847; then had a mutiny aboard. All the men signed a paper making some demand upon him, which he refused. His three officers stood faithful. At first he tried persuasion; it failed. He then made a signal of distress; placed a revolver in the hand of each officer; ordered the first man, 232 a robust fellow, to duty. This refused, he commanded the officers to Seize him, which was done; tied up; the lash

applied. This firmness quelled them, just as the Sheriff, Philip Crosthwaite, with 30 of the Mormon Battalion, came aboard, in answer to the signal, which they had seen from the shore.

I visited Doña Victoria de Estudillo to-night, as I will leave to-morrow. Doña Reyes is at Capt. Pendleton's. Ysabel was here and occupied Mr. Rains in converse, while Doña V., in her easiest Strain, talked of old times. I do not know how the conversation led that way, perhaps from my telling her of our trip yesterday. Her eldest daughter, Marcellina, was the first Californian lady that ever went to the United States. This was after her marriage with —— Gale, an “ancient mariner,” whom the Californians always called *cuatro ojos* —four-eyes—from his wearing spectacles. He traded considerably on this coast.

“Ah!” said Doña Victoria, “what pleasant times we used to have! Every week we went to the Playa—aboard the ships—dancing—music—frolic—silks- *rebosas* .”

She spoke something of the whale ships then, but not very clearly; I think she confounded them with the purely trading vessels.

On our route to Los Angeles, the 25th, Stopping at Los Coyotes, Doña Refugia de Bandini gave us a lively picture of San Diego “when she was a girl” (nor *that* many years ago). The prettiest women were always to be found there, even from Sonoma their hands were sought in marriage. Commerce was flourishing. It was the reign of prosperity and plenty.

“How often did we spend half the night at a *tertulia* , till 2 o'clock in the morning, with the most agreeable and distinguished society! Our house would be full of company, thirty or forty persons at the table; it would have to be set twice; a single feast then would cost a thousand dollars. But, in those days, the receipts at my husband's store might pass \$18,000 a month.”

That portion of our party which went to the Lighthouse had the good fortune to see the shot from a boat, 233 (three others fasten to the whale), and the chase, first up, then down the coast. In their excitement, they thought the run was four miles. Capt. C., who was the lucky shot, Says not more than three-fourths of a mile, when the flurry ended in death; he brought in the whale that Same

night. Often, however, it sinks and does not rise for from 1 1/2 to 2 days afterward, not before somewhat "blasted" (I believe this is the word applied in such a case). About an hour before our arrival the boats of Capt. Packard killed one. Two were killed yesterday; both sank. The one brought in by Capt. C. will make 45 barrels. We found Capt. Packard's men cutting up a bull 30 feet in length, which was brought in last night; the blubber was cut off in large slices, then minced in a broad trough of wood, half filling it. The blubber is of a yellowish color. He will try out all this in 12 hours tomorrow. Cows give most blubber; they generally have calves at this time, which come from them when "blasted"; we saw two calves on the beach. After Capt. P. cut off the blubber, two men who have a couple of pots hard by on the shore and work for him commenced upon certain parts of the entrails, to try them out for their own account. He gives them the carcass; they can make wages at it, (say) \$50 a month.

This is Alpheus Packard; his brother, Prince, is interested with him. They made 900 barrels last season. This is the fourth Season here, but they did nothing the first, merely observing the ground, and last season they were not completely prepared for operations. I remember, and have before noticed the fact, they then thought they ought to make 1300 barrels during the season, which lasts from — until the first of April, during which time the whales are passing down to have their calves in the bays and inlets of Lower California.

They are taken now as they pass at the kelp which lies along the coast, outside the harbor. They shoot them behind the shoulder blade. Capt. Packard has already made 450 barrels, from 13 whales, worth at San Francisco \$10 the barrel (31 1/2 gallons).

Capt. Johnson, also on Ballast Point, near Packard's, 234 was just finishing the trying out of a bull, producing 40 barrels. Capt. J., from 7 whales, has made 200 barrels. He is also interested in the company at Dead Man's Island, Bay of San Pedro, which is doing well there too.

Both these companies employ chiefly Indian hands, at \$15 per month. The work is measurably light, and the Indians well content with this pay, better than they can get at any other kind of employment.

Capt. Packard considers that he has done well, but thinks the large number of ships that will come here next season on hearing of the success of his venture will seriously interfere with the proceeds of those who operate on land and will soon destroy the whales.

Capt. Clark is the owner of the *Ocean*. He is a native of Connecticut, hails from New Haven. His ship is 21 years old, the largest American whaler. Ship and outfit stood him, when he sailed, in \$68,000; he has already sent home \$42,000's worth of oil. He has been out near 30 months. Has sent home in all 1200 barrels, 200 thereof being sperm. He has been in this harbor five weeks; from 12 whales has taken 500 barrels, which are in the hold of the vessel, an advantage he has over the land-operators. Last season he made 800 barrels, from 25 whales, at Ascension Island; the season before, I believe, he was in the Arctic Ocean, as high as 82°, did not get a gallon of oil, fastened to two whales, but a storm coming up forced him to let them go and he lost them. The whales of this present ground are called California Grays, and Devil-fish too, for, says Capt. C., "they are the devil sometimes!"

He made the voyage in 17 days from the Sandwich Islands to San Francisco. The best range now known for sperm is on the Lower California coast between latitudes 23° and 28°. Magdalena Bay is about 24°40'.

The ship's men cut up the whale from a staging alongside, on which the men stand with their spades, the whale being afloat. The process requires hardly an hour. This is a great saving of time and labor compared with the processes of those on land, who bring the fish ashore at the flood, cut it, turn it over, and there it remains, an annoyance 236 to them, until some tide may happen to carry it off to another point. From the ship, the carcass passes out with the tide to the sea. I must confess the smell on the shore at Ballast Point was anything but pleasant.

The whales here are shot at with the bomb; all complain of the bad bombs this season, and say that two-thirds of those wounded are lost by the failure of the bomb. This missile costs \$4 each. The pursuit of the whale is not without danger. On the 18th inst. a bomb did not burst after entering; the harpoon, however, gave a mortal blow; but, in its flurry, the whale struck the bow of the boat;

here Mr. Stretch, third mate, was standing; literally cut it off, severely bruising him; on the 20th we found him pretty well, but still limping. Capt. Clark says at that moment he should not have been so near the whale-should have pushed off.

There are now 60 vessels down the coast of Lower California. Capt. C. thinks this cannot be a permanent business at San Diego; a large number of vessels will now come here and will soon use up the Whale.

La Frontera, that part of Lower California between our boundary and ——, is now under the government of Feliciano R. de Esparza. Don Juan Abila ironically speaks of him as the Governor of all Mexico. He in turn suspects Don Juan as an enemy, and justly so, although Don Juan would retort upon him the title of assassin. In San Diego he certainly has friends, and professes his gratitude to them, for sending him powder and ball when not long since he was about to be besieged by Mendoza.

“But for this timely aid,” he said to me the other night, “and the miracle of God, I would have been destroyed.”

His present object is to obtain blankets and provisions for his men, in a movement against the Indians of Jacum and other neighborhoods (including some of San Ysabel). The things required were sent to-day by the Sheriff on the faith of Esparza's promise to pay for them in mules and cattle which he has of “the Government.” I find the Americans here to be in his favor. Although they say little or nothing on the subject, the Californians are against him, 236 both here and in Los Angeles; and of this he plainly accuses Don Andrés Pico, Don José Sepulveda and others, and charges Don José Matias Moreno to be the prime mover of the former expedition of Mendoza. Don José Matias is absent at San Francisco. His sister, Doña Piedad, seemed to have a secret pleasure in telling me that, according to late intelligence from the Mexican Consul, 200 men would soon come from Mazatlan to displace Esparza. Is this the work of Don Matias? He is celebrated for intrigue and management, and, unless I am mistaken, has always had considerable influence in Mexico, although

long a resident of San Diego. In his day, poor Don Juan Bandini often felt this pestilent influence, to his heavy cost, mentally and pecuniarily.

Be this as it may, as to the force from Mexico—to which, as I understand him, he will promptly submit—he is determined to guard himself against his enemies hereabouts. Besides this Indian rising, the latest report places Mendoza, with 25 men, at Los Pinos, whence he might easily cross the line; and as if he was not scare-crow enough, they now have with him Pedro Romo (once a Mexican Captain), Rube Leroy (a noted ruffian), and “who can be the Frenchman?” all inquire. Probably, I would say, a retired commander of the Zouaves, again inspired with love of glory here in this land of lobos and chaparral.

“Then,” says old Don Santiago, “why don't you issue an order to arrest Juanito Ramirez? My servant has just seen him down at the Barena with four others, watching, no doubt, to intercept Esparza.”

A plague on this famous Juanito! I recommended my venerable friend to go to the Clerk at Los Angeles and apply for a bench warrant.

Meanwhile Maj. Armistead, commander at New Town, with two waggons and twenty of the older soldiers, infantry, went down toward the boundary, giving much confidence to the Esparzians, although I heard one jocosely remark that “these *Americanos* can never start without their coffee in the morning.” Maj. A.'s step has already had one effect, bad or good, *quien sabe* ? The bright-eyed Refugia 237 told me he was at the Punta, and I could not help thinking that this hastened her departure on Friday last for home; the Maj. is a widower. Prager took down Maria Antonia; the handsome Lola gone too.

It is understood that, keeping our side of the line, Maj. A. will co-operate with Esparza, who will move on the other side from Tia-juana; thence they will pass through Tecate, toward the river Colorado, observing this alleged Indian Outbreak. Esparza had but 12 men at Tia-juana, he ordered others from Descanso, where he had expected to unite about fifty. This last number comprises all that can now be raised in La Frontera, and some Of them are mere boys, others are super-annuated.

In fact, there has been an extensive stampede from that section since the invasion of Mendoza, some to the lower settlements, others to our state. For example, the whole Arguello family is here. Don Santiago is very old, and his coming does not surprise. But Luis, instead of having a lance in his hand, has been telling me by what a miracle he escaped the assassins who were hunting him through the woods where he was hid. The same his brothers Ramon, José Antonio and Ignacio, property-holders there, of one of the most respectable and influential families, and who ought to actively assist Esparza in preserving order. They are not willing to expose their lives; they let this “*cholo*” beg blankets for the few who are faithful to him.

The *Cholo* ! So I hear Californians speak of him. It is a word used in contempt and applied chiefly to those who are from Guadalajara. His appearance answers to the word, at first glance, and he may be a native of that State. But he does not deserve to be treated disparagingly, whatever opinion may be entertained as to the lawfulness, or expediency, of the principal act which excites so much indignation amongst the Californians. The night of my arrival at San Diego, he came up from New Town and entered the hotel at a late hour, in company with a mutual friend, Don José Maria Bandini. I was introduced to him. A remark of some bystander led him into a narrative to which I listened until the end, taking more interest in the 238 man himself than in the detail of little events. One could discover nothing of bragadocio about him. He has an agreeable voice, natural, graceful gestures, black, sparkling eyes which seemed to soften, while the lip compressed itself slightly, when he spoke of the death of twelve men by his order:

“*Caramba* , yes, I know I compromised myself, and the whole country,” he retired a few steps, drawing a light cloak over his shoulders, and pausing a moment, as if in thought, continued, “yes, it was a *compromiso de demonio!*” I confess, as he uttered this expression I concurred with him. It was the very devil's deed, if he shed innocent blood, or if the necessities of that territory did not supersede law.

He described the little forts that protected him, all the people, women and children being gathered in one house; the approach of Mendoza with 380 men, Indians and all; the fire from two pieces of cannon upon the houses, thereby killing one Indian within and wounding two others; the terror of

the women; cries of the children; his final desperate resolution, having only twenty in his force, to sally against the enemy. He did not believe he would escape against such odds, but thought it was worth a trial of boldness for the sake of the families. He sent 10 of the best men to come over the mountain behind, and make an attack on the flank, while he would march out in front, his band mostly were youths who went coolly, because “they did not know the danger.” A mistake seems to have been made, or they misunderstood his Orders, and the flanking party proved of no service to him. The Esparzians and Mendozinos continued to fire at each other; one effective shot he made, drove away the Indians; the rest continued to fire, wounding slightly a few of his companions; finding his ammunition nearly exhausted and coming now to the conclusion that, as they did not come down from the mountain and “eat him up” on this open ground (which but for their cowardice they might have done easily), they would hardly expose themselves by storming his forts, he led off his men in order to within their defences. Mendoza 239 in a short time retreated, and straight out Of the country; the assailants disbanded in haste, Some making toward the river Colorado, others for Los Angeles. It was afterward ascertained, that the Mendozinos, Seeing Esparza at the head of his “army,” insisted that Mendoza should take the lead and they would follow. But he told them that he ought to remain in the rear “*para disponer* .” Nobody being willing to lead in an attack, some started away in disgust, the rest in fear; and I believe Esparza was even able to collect several guns from this field of battle. I think nobody was killed throughout, except the poor Indian mentioned above, who was within the house.

Such is the substance of his narrative, and after it was ended Don José Maria could not restrain his pleasure, but applauded with his feet; the end left me with a degree of sympathy for him, as one who will certainly meet the fate of his lamented *compadre* , Don José Castro. In telling this, there was no violence; on the contrary, his accents were as soft as of “a lady's bed-chamber.” He says:

“I have not had a good sleep for a year and a half, not from fear of my own life (because, *caramba* , I could take precautions for that), but in watching for the interests of others. Mendoza meditates the plunder of every good citizen who has property; in fact, has already robbed to a large amount; none are safe in their dwellings, old men fleeing from the country, all in confusion, danger, Suffering.”

According to him there are not twenty-five families in La Frontera. At the time he ordered the twelve men to be killed, wherever they might be found, the number of the banditti congregated there, refugees chiefly from Our State, was very large; thirty others left, fearful of the same fate, but the twelve killed were the leaders, and the worst of that organized gang who menaced the lives and property of the peaceful inhabitants, who were already leaving in every direction, and still do not feel secure in returning. He issued the fatal order not for his own life, but for their safety. This was after the assassination of Don José Castro, by Manuel Marques, known to be one of the banditti.

Another evening late, I was sitting by the stove of the 240 hotel. One came in and quietly took a seat a few feet distant. I took him to be some young Californian of the city, but almost immediately recognized Esparza. I took a chair by his side and entered into conversation. He was very lucid in his statements, and perfectly frank and plain; no reserve whatever.

Don José Castro, he considers, was the legitimate Governor of all Lower California; his authority having been rejected at La Paz, gave origin to the difficulties that have occurred there during the past year. Esparza does not acknowledge the present government at La Paz. At his death Don José was the lawful Governor of the whole Territory; under him, Esparza was *Comandante de las Armas*. It being necessary to have civil functionaries, an election was held, and he was elected by the people *Gefe Politico* of La Frontera. From the exigency of the case, then, the civil and military functions are united in his person. Owing to the road being intercepted, he has had no communication with the Juarez administration since Castro's death, but considers himself subordinate to that administration.

In corroboration of him, Don Santiago Arguello gives the same account of the condition of the territory, and indulges in stronger denunciation of the assassins, as the Mendoza party are termed, and implicates equally Don Andres Pico and others. It may be well to state that Solomon *Pico*, one of those Esparza killed, was a nephew of Don Andres, a circumstance that gives currency to this charge against the uncle, perhaps more than any act or declaration by him.

Of the history of Esparza, anterior to these incidents, I know only that in 1854 he was a silversmith at San Diego. Unfortunate he must have been in his business here, for two years ago, he was in the employ of Don Bonifacio Lopez as a *vaquero*. He came to La Frontera from the county of San Luis Obispo in this state. He spoke of one of the contending chieftains of La Paz as being with him in the same *colegio*, from which I infer that he has received an education, a moderate degree of which will often suffice to give a Mexican the leadership among these simple people.

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Passing through San Juan Capistrano (23rd) I told Don Juan Abila of these reports as to Mendoza's whereabouts. He replied quickly:

“No, Mendoza is at the Colorado!” in a tone which, it seemed to me, indicated that he at least knew something of the fact. Awaking the next morning, in the next room I found Lino Lopez, brother-in-law of José Matias Moreno. I must be too suspicious by nature, else I was justified in the suspicion I formed immediately, from these circumstances and having seen Lopez at San Diego on the morning I left, that he was a messenger to Don Juan touching this very business. I would have desired to ask Don Juan several questions on this subject, but his cold and almost abrupt dismissal of it at the first mention was enough for me. It is clear that the Californians have made up their minds to have life for life, if they can.

22d: Homeward Bound. Once yesterday afternoon I had prepared myself for a week's further sojourn here (San Diego), but Judge Scott discovered a mistake in pleading (as he said) and dismissed a suit in which a jury had already been empanelled. Chauncey was delighted to find that we would go home; he is impatient ‘to see Fred. I am content to go or stay.

I learn that José Saiz and Ramon Rivas have succeeded in getting most of their cattle out of La Frontera, a piece of good fortune, particularly for the former whom Don José Castro had fined to the tune of \$10,000. Antonio Chavez is here. At Los Angeles he told me he had come down merely to remove his family from San Diego to San Luis Obispo. Esparza says Chavez is leagued with Mendoza. Chavez has been in La Frontera before and attempted to re-enter with a party of

Americans. They were arrested under a warrant issued by me, in the interpretation I then put upon the Act of Congress, so his expedition was broken up.

Got off at 10 A.M. At Encinitos missed the intended road and got on that leading directly to San Luis Rey. Approached Agua Hedionda through a most beautiful valley; 242 Prager said he would be satisfied to spend the remainder of his days there. Covered with fat cattle. This rancho is now in the possession of Jack Hinton. The title is still in the Marron family; will doubtless soon pass away from them. Night was too near to stop, else I should certainly have done so, and would have done so anyhow if I had brought along the little volume of Maj. Ringgold's *Poems* which had been sent to Ensworth for Jack. The "Fountain Rock"—I should like to know friend Hinton's plain mind in relation to it. "Thoughts of Heaven" struck my attention in a hasty glance at the volume. Major Ringgold, the Paymaster and Poet! Jack Hinton, the Sergeant of Buenavista! One who knows them will ever prize their memory!

By the bye, for the first time, I think, I have mentioned A. S. Ensworth, Esq., of San Diego in these notes. An early settler of Texas, who has many tales of its battles; a waggon-master at Camargo at the critical hour of the war; a good lawyer; full of common sense, and gentle feelings, and just principles; once a member of our Legislature, but lately beaten by a Single vote; an old bachelor withal, and much more that might make him long remain fresh in my recollection. But I was just now thinking of his remark on the state of the country. "Disunion may come; I will not stay here to see it. have seen trouble, confusion, war enough—at my time of life I wish to see no more. I will go to the Sandwich Islands, or elsewhere."

If such citizens as he is should all think thus, and if they should do thus, what fancy is vivid enough to portray the horrors they would leave behind them?

Coming in sight of Sylvester Marron's, now dark, a boy directed us to Coutts'; presently two vaqueros driving horses in that direction offered to guide us. Passing Jesus Machado's over a good but out-of-the-way five miles, we were safely conducted to the "haven of rest." It was cold; Chauncey by this time was cold and sleepy; I persuaded him to eat his supper, and then had to go

to bed with him. Every little thing in our lives we can interpret, if we will, 243 providentially. As I learned from Prager, I thus escaped a disagreeable conversation about politics, in which Douglass came in for a share of Scott's severe animadversion. In fact, Prager had against him the three, Scott, Rains, and Coutts, all of whom were "Breckenridge men." I should have had to throw in a word, as I voted for Douglass, both on the ground that he seemed to me to be the real nominee of the National Democratic Convention, and because his doctrine as to slavery in the Territories appeared to be the most practical way of settling forever this vexed question; so much for my vote. But, in the present aspect of our public affairs, his doctrine should be of minor importance to that which shall be capable of preserving the integrity of the Confederacy, under some Constitution if the present be inadequate.

23d: Mrs. C. puts up some bread and meat for Chauncey. Clouds look like rain. Here Rains and Scott leave us for Temecula and Chino, Scott designing to take the Overland Mail at the latter point, which is a station. *Adios* to our pleasant companions, *adios* to the family. I must not forget her message to Dr. Welch, a supposed lover of Chata, "Tell him, he has lost *una fea* now I will find *una hermosa* for him." *Caramba* ! as Esparza Says, I did forget to deliver his message to the fair young Ysabel. Never give me messages, or letters, nowadays, and still, here's another, from Don Jesus Moreno of San Luis Rey to his Republican friends of Los Angeles! He wants me to say that the Indians of this quarter need a good agent, and he is the very man. We stopped long enough for him to say this, salute his family (including a very pretty daughter, *soltera*), and have a brief chat with Doña Madalena and her spouse, little José Antonio Pico, or Antonito, or as some say, Picito. Both he and Moreno keep little stores here, though when the weather is not cold, Picito and wife return to their house on the rancho of Santa Margarita. This reminds me of the Spanish verses Jesus Guirado—with a profane levity (though the temptation was great, I admit)—once wrote, by request, of the solemn and pious Picito, "*Las Alabansas 244 de San Antonio.*" Jesus was never forgiven for it; even now Picito will lengthen his face when they are alluded to. Doña Madalena, good little woman, was as lively as ever; she is a New Mexican; Picito says "they make the best of wives." I promised him to try one. As we approach close to the Mission, San Bernardino and San Jacinto are in full sight again. The Surf roars on the beach at the mouth of the valley. The crumbling edifice

itself looks as if ere long Nature will here resume her primeval sway. Seeing the water of San Luis and Santa Margarita now, one regrets that they do not run thus through the year. What a paradise there might be! Beautiful pasturage everywhere on Santa Margarita and Las Flores; on the latter there may be 2000 cattle today. Some person has killed a California lion and hung him up on a tree by the road. As we pass the mouth of San Mateo, Chauncey and I take to the sand to gather shells, in which we succeed, to his infinite pleasure. The sand is too heavy for him and he takes to the buggy, only to make me run about picking up the arrows he shoots here and there from his new bow which an Indian boy of Guajomito made for him. The tide is very low; an easy ride along the edge of the surf that rolls in here gently, and excites Chauncey's admiration. He wants to know the cause of the green as the wave rises, and the white as it breaks over to fall upon the beach. Explained; he is silent; does he yet understand? Full as much as *we* can say of any of the phenomena of the universe.

Knowing that Don Juan Forster is at San Francisco, we conclude to stop at the house of Don Juan Abila. He meets us on the porch, no doubt anticipating this purpose, for he could see us at a considerable distance. Find Don Juan in trouble again. He has bought a piece of land with squatters on it, although the lines have been surveyed and turn out to be in exact conformity with the grant.

Presenting me to his daughters, with the inquiry if they do not know me, Doña Guadalupe replies sweetly: “*como no?*” as I take her hand. Rosa does the honors of the table. As we take our seats, news is brought that Don Francisco Gastellun is dead. They commonly call him the Sargento Gastellun, an old soldier of Lower California. He has long been sick with asthma; the troubles in La Frontera have made him a traveller, I might say an exile, in his old age, and at an unfavorable season for his infirmity. He died at Mr. Forster's house at sunset, just as we entered the town. The bell then tolled, but the family thought it was for the *oracion* .

No hay in the whole place. Bad news for the horses.

No fire in our room; we went to bed at 8 to keep warm.

24th: San Juan looks as it always did, with very little business, but it is a pretty little valley. The garden of the Mission turned out well; great abundance of pears, and I can praise the olives, having some of them at Coutts'. Chauncey made his supper on frijoles—Don Juan said “Yes, he is a little Californian.”

At 8 A.M. Don Juan made his appearance. Chauncey pleases the Indian servants by shooting at his hat, and skillfully shoots mine off the railing. Take acknowledgment of the deed to a house, to the great convenience of the parties, who would otherwise have had to go 60 miles to Los Angeles. No Justices of the Peace here-happy people! Don Juan asked Chauncey what he would have to take along for lunch; he replied, “ *muchas tortillas* .” Rosa smiled and folded up half a dozen. Guadalupe was particularly gracious! now I could see she was the Nymfa of a former brief visit to this verandah, though, when I inquired where Nymfa lived, she replied “ *lejos* .” Still we had to wait half an hour for Don Juan's letter. The ruined church of San Juan is the last picture as the road emerges from the town, followed at once by a view of Mt. San Bernardino, on whose snowy heights might be thought to dwell the Guardian Genius of the land, with all-seeing vigilance observing every corner and cranny of his realms. From here to Los Angeles we do not lose sight of it.

A mile from town, a plain road led up six miles up the valley of Trabuco, straight for the sierra of Santiago. What a blunder! I know it, or ought to have known, yet 246 in some listless or irresolute mood could not determine short of finding ourselves clearly wending to the head of a mountain Stream, along and over whose waters we had been steadily travelling. Two hours and twelve miles lost; rather bad for our half-fed horses. Retrace our steps almost to the Church. Even Chauncey's spirits sank a few degrees with such an accident. A coyote soon revived them again. When it had squatted up on the hill, at a respectable distance, I put him out of the buggy, bow and arrows in hand, to chase it. After a few steps it ran again, and in honor of his achievement and with the license of explorers, I name this Coyote Vale, or may get Don Jesus Guirado to celebrate it, in Spanish metre, as Chauncey's Chace. The spot is On the right road, a couple of miles from the house of Thomas Forster. Through this cañada flows a meagre rivulet, dry after the rainy season, not a stick of timber, nothing but high, grassy hills and the low ground quite sandy; in a word, in every respect

save its verdure the reverse of the shaded Trabuco with its pleasant concord of rushing brook and waving tree. The people of San Juan get their fuel from this cañada; they will be many years in exhausting it.

Doña Petra Serrano was amused at our adventure, and the mayordomo of Don Juan, who happened to be at the Alisos, said he would relate it to Rosa and Guadalupe, to whose dazzling charms Doña Petra agreed we might attribute our blindness. This, I know, is a pure “conceit,” but it sounds well in Castilian.

Passing near the mound “where Barton was killed,” words every American and man of feeling will repeat, in sadness as the glance turns thitherward—a faithful tradition will perpetuate the story and the place—we descend into the magnificent valley of San Joaquin, the “territory” of Don José Sepulveda. San José and San Gabriel range now before us, covered with snow; a clear sky above; the breeze gentle. Pleasantly we journey on. Cooler at sunset; cold at dark when we reach Anaheim. Plain, rough supper. The black horse very tired; the gray behaved admirably.

The accomodating Dryfuss brings out the papers received today by the Steamer which arrived to-day at San Pedro. There being no other fire, we retire to the stove in the bar-room for their perusal.

Crossing the River Santa Ana today found no water in it at all. I had not expected this at this season, and after the heavy rains we have had. Prager is impatient to get home, now that the steamer is in. Cold night; good room and bed. We have determined to go by the rancho of the Coyotes, in order to see Doña Refugia, the widow of Don Juan Bandini. This too is as near as the other over the hills—the former stage route—which goes into Los Angeles by the ranchito of Don Pío Pico.

25th: We have had a beautiful day for our trip from Anaheim, clear, inspiriting. When I have been away a couple of weeks from Los Angeles, I always feel strange upon entering it again. Hearty reception. Chauncey dresses up to go to his Aunt's to tell Fred of his travels. I accompany him, bearing a handkerchief full of shells which he is going to distribute among his friends, May, Fred,

Ada, and Russell, the last the children of Capt. W. S. Hancock, Quartermaster here. Everybody says he looks in fine health.

Juan Mendoza, the late chief of the party of outlaws who recently undertook the invasion of Lower California, has succeeded in inciting the Indians of Lower California and the rancheria of Jacun, on the Colorado, to mutiny, and, near the line, with 25 men, is ready to commit depredations on the ranchos on either side. Major Armistead has moved out to the line, with 20 picked men, ready to act in conjunction with Gov. Esparza, who has 30 men; and the two parties are co-operating in their endeavors to capture the rascals. Gov. Esparza was in San Diego about a week since.

Los Angeles Star , Jan. 26, 1861.

José Matias Moreno, the present acting Governor of Lower California, was arrested at San Diego on the 19th day of June, by the U. S. Marshal, upon a charge of violating the U. S. neutrality laws during the late difficulties in California between Don Feliciano Esparza and Don Juan Mendoza.

Los Angeles Star , June 22, 1861. The report recently circulated that Gov. Moreno of Lower California has favored and been instrumental in pillaging and stealing from the ranchers, is wholly without foundation. He is 248 very popular with the masses here, and in his own territory; and has always assisted, to the utmost extent of his power, persons from this side of the line to recover their property, or animals, which may have been stolen or strayed into that country.

San Diego correspondent *Los Angeles Star* , Aug. 15, 1861.

[Note in 1876 on Esparza and Castro:] The fact that Esparza caused twelve men of suspicious character to be hunted up and shot one night, made him relentless enemies, even among men of high standing on the California side of the line. He retired to an island off the coast with his family, disappeared from his house one morning, and was never heard from again.

Castro made innumerable land grants in Lower California to friends and supporters. In addition to definite and locatable ranchos, such as the Ex-Mission Santa Gertrudes, granted to a Russian, A.

Milatovich, and Ex-Mission Santo Domingo to Esparza, there were vague grants “in vacant lands of La Frontera” and “in lands of Colorado river.” Ex-Mission San Borja he granted to himself and José M. Rodriguez. To Esparza, in addition to Ex-Mission Santo Domingo above, the Island of Guadalupe. Some of his grants were purely imaginary and were evidently idle compliments, and some were thought to have been jokes between himself and friends, such as Sierra Nunca Vista to Juan Machado.

The following is one section of Moreno's report:

LOWER CALIFORNIA LAND GRANTS

Statement of land grants on record, by Col. José Castro, as Superior Political Chief, in la Frontera of Baja California, the greater part of which we in the hands of foreigners.

11 Leagues-To Solomon Pico. In vacant lands of La Frontera. 11 Leagues—To Estevan Castro. In same. 11 Leagues—To Juan B. Castro. In same. 11 Leagues—To Juan B. Alvarado. In same. 11 Leagues—To Maximo Barragom. In lands of Colorado River. 11 Leagues—To Antonio Chavez. In vacant lands of La Frontera. 11 Leagues—To Eugenio Montenegro. On Colorado River. 2 Leagues—To Ramon Beuter. Santa Clara. [Beriter?—Ed.] 8 Leagues-To Tristan Rodriguez. Port of Santa Maria. 4 Leagues-To Rafael Rodrigo. In vacant lands of La Frontera. 11 Leagues—To Juan Julio Morner. Ex-Mission San Fernando. 11 Leagues-To A. Milatovitch. Ex-Mission Santa Gertrudes. 4 Leagues-To same. Sauzal de Camacho and Ensenada de Todas Santos. 249 2 Leagues —To Frederico Dufar. San Carlos. 2 Leagues—To Juan Buet. La Agua Escondida. 2 Leagues—To Juan M. Certame. Carrecito. 2 Leagues—To Mariano Hughes. Santa Rosa. 2 Leagues—To Dr. Sacramento Lucero. Los Alisos. 1/2 League—To Santa Maria Alvarez. Ex-Mission or pueblo of Santo Tomas. 2 Leagues-To same. Tanama. 4 Leagues—To Francisco Chapelle. Aguaje de los Bueyes. 1 League —To Juan Maria Silba. San Ysidro. 2 Leagues—To Andres P. Vidal. Pila. 4 Leagues—To José Angel Carranza. Ex-Mission de San Pedro Martir. 2 Leagues—To Francisco Castro. In vacant lands of La Frontera. 4 Leagues—To Loreto Acevedo. In same. 4 Leagues —To Juan Mendoza. Tigre. 1 1/2 Leagues-To Sacramento Valenzuela. Carmen and Sauzal de

Camacho. 11 Leagues—To José R. Arguello. In vacant lands of La Frontera. 5 1/2 Leagues—To Da. Guadalupe E. de Arguello. Valle de las Palmas. 4 Leagues—To Andres Perez Vidal. Valle de San Faustin. 4 Leagues—To Carlos Espinosa. To the south of the Ex-Mission of Rosario. 2 Leagues—To Mariano Valdivia. Playa of Santo Tomas. 4 Leagues-To Geronimo Laurel and José Ma. Rodriguez. San Jacinto. 11 Leagues—To Juan Machado. Sierra Nunca Vista. 2 Leagues—To Rev. Padre Henrique Alric (French). Chocolate. 2 Leagues—To same. Rancho Viejo. 2 Leagues —To Vincente Romero. In vacant lands of La Frontera. 2 Leagues—to José Maria de Nichochea. Maneadero. 2 Leagues—To Tomas Warner. San Felipe de Jesus. 7 Leagues—To Baron Juan J. Morner. Las Juntas. 2 Leagues—To José Ma. Castro. Aguaje de Estefana. 2 Leagues—To Manuel Valencia. Los Piñotos. 1 League —To Feliciano R. de Esparza. Ex-Mission of Santo Domingo. 11 Leagues—To same. Island of Guadalupe. 2 Leagues—To José Hernandez. San Jose. 2 Leagues—To Santiago Garcia. La Zorra. 8 Leagues—To Reyes Rodrigo. Valle de San Rafael. 4 Leagues—To José Maria Castro and José Maria Rodriguez. Ex-Mission San Borja.

Besides many others mentioned through previous nine numbers, and innumerable *suertes de tierras* , granted by him.

The following were granted by Feliciano Ruiz de Esparza:

2 Leagues-To Martinez and Espinosa. On river Colorado. 4 Leagues-To Padre Henry Alric. Same. 2 Leagues-To Francisco Rivera. Same. 2 Leagues-To José M. Castro. Same. 4 Leagues—To Geronimo Laurel and José M. Rodriguez. Arrastradero. 1 League—To Juan Manuel Silva. San Vincente. 1 League—To Manuel Valencia. San Vincente.

Also *suertes* , the number of which is unknown.

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VII THE JOURNEY OF LIFE

January 25, 1861, Los Angeles: I betake myself to the Express and Post Office, and soon am immersed in newspapers. The news still looks favorable for the Union, by a compromise. But can there be a compromise now?

I have finished an examination of most of the papers of this State. Out of San Francisco, several are decidedly in favor of a *Pacific Republic*. I have collected these expressions of opinion, On a subject which it astonishes me to find myself even thinking of, for the purpose of arranging them, together with the discussions, etc., of the late Presidential Election, in a book entitled “*The Union, 1860* .” Of course, not for publication but for future reference. What a momentous theme for study and reflection! One should carefully read Thucydides in these times. And look at Italy, at the present hour, with its projects for consolidation, or union!

In the present dangers, and the calamities but dimly seen in the future, one hardly remembers the pecuniary necessities that surround him, or heeds the anxious countenances of his fellow-citizens, harassed by the general depression of trade and business in this city, indeed throughout this section of the State.

Saturday, Jan. 26th: The Overland Mail from the east arrived to-day, bringing the *Missouri Republican* and *St. Louis Democrat* of the 7th inst., with dates from Washington City of the 5th inst. The Republican members of Congress seem to reject all terms of compromise. Missouri, like most of the other southern states, is preparing to follow South Carolina. Several of the U. S. forts are already in possession of the secessionists; in the northern states the militia are being organized and are tendered to the Federal Government; nor does it appear to me merely an idle rumor that the Capital will be taken by the Secession States prior to the 4th day of 251 March next. I can with difficulty drive from my mind the thought that in a few days more, we shall be plunged into the horrors of a fratricidal war. What will another day bring forth?

Men here are calculating the chances of the result. Will the President issue a proclamation, and resort to force? Or will the secession be accomplished peaceably? Mr. John Kearny came in tonight, and when I spoke of the subject, inquired—will dissolution *seriously affect trade* ? A Republican

friend feels easy in the belief that Lincoln will be able “to put down the South.” I expressed to him my doubt, if Lincoln could be inaugurated at all, with the feeling indicated by the late proceedings in Virginia and Maryland, except after a bloody conflict at the doors of the Capital. They deceive themselves who suppose that California could stand aloof from the contest. A firebrand of the flimsiest material might soon enkindle a blaze that would sweep the State. See the incident at Stockton. How insignificant does it appear. I believe it is indicative of a fire that is smouldering in our midst, and may soon burst into a general conflagration.

Visit from Doña Francisca —— and Doña ——-. The latter had a suit for divorce at the last Los Angeles term; comes to see if she is to be allowed alimony; both her attorneys have gone to San Francisco. Doña Francisca seems to take a great interest in the matter. This disposed of, it occurred to me to make a few inquiries of her, in a friendly way; which led to the narrative of her own married troubles. She is from Catalonia, Spain; came here, one of five Sisters of Charity who established that institution in this city. Evidently she is, to some extent, mentally deranged. How it originated I cannot ascertain as yet; must endeavor to do so. This was the more clearly evinced when I led the conversation to Religion. Soon after her arrival, she left the Sisters, then married a man named M——. She is sensible enough on other topics, until Religion is mentioned.

Sunday, 27th: Like Friday and Saturday, a beautiful day—milder 252 and warmer. Chauncey brings Mary, Fred, Russell, Refugia, and Jesus; I spend the afternoon with them on the hills, I in rather a contemplative mood, they playing about, digging up *cacomitas*, etc. Met many acquaintances on the promenade, some Seated on the brow of Fort Hill chatting in view of the city, others visiting the grave-yard, etc.

28th: Chauncey and I went to the hill this morning, the walk refreshing. Another warm, clear day. Don Casildo Aguilar calls. A man of the city was out yesterday shoOting birds, and set fire to the woods, burning up some 8 acres before Don C. could with his servants put a stop to its progress. He calls upon me to “issue an order that the man shall settle with him for the damage.” He was surprised to learn that he would be the loser in the end, if the culprit should have no property wherewith to pay, and left me, no doubt disgusted with our system of laws.

Mrs. C. is a native of Chili, wife of one of our landlords. Came in to see me a few moments this evening. I never knew before why the Californian women dislike to sit in chairs, or I never thought of it. She says they prefer to sit, eat, etc., on the floor because they rest better; she would prefer the floor to the best chair in the world.

The Overland Mail from the East has arrived to-night, with dates of 10th inst. from St. Louis. The Overland from San Francisco was telegraphed passing the Tejon at 7 A.M. to-day and will be in about midnight.

31st: Walk on the hills this afternoon; breeze gentle and pleasant. To-day a row of pepper trees set out in front of the stores, etc., of Temple on Main Street, those commencing opposite Commercial Street. William Gilky, who came down on the last steamer, introduces himself to me. He has been an invalid for 14 months, abscess in the side. Nephew of Rice Davenport, of Clay Co., Mo. Gives me information of Brassfield and others who came to California in 1849. All now back in Missouri, except himself, all 253 were prosperous here, and are rich at home, the young men with wives, the widowers married again, etc. Drury Melone has succeeded well, is now at Sacramento.

The depression in business, and want of money, is severely felt in this city, the necessities of some of the people very great.

OVERLAND MAIL, 1859

From Los Angeles to Monte 13 mi. Thence San José 12 “ “ Rancho del Chino 12 “ “ Temascal 20 “ “ Laguna Grande 10 “ “ Temecula 21 “ “ Tejungo 14 “ “ Oak Grove 12 “ “ Warner's Ranch 10 “ “ San Felipe 10 “ “ Vallecito 18 “ “ Palm Springs 9 “ “ Carisso Creek 9 “ “ Indian Wells 32 “ “ Alamo Mucho 38 “ “ Cook's Wells 22 “ “ Pilot Knob 18 “ “ Ft. Yuma 10 Distance, 280 miles; time, 72 h. 20 m.

JUDGE HAYES TO HON. ED. M. SAMUEL

City of Los Angeles, Feb. 11, 1861.

My dear friend: By the Overland Stage arriving here on the 8th inst., I received your valued favor of the 12th ult., the same mail brought us news *of* the 20th ult. from New York.

I have attentively watched our progress since the telegraphic wires, on the night of November sixth, announced to the South the result of the Presidential Election. Long ago my opinion became settled, as to the immediate effect of that fatal turn in the popular mind of the North.

And now we are in the midst of a Revolution!

To-night the French Consul of this city and myself happened to interchange views; and, by chance, as it were, the expression escaped my lips: "Never was there a revolution for juster cause. He blames the North rather than the South, but simply remarked, "It is a great question." Both agreed that *he* would be the man for the hour who should rise in the National Assembly and make acceptable and rational and just plan under which the two sections, that are so radically discordant in their principles as to the disposition to be made of Slavery, could peacefully dissolve their present unnatural connexion. Our prominent statesmen are wasting time and intellect in fruitless effort for what they call adjustment or compromise, their respective partizans apparently hugging the delusion that each will fall heir to the envied title of honor which History has assigned alone to the Great Pacificator. Meanwhile, 254 they but give opportunity for passion, on one side, and pride of anticipated power and patronage, on the other, to hasten a Civil War the like whereof is not upon record.

Such briefly is the view I am inclined to take of the national exigency. Idle is it for me to explain wherein I may have surmised mistakes in either party, or expatiate discriminatingly upon their mutual complaints during so long a period. The North I consider to be wrong on *the vital issue* , and the South is right, I think. And still, like yourself, I am for the Union. I concur with the excellent old Consul of France, that we may be able to reconstruct such a Union as shall preserve liberty to the latest posterity. . . .

In California moderation prevails at present. Do not suppose there is an indifference to the circumstances that surround you. Business is depressed, never before so much so; money is almost impossible to obtain; men, therefore, are deeply engrossed in their personal difficulties, but not to the exclusion of public affairs. In this vicinity the impending danger is spoken of by everybody, without warm discussion; in fact, as if by a general understanding, irritating points of controversy are avoided, or gently “turned off” in conversation, and the Press meets the crisis with dignity and “words of soberness.” Many others no doubt think as I do. I have no hope from Congress. I am ready for any disaster. We “go about our business,” manifesting not the slightest apprehension, for ourselves. Yet we look every moment for the commencement of hostilities. None, I suppose, would be surprised to learn to-morrow or the next day that Fort Sumter had been stormed-or that the Capital had been taken!

We have not had experience of the meaning of Civil War. What we should think, if those two events should be announced, and what we *should do*, I have not the heart to bring within the range of profitless conjecture. California possesses an energetic, hardy, brave population, none more highly endowed with these qualities on the face of the earth. What might be their deeds, in a fratricidal war, whether for good or evil, is a subject I would not dwell upon. May Heaven avert it!

All along until recently men have seemed to agree, that California should keep aloof from this contest, and devote herself in quiet—remote as she is from this theatre of warring interests—to the steady advancement of her own domestic prosperity. The hope has been entertained that she might prove a successful mediator. But does the attitude of parties portend such thing to the cause of “peace and good-will?”. . . .

It is the same in this state as everywhere else, parties retaining their fixed lines of demarcation, Breckinridge, Lincoln, Northern, Southern. The Legislature is occupied with resolutions and harangues, varied by strategic manoeuvres to gain an extinct office, that of United States Senator. The mass of the people probably care little for the opinion of the Legislature or for its action; each citizen day after day preparing himself for a struggle (its nature as yet dimly seen), according to

his predilections. In a final collision, the Southern influence, direct and indirect, is likely to be predominant. In numbers the parties are about equal, as they bid fair to be arrayed.

Who can foretell the fortune of our noble State? Must she fall to the North? Will she go to the South? Shall she stand up proudly— *the Pacific Republic* ? These things are under general and serious consideration, and, if the Confederacy shall be completely disrupted, will become of absorbing importance. One way or another, the feeling of our intelligent and enterprising population will soon develop itself. I have resided here since the commencement of her Government, and have studied somewhat her resources and her policy during the last ten years; and I believe a splendid prosperity might be achieved by her, if, 255 indeed, she must seek it (in the language of one of her Senators), “through an existence of mournful solitude.” I will not stoP to calculate what good company she might easily bring around her in the shape of Oregon and Utah, Arizona and Sonora, and the “isles of the sea.” I am sick at heart in an attempt to look far into the future, when the eye first must glance over the broken pillars of the Union.

Come what may, if California shall succeed in maintaining moderation and order, and so I believe, how cheerfully I will invite you to make your home beneath our bright skies; doubtless many of my friends would accompany you, seeking rest from the thankless toil of politics, and a degree of quiet beyond the rage of social dissensions. A few weeks only, we shall know our destiny. Myself born and educated on Southern soil, I observe with intense solicitude the course of Maryland, —my mother!—and hardly with less interest, of Missouri, where my early manhood first met a kindly encouragement. I am ever plain-spoken. If they secede, I am not the one who will have the ungrateful daring to impeach their patriotism, or suspect their righteousness. But my lot has been cast on the shores of the Pacific. Its placid waters, as I saw them to-day, are an image of the tranquillity I would have spreading over the face of society here, and throughout our beloved land. . . .

As to mere news, I send you some scraps indicative of the position of those who voted for Mr. Breckenridge at the last election; significant of more than that, I might mention, that the *Bear Flag* was raised at Stockton, on the 16th ult., on the mast of a little sloop, by a gentleman I never heard

of before; it was soon taken down, say the papers; some laughed at the circumstance; others were content to rebuke it with words; several raised the national ensign over their houses. Trivial as the fact is in itself, you will be apt, in a thoughtful mood, to infer much that did not meet the eye on the spur of the moment. I do not like the course of the Republican Press in the upper part of the State. On the 4th inst., one of their organs “warned” their friends to “keep up their *armed organization*” ; evidently having reference to the vigilance Committee. Imagine, if you can, the consequences of an attempt to use the vengeance of that body in a quarrel arising purely out of politics. I am in earnest, when I say that the first blow of the kind would rouse 30,000 men in arms as quick as the wires could convey the intelligence. So we go, step by step. On this occasion the prudence seems to be rather with the Southern Press, “fire-eating” as it is called here, nor always in a joke. As the latest rumor, we learn from the Republican Press—and they seriously vouch for the fact—that in several counties military companies are being formed, looking to a separation of this State. I am inclined to credit them, as to the fact of the formation of the companies; as to the rest, I can find out nothing definite or reliable. As to the Republicans of my acquaintance, many of them talk of the Union about as Senator Hale has been charged with saying: “Let it slide!” They seem to give in to a dissolution as a necessity, it being impossible for them to surrender the principle upon which their existence depends. . . .

P.S. As I closed my letter and sought the open air, a starry night, how I wished I could hear a full band strike up the Star-Spangled Banner! My own State gave it to the Nation. Tell your youngest grand-daughter to sing it for you, and so may it inspire each coming generation. Some instinct made me wish for the grand melody. I still remember its glowing effect upon me, when one day six years ago I heard it, from Mistka Haustka, on the open square of San Francisco, in the presence of many thousand people. I still remember with what joy it touched me, when, the weary wilderness ended, it shone again before us, “so gallantly streaming” over the quiet hamlet of Vegas. My own boy shall grow up to cherish the song and love the flag.

JUDGE HAYES TO HIS SISTER EMMA Los Angeles, Feb. 14, 1861.

I wish Jeff^{*} to remember that, even with Overland and Pony and Telegraph, and what newspapers reach us by ocean lines, we are often greatly “behind the times” in necessary information to form a correct opinion of the most important transactions, as they are progressing.

Gen. M. Jefferson Thompson, C. S. A., husband of the sister to whom the letter is addressed.—Editor.

Whether we in California will be involved in it or not, and how far, it is impossible for me to tell. I suppose any of my old acquaintances can imagine what is likely to be my course, if “the worst comes to the worst.” I claim to have much moderation and fairness in politics I have never been indebted for office to any party—I believe that I comprehend the interests of the quarter of the Union it is my lot to live in, and have a sincere desire to promote them to the best of my ability. Withal I am necessarily Southern from nature and association (to say nothing of principle). The people here are from all sections of the Union, and all corners of the globe; their tone, however, is Southern to a greater extent than might be supposed in the present controversy.

Providence will smile upon us again. Let us hope for the best, an expression I retain in all the worst incidents of life. It was a common saying of one whose memory with me will ever be fresh as when you saw her last. Methinks, if God had not willed otherwise, I would possess greater comfort, and doubtless a clearer vision, in contemplating the public events of my time. In truth, I know it to be so. In the day of trouble, I would trust rather the impulses of Woman's heart, than the dictates of my best judgment, even if the latter were fortified by the example of a thousand heroes. Woman has ever shone as a patriot—but never suspected of self-interest.

This is my birthday; really, I have not entertained a solitary festive thought. My pen would fail to convey the deep anxiety we all feel here, as to the state of things at Washington City. The stage due on the 11th has not yet arrived, an extraordinary delay, which we try in every manner to account for favorably.

JUDGE HAYES TO JUDGE JOHN BROWN Los Angeles, Feb. E?], 1861.

I did not send you any news by the last stage, as we did not receive any more satisfactory; and to-day everybody is watching for the telegraphic despatch, which ought to have been here last night. The rumor is that Capt. Hancock has made arrangements to have two companies of U. S. soldiers stationed at this place. I suppose this is done, in part, for the surer protection of Quartermaster's stores here. Talking with the citizens at large, I find they are generally determined to guard the public peace and order, which gives me more content than I had at one time, when the first news reached us from the Atlantic. God only knows what will be the result of the Civil War now threatened. I will indulge in no predictions. Yet we must believe that, finally, a happy peace will be restored, with the fraternal feeling that once existed. Our liberty we can never lose. To think otherwise, would be to distrust

LOS NOGALES RANCH HOUSE *The home of Don Ramon Vejar, in which Judge Hayes was a frequent visitor. It is still standing on the Diamond Bar Ranch at Spadra. Iron rods extend through its walls, which formerly contained a well.*

SAN JOSÉ DE ABAJO RANCH HOUSE *The home of Don Ricardo Vejar and polling place of San José precinct. It stood near the Louis Phillips mansion at Spadra. Copyright by C. C. Pierce.*

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Divine Providence. If all shall remain of my disposition, the storm of War will be long away from our own loved homes of California. Till it does come, if come it must (which I do not believe), let us be patient.

JUDGE JOHN BROWN TO JUDGE HAYES San Bernardino, July 6th, 1861.

My good friend: I fear there will be trouble in this place *soon*. I have been informed that private secession meetings are held in this city almost every night; there is one to-night, and I was advised this evening to keep my gun in good order, as I would be compelled to use it in less than a week. In the mines, I am informed, there are secret meetings held almost every night. The parties at the head of this are from the upper country. I would send all my children to the Sisters, but the road and

other matters have exhausted my means. Let me know how things stand in Los Angeles. Do you think the troops there could do any thing for us, in case of trouble? There are a great many good law and order men here, but they have no commander or leader.

JUDGE HAYES TO JUDGE JOHN BROWN Los Angeles, Aug. 8, 1861.

My dear friend: Yours of the 6th last. has been received just now. I hardly think there can be any danger in any *secret meetings* , such as you refer to. Very probably, they relate altogether to the coming election; perhaps are merely Breckenridge meetings, for that purpose; these would necessarily be secret, in order to escape the imputation of Secession. All parties often hold these secret conclaves, the better to make their arrangements, without the knowledge of their opponents. I entertain not the least apprehension of any disturbance in this District. It will be well for us not to be too suspicious of each other. There is no such suspicion in this county. I do beg you not to suffer yourself to be drawn Into any thing, unless some *overt* act be committed against your rights. we must look for violent expressions, or even demonstrations, occasionally In these evil times. Moderation and forbearance will be necessary. Be cool and fearless.

I confess that some months ago I was more uneasy about things In this section of the State. This made me anxious for you and your family. I watched every movement closely; at length I became fully satisfied that the danger was past. Nevertheless, I have observed attentively the progress of affairs since, and still keep my eye upon every transaction of parties, to be ready at a moment's notice to aid in the preservation of Public Order. You remember how frequently I spoke of this in my letters.

Again I beg you not to heed too much the fears of your neighbors. I have every confidence in the ability of the civil authorities to maintain order, and the firm execution of the laws of the State, even in this day of unusual political discord.

JUDGE JOHN BROWN TO JUDGE HAYES San Bernardino, Aug. 21, 1861.

There seems to have been some sort of a scheme on foot here; but the news of troops coming has rather lulled the thing to sleep. At present there is not so much excitement, though it is rumored that on the election day something will be done. Horse stealing is still continued.

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JUDGE JOHN BROWN TO JUDGE HAYES August 30th, 1861.

The troops seem to revive things a little. Few at this time know who to vote for. I never saw such confusion in my life. To-day they seem to be going for one and to-morrow for another.

Your kind advice is highly appreciated by me. I shall be guided by it. Your views in relation to present difficulties are correct. The secret meetings held in this county are more of a political move than anything else, although some think not. However, time will tell.

JUDGE HAYES TO JUDGE JOHN BROWN Los Angeles, Sept. 1st, 1861.

People must talk to you a great deal about the election. I hear much of it here, and avoid it as much as is possible. The popular will should rule, even in times of the greatest discord and confusion. My own private opinion is that Mr. Stanford will be elected Governor.

I learn that troops went up yesterday in the direction of San Bernardino. I hope that there will be no difficulty in that county, either during or after the election.

In case the worst news I anticipate should arrive, let us in California remain cool and firm, determined to guard the public order in every neighborhood; absolutely reject the trifling and idle rumors which the malicious invent and the timid carelessly repeat; let us see if it be not possible for men, who happen to differ with each other in politics, to have more confidence in each other personally, and to cultivate better the social relations (as they were wont to exist among us), instead of indulging in the distrust and suspicion which, I have noticed, within the past few months have begun to steal over most of our population.

Let us have perfect “freedom of opinion,” but accompanied by forbearance, respect and moderation on all sides, such as heretofore prevailed. I should soon get tired of mingling in society, if I were to adopt the notion that every man is a *rascal* or a *traitor* who did not choose to adopt as gospel some theory agreeable to me. No, we must have no war, engendered from reckless passions, or mistaken zeal, in this State, to desolate our chosen homes.

JUDGE HAYES TO JUDGE BROWN City of Los Angeles, Sept. 15th, 1861.

The *Star* of yesterday gives a gloomy picture of San Bernardino county. Can all this be true? I hope you will write me fully, what is the state of facts in Holcombe Valley or elsewhere.

If crimes have been committed there, houses broken open, stores robbed, and personal violence, such as is described in the *Star*, and such as I have heard from Mr. Nichols and Mr. Jackson, it is high time that the authorities had intervened for the protection of the citizen.

It seems to me, that the County Judge, Judge Boren, might examine one or more witnesses in regard to these matters, issue a warrant, and let the Sheriff enforce an arrest with the whole power of the county, in aid of the citizens and the civil authorities there is no doubt that the Commanding Officer would consent that a portion of the U. S. troops should act as a posse. It appears to me almost impossible, that there can be a party in San Bernardino strong enough to prevent an arrest in a suitable case, or to seriously impede the enforcement of the laws, provided we proceed to enforce them in the right manner.

It seems that these men call themselves “Secessionists.” Whatever may be said in the newspapers, I am confident that in Los Angeles 259 County, as well as in San Diego, there is no organization whatsoever contemplating “Secession.” All is perfectly quiet, now that the election is over. And so I had supposed it would be at San Bernardino.

I have to go back to San Diego on the 7th of October, to try Anderson for killing an Indian woman. I could not wait there 10 days for witnesses and a jury. I therefore concluded to come home, and go back at that time, an additional expense and labor, but unavoidable.

As an illustration of the administration of justice in California, I may mention that at the late election in San Diego, Anderson himself -a prisoner-was Clerk of the election! Very kind in him, was it not? But I have determined to try him; my whole duty discharged, I will have no more to say.

I confess I feel some anxiety about these reports from Holcombe Valley. I wish to know exactly what is going on there. What are the Mormons doing? The men who are represented to have had the difficulty with Capt. Davidson, were they Mormons, or who were they?

JUDGE HAYES TO JUDGE JOHN BROWN Los Angeles, Sept. 17, 1861.

I am glad to find that these reports are without foundation; their circulation has injured our section very much. So important did I deem it to have a correction made, that I copied so much of it for the *Star* as would tend to show that your county is quiet.

Here all is tranquil. There is not the slightest danger of any disorder, arising out of politics.

Chauncey last night and to-night is with his cousin Fred, on the hill.

JUDGE HAYES TO JUDGE JOHN BROWN City of Los Angeles, Sept. 22, 1861.

Some 600 of the California Volunteers arrived here this past week and are encamped at the Cienega, six miles below this city; a fine-looking set of men. More are to arrive within a short time. It seems to puzzle the ingenuity of men, to tell what is their destination.

It has occurred to me to put you upon your guard as to reports that go from here; they doubtless go to San Bernardino, as they are circulated from here. For instance, it is *not* true

1. That the bohunkers committed any violence at San Pedro.

2. That Mr. Brent was arrested at San Francisco.

3. That letters in the post-office here are opened and examined.

The last report that we had here was that *women* had gone from Holcombe Valley to capture the commands of Lts. Foster and McKee, who lately started from here to Fort Yuma. It seems to me a very ridiculous report.

JUDGE JOHN BROWN TO JUDGE HAYES San Bernardino, Nov. 22, 1861.

The only item of news here is that a robbery of some kind is committed almost every night. Stores are broken open, hencoops are robbed, beehives carried off, smashed to pieces, and contents taken away, even the duck ponds are made destitute of the little swimmers.

There have been two murders here since you left, one an Indian and the other a Mexican. Ben Mathews killed the Indian, the old Mexican was killed by an Indian in the most brutal manner I ever heard of. The authorities take no notice of these matters!

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On Sept. 21, 1861, the correspondent in San Diego of the *Los Angeles Star* said:

At the late term of the District Court, Hon. Benjamin Hayes Judge. all the civil business was continued except *Soto v. Houch & Sexton*, in which a judgment of foreclosure was rendered. Adjourned term is to be held on Oct. 7 for the trial of J. Anderson (a white) Indicted for manslaughter, killing an Indian woman of the village of San Pascual.

At the same time another Court was being held by the Indian Captains of Pala, near San Luis Rey, who had a knotty case before them, that of a youth who had killed another last August at the feast of San Luis Rey, in a general drunken row between the San Luiseños and Dieguiños. The evidence consisted merely of the “dying declaration” of the deceased. The Indian judges were proceeding

very discreetly and deliberately with the case. We have not heard the result, nor whether the civil authorities have interfered.

The Indians of San Pascual say if Anderson should be acquitted they will not suffer him to return to live at their village. In the other case, one feature is perhaps unfortunate in that the alleged culprit is a Dieguiño, whilst his triers are of the rival tribe of San Luiseños. we hope it will not end in a "civil war." Why is there not *a suitable* Agent for these Indians? We have reason to know that they very much miss the parental care and authority of Col. Kendrick, their late efficient Agent.

On October 12 the same column stated:

We have before alluded to the Indian trial going on at Pala, among the San Luiseños. The result was a sentence of death upon the culprit. Hearing of this the Dieguiños, to whom he belonged, sent a cartil demanding his surrender to them. Three days were then allowed the San Luiseños to comply. Before the expiration of that time, a friend informs us he met a band of about fifty Dieguiños, with fife and drum, bearing off the prisoner to their own village. What they will do to him is left to conjecture.

In and around this village (San Pascual) are now living some twenty white vagabonds, selling liquor to and preying upon these Indians. A proper Agent should be appointed for them, to manage their affairs and protect them, or the military commander should take them in charge. To us it seems very unsafe to leave this "case of life or death" in the hands of these untutored Indians. They should be brought more completely under the control of the civil authorities. It is not long since the Sheriff of San Diego county had to interfere, to prevent several Indians from being hung for witchcraft.

Sunday, December 22d: Judge Brown and his son, Joseph, arrived last night from San Bernardino. to Camp Latham, in a buggy. Accompany him to-day on a visit to Camp Latham, in a buggy. A delightful day, and a very pleasant stay of three hours at this picturesque encampment. Made the acquaintance of Col. West, Surgeon McNulty, 261 Adjutant Cutler; the latter was an officer under Gen. Albert S. Johnston at Camp Floyd. He is suffering with rheumatism, taken during that campaign. Col. West is from Fort Yuma, where he has been in command. He tells me that he has

completely fortified that point. Lunched with them and Lieut. Hammond, acting Quartermaster, brother of an old friend, Lt. Tom Hammond, who was killed at San Pascual. He shewed me the results of target shooting by the men at 150 yards, fine shooting. Col. Carleton, in command here, was up to his eyes in business but very attentive to us.

I went there merely to give an introduction of my friend, Judge Brown, to Col. Carleton, with whom he had some business in reference to the "Beef Contract" of the camp near San Bernardino City. And this reminds me of an observation of the Colonel's, that some men, *reputed* Secessionists, were better friends of the Government than the *reputed* Unionists, for the former would sell their hay at \$10 the ton, whilst the latter had combined to buy it all up, and demanded \$22, but he had disappointed them, by refusing point blank to take it all, thus leaving it upon their hands. A good idea, I thought, and I commend him for it.

About sunset, we reached the City again.

Jan. 9th, 1862: Chauncey is full of the project of going to school, and I have made the necessary arrangements. He wants his saddle made immediately, and the pony brought which Don Jesus Guirardo has promised him.

A rainstorm still threatens. Mr. Abel Stearns says that this late one has been the heaviest we have had for the past twenty-five years.

Jan. 10th: Jonathan R. Scott, Esq., one of our leading attorneys, informs me that on the 8th inst., an officer and twenty men appeared at the rancho of Coco-Mango, San Bernardino county, for the purpose of *arresting* John Rains, Esq., the proprietor. This gentleman happening at the time to be on a visit at Los Angeles City with his family, an express 262 was sent here to Col. Carleton for instructions. Col. C. ordered the detachment to return to their post.

One of the immediate effects of this proceeding is, that Mr. Rains dislikes to return to his rancho, understanding, as he does, that the design was to convey him a prisoner to Fort Yuma, which the *Union* newspaper of this city describes as the Bastile of California. Even Mr. Scott says that he is

afraid to attend the San Diego District Court (to be holden next week), lest the officer in command there may take it into his head to arrest him.

Both these gentlemen inquire: "What have *we* done, to justify our arrest?" Mr. Scott intimated to me "even you may be arrested!" and I very naturally inquired: "What have I done to justify such a proceeding?"

I begin now, indeed, to apprehend that we are on the eve of witnessing serious evils in this beautiful section of the State. A war here would certainly be utterly ruinous to all our material interests; and would be likely to stain our annals with tales of bloodshed that have as yet been recorded in no part of the Union.

I understand the order of arrest for Mr. Rains emanated directly from the officer left in command there when Col. West started for San Francisco. I have not yet been able to ascertain his name. It is most difficult to divine what "notions" are operating, at this time, on the overzealous dispositions of the leaders of "Union clubs" and military chieftains (in embryo) who appear to have the control. It is as difficult, now and then, to tell what is the true source of the policy adopted, whether the Club or the Camp. We shall soon know, I suppose.

I had written the above when Dr. Welch comes in, to tell me that I am mistaken as to Col. Carleton having ordered the detachment back to their post, and that, on the contrary, Mr. Rains, Dr. Winston, and others comprehended in this "policy" have "scattered," to use the Dr.'s words. He says he has his information from one in the employ of the Government, and that himself and Dr. John S. Griffin are "on the list of the proscribed," that the order comes 263 from Gen. Wright, at San Francisco. Dr. W. says an arrest will break him up.

He further states, information has reached this City to-night that the redoubtable Col. Baylor is now at Tucson, with 3000 men, on his march immediately to Fort Yuma.

In respect to this, it was only this morning that the editor of the —— told me, a Sonorian arrived last night with the report that Tucson had been successfully assaulted and taken recently by the Apaches, all the houses burned, and many of the inhabitants killed.

Now, I seem to myself to comprehend *why* Jonathan J. Warner was at my room this afternoon, to learn how many grape vines there are in this State! He is the author of the letters that appear so frequently in the San Francisco papers over the signature of “Selden,” and whose chief object is to fan the flame of civil disorder in our community, while they seek to strengthen the idea, much entertained in the northern part of the State, that there is a grand and general conspiracy here for separation. A pretty good writer—of a precarious reputation—and with enough of reason for a strong partisan malevolence, toward those who happen to be of the opposite school, in our past controversies—and with sufficient fluency of speech and confidence of manner (not to say impudence) to force his thoughts upon weak men, like Sumner—he has done already considerable political and social mischief in these bad times. And now, seeing breakers ahead and not certain of the turns of the gale, he is beginning to think of an older, and better, hobby, our *Vendimia*. I will get the information for him by morning, but I must ever regard him hereafter, as a man, as dangerous as he is trifling and worthless. It is a truism, however, that revolutions always (for a while at least) place in the front rank the basest of mankind.

Jan. 11th: The school which it is proposed that Chauncey attend, is to be held by Mr. Cramer, the late teacher of the Grammar School, who resides at the San Pascual Rancho. The terms are \$25 per month for board and tuition. I am to pay for his washing. Grass for his horse is free, but if he 264 wishes it fed with grain, I must furnish it. The parents of the pupils are to provide clothing, furniture for one bedroom, and 12 table-napkins for each child.

Captain A—— has been stopping at the Lafayette two or three weeks. I only made his acquaintance a few days ago. The kind old Mary Jo, now chambermaid here, brought him to my room and introduced him to me. He has taken charge of the Male Public School. Born in Plaquemine, Louisiana, sent to Eton, afterward to Cambridge, present at the coronation of Queen Victoria (or her marriage, I forget which), served both in the French and the American navy, Captain of the

Three Sisters (wrecked off Guayaquil). His wife is a daughter of Col. Hunter, formerly Consul at Southampton. She is now at San Francisco with her accomplished sister and her little daughter, now just eight years old. He is here to look at our country until she comes. An easy, pleasant gentleman of the most urbane manners, and evidently of considerable acquirements and experience, but greatly depressed in spirits at this time.

No, No! He enters my room this afternoon glad and joyful—four letters—from wife, and friends (the latter an English lawyer in Washoe, and an Episcopal Bishop of Victoria, whose signature is “George Columbia”). “My child will not fill up the void made by the absence of one so dear as you —” (“Doubtful!” his quiet voice mutters. O money! O ambition! I was tempted to think). And then he tells me his expectations and anticipations are all toward Paris. His wife tells him to write her in French, as she does; she has received a letter from the Pope, another from the Duc de Grammont; the little daughter is already betrothed to the son of the latter, according to French custom (the wife's doings), and he does not interfere. Wife's and sister's income each \$2000 per annum, which they have long enjoyed in Europe, preferred by long alienation to their native soil. Capt A. looks to Paris, to gratify his ambition and his eye brightens when he pronounces the words:

“I have ambitious views!”

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Yet he seems to be reconciled to the humble prospect which, I think, surrounds the Public School of Los Angeles! 14th:

I should have started to-day to San Diego, to hold Court, but the driver informs me that the roads and rivers are too bad for me. He started with the mail this morning in a buggy, but returned, and set off again on horseback. The attorneys too—Messrs. Scott, Kewen, Gitchell—are all against attempting the journey.

I regret it, for, besides my official business, I wished to make some observations of the country at this particular time, just after such incessant rains for so great a length of time.

Judge John Brown of San Bernardino writes me of date the 12th inst. as follows: "It has been raining three weeks steadily at San Bernardino. My road (to Holcombe valley) is all washed away; all my former work is lost; I have now to make a new road, or lose all that I have expended. Some people advise me to quit road-bulding, but I am determined to build a road at all hazards. I returned from the road yesterday, and shall go back to-morrow with the men, etc., to build it up again. My greatest trouble is the money to pay. Is Godey or Miguel Ortiz in Los Angeles?"

Chauncey is full of the idea of going to the rancho to live and "pursue his studies." Arrangements are made to have everything ready to-morrow. Just here I am inspired to preserve (if these notes remain) the title of the book he first learns to read in. It is: "Sargeant's Standard School Primer; or, First Steps in Reading, Spelling, and Thinking, on a New and Approved Plan, with Illustrations by Billings and Others. San Francisco, H. H. Bancroft & Company, 1861."

I wonder if he will be a poet. The piece in it that pleases him most is *The Bright Day*, and I have been struck with his admiration of the line— *Hark! the tinkle of the brook* — which I have heard him oft repeating to himself. The other topics of this book he made me read to him over and over again are *The Boy and the Nest, The Robin, The Sun, God Made All, Birds*. When he goes away I hardly know what I will do. I must submit to it. So far, he has acquired no bad habits from his playmates on the streets. He is innocent, and good.

Jan. 15th: It commenced snowing about the last of October, 1861, in Holcombe Valley. Fell a foot deep, snow melted; another storm of snow about the same depth November 15th, soon melted, leaving warm, delightful weather in the valley of Holcombe. On Christmas eve the rain began, soon turning into a Snow which fell over three feet. On Jan. 8th began to rain, and slush, the snow disappearing a great deal; at the depth of two feet, Mr. Nichols started out of the valley.

He came by the desert road. The Mojave was very high. He started on the afternoon of the 10th January. Very heavy rains have fallen on the desert. He could see numerous lakes upon it, where none have been seen for many years. In the Cajon Pass, he says, there is no road at all, the torrents

have swept every thing out of their way. The snow in Holcombe Valley has not stopped quartz operations; there have been about 100 men there all winter, doing well.

Jan. 30th: A. S. Ensworth, Esq., writes me from San Diego of date the 20th:

“For several days we have had the rain falling in large quantities. The San Diego river overflowed the flats, so that a boat went to the houses and brought away the women and children. One house washed entirely away. Lyon's garden is entirely destroyed, one bed of the river running through it.”

This letter came by steamer, received the 28th. The land mail has not yet arrived.

From Anaheim I learn that the water has been advantageous to the vineyards, rather than otherwise. The Sisters Of Charity started the 28th with the donations they have received for the relief of the people of Agua Mansa. The Sheriff of San Bernardino county informs me that the 267 chief damage at the City was from City Creek and Warm Creek; lower down, near Slover's, these unite with the main river Santa Ana, hence the greater destruction at Agua Mansa. The creek at Garner's comes out of the *Cañada de los Negros* ; he has heard of no serious damage there. To take his description, the water of City and Warm Creeks came very suddenly, and “in billows fifty feet high.”

Feb. 3d: Start for San Bernardino. Road pretty good, considering the heavy rains we have had. At San Gabriel Mission we take the road direct to Mud Spring, crossing the river a considerable distance above the Monte. The main river still flowing swiftly, with a great body of water; during the flood, it made another channel through the settled portion of the Monte, passing through the little town of Lexington. This channel, I understand, the people have turned back to the main bed. Wherever crossed, however, it was still a swift current.

Dined at Mud Spring; the day cloudy and cold, and a little drizzling in the afternoon. Reached San Bernardino about dark. Rained through the night.

Feb. 6th: At the mills on the mountain above the City, the snow is 16 inches deep; in all the mountains, there have been very heavy snows, as their sides and tops indicate. Yesterday met with

Capt. Fritz and Dr. Prentiss, day before with Lieuts. Baldwin and Wardwell. Polite invitations to their camp, now about a mile and a half north of the house I am stopping at. Yesterday finally disposed of the case on *habeas corpus* of the People vs. Isaac Cohn. All accounts represent this City as in a sad state of disorder at this time.

About 10 o'clock P.M. there was the shock of an earthquake, lasting a second, oscillation from east to west.

Friday, 7th: Alex Godey arrived here last night from San Francisco. The *Senator* left San Francisco the morning of the 3d, raining at the time, same day began to be stormy, but 268 off Point Conception encountered a very heavy gale which Capt. Seely described as the severest he had ever experienced on the coast; this was severest on the night of the 4th. At one time he was on the point of throwing all the freight overboard. The *Senator* was heavily laden—some 780 tons of freight. Sea too rough to go into San Pedro, consequently lay half a day in the bay of Santa Cruz Island. A schooner in the port of San Pedro had to put to sea.

I am glad to learn that Godey has received the appointment of Supervisor of the Indians in this District. He is full of the idea Of making himself useful to them. Last evening passed away pleasantly with his chat on Fremont, Halleck, Indian Battles, etc. Godey gave me a description of the Battle of San Pascual, for the result of which he blames Gen. Kearney. I shall not soon forget his description of his own encounter with an Indian chief on the Chowchilla.

(The way Godey learned to write his name—Dodge—Mormon elder—St. George-cotton.)

No lives were lost at Agua Mansa—was it a special grace of Providence?

Father Borgatta told me he heard the roar of the waters far up the valley, some considerable length of time before the flood reached Agua Mansa. So he could ring the bells for warning. Still, several had to swim out.

Mr. Conn says: "The Santa Ana river broke over its banks, ran into City Creek, and the united torrent into Warm Creek, long before reaching the City; and this new river, as it were, afterward reunited itself below the City, with the main stream. The river broke over its banks above the fields of Carpenter and others."

Agua Mansa is, or rather was, a valley about six miles in length and from one-half to three-fourths of a mile in width, the river winding about midway through it, the soil a light, sandy loam, very rich. It was one continued farm, divided into a hundred or more fields, each having its separate owner. At the lower end began the cottonwood forest of Rubidoux, much of this filled by the flood. At 269 the upper end you came out into a sandy plain extending to the edge of San Bernardino, at the low rise of ground on which stood Apolitano. Over this rise, you drove among the choice little farms of, but still a couple of miles from, the centre of the City. Agua Mansa was bounded on the west and northwest by the abrupt beach terminating the desert of Cucamonga; on the opposite side, by the bank of the river, and a lofty ridge extending far to the southeast, and along which runs the main road from San Bernardino to the hot spring and tin mines of Temescal and the historic valley of Temecula.

Standing on the rise of Apolitano, as at Jumua, can be seen very plainly the point at which the main river emerges from the cañon; to the east of it the line of Mill Creek coming from Mt. San Bernardino down to the main river, coming from above the Mill in that mountain, 25 miles from the City, a torrent always in the rains. To the west of the river is City Creek. It rises in the mountain ridge that extends from the cañon to the Cajon, and, in summer, sinks into the sand very soon after reaching the plain. Next is Warm Creek, rising in the foothills of this ridge, and flowing into the Santa Ana below the City, running first over a good tract of land having fine farms; it passes a mile east of the City; the river runs still further to the east, and winds round in four miles to Agua Mansa. Cajon Pass being eight or ten miles from the City and about north thereof, has its stream also, this is the grand pass from our section leading to Utah and New Mexico.

Lytle Creek rises in a neighboring ridge, a beautiful mountain stream, with many fine farms on its banks; now, very lately, gold has been discovered there.

From Jumua, or Apolitano, or any housetop in the City, Mill Creek, the cañon, Warm Creek, the Cajon, Lytle Creek-all plainly in sight, and (better to be seen from Don Hipolito's) the last green fields far up the main river.

It was just above those green fields that the Santa Ana, suddenly swelled by Mill Creek, broke over its banks in the flood and ran into City Creek, already a considerable 270 stream, and then the united torrent into Warm Creek. This occurred before Warm Creek reached the farms nearest the City, on the lower ground. This new river afterward reunited itself below the City with the main river, and the whole volume of water poured itself upon the devoted Agua Mansa.

City Creek runs more than 20 miles through the recesses of the mountain ridge back of the City, but you cannot easily ascend it further than 2 or 3 miles from the valley, so wild, so many boulders, etc. From the church of Agua Mansa, the distance is 6 miles, by the road, to San Bernardino City, thence to where the main river comes out of the cañon, 12 miles; but by the main river it may be about 25 miles from the church to the mouth of the cañon.

Jurupa is the name of the whole tract of land, according to the Mexican grant, but it is also in common parlance applied to Agua Mansa, and the latter name is in more common use than that of San Salvador.

I visited Agua Mansa on the 6th. A dreary desolation presented itself to my eye, familiar dwellings overturned, or washed away; here only a chimney, there a mere door-post or a few scattered stakes of a fence, lofty and stout trees torn up, a mass of drifted branches from the mountain cañons, and a universal waste of sand on both banks of the river, where a few months before all was green and beautiful with orchard and vineyard and garden, the live willow fence enclosing every field and giving a grateful shade for the pleasant lanes and roads. Here during many years a simple, frugal, and industrious population had lived, with a considerable measure of prosperity, to me always

appearing a happy race, certainly hospitable, kind, and joyous when I met them, whether at the *iglesia* , the *baile* , or the social hearth. They were all or nearly all from New Mexico, and some of them Indians of the pueblos of Taos. I do not remember any American, of late years, residing among them, although visits of Americans were continuous, for diversion, Or in the course of travel from Los Angeles, or of business, and I never heard 271 anyone complain that he was not received with a most gratifying courtesy and attention.

I found myself in the midst of the family I first sought out, by the name of Trujillo, and although they had saved little more than the shingled roofs of their former dwellings, under which, planted upon low adobe walls, they now made their homes, there was an air of contentment or of true resignation about them, that, by their blazing hearths as I moved around amongst them, made me forget for awhile how ruined they were in “the world's gear.” Before the flood they were as well-to-do as the richest in the settlement, with their vines and fig trees and flocks of sheep, and I think with a larger tract of land than any other family. Many a time I had watched their increasing stores, now swept away in an hour, their whole tract of land a mere sand drift, in the beautiful vineyard not a vine visible. The old mother alone betrayed marked signs of grief; she was approaching seventy, very deaf, but of sound memory, which could not but often recall the past, for they were camped on the higher river bank overlooking the whole scene of former joys. I know not how they managed to do it under such circumstances, but when the time came for me to retire I found no difference from better days in their arrangements for my comfort through the night. Kind people! How hard to begin again the life of toil, toil, toil, yet the tall, athletic, faithful sons and husbands had already commenced a ditch to convey the waters of the river three or four miles over this bank to land lower down, from which they expected to get a crop of wheat this season.

The people of this settlement, that is to say, the original stock, in the year 1841 were induced to emigrate to California by some of the New Mexican traders of that day, and they were put in possession of this part of the rancho of Jurupa by the then owners upon the condition of sallying to defend the frontier country and ranchos from the Indians of Salt Lake, etc., who were in the habit at every full moon of making forays into this section, for the purpose of carrying off horses. I have always understood that they faithfully fulfilled this part of their contract. 272 Afterward

the Mexican title to these lands passed into other hands; many were the solicitations the simple people made, from year to year, for conveyance to. them of what they supposed they had earned by exposure to privation and danger; they were delayed on one pretext or another; the contention is now ended, and peradventure will never be revived, at least this is the present prospect, to look at the lands as they are.

(Memorandum, August 7th, 1864: The old inhabitants are scattered Somewhat, a large number forced into mining in Holcombe Valley and neighboring places, to help out their scanty crops. They do not seem inclined to wander far, but prefer to pick up here and there where they can, patches of a few acres amidst the sand, to the best promises from any other quarter. Agua Mansa—Gentle Water—there may be something in the name. Indeed, of the place itself and of its denizens I have no reminiscence that carries with it excitement or any idea of bustle, still less of violence and passion's storms that darkly tinge many of my other recollections. A happy tranquility diffuses itself through this vale, as it once was, and over everything there. Some benign influence—Or could it have been a failure of proper energy? *I* at least can never so reproach them—kept men and women much in the even tenor of their way. I do not remember to have heard of a public meeting there except twice, and then to build a church, and this may fairly illustrate their character, for, as I have repeatedly witnessed, there was among them a lively devotion to the affairs of Religion.

I have mentioned a single family. Its head was Don Lorenzo Trujillo, one of the finest representatives of the pure pueblo Indians of Taos. He continued until his death to play a leading part in a community the majority of whom were of the conqueror's blood. Give him due credit for successful industry and skill as a farmer, still he may deserve a higher commendation for the zeal he displayed in founding the first church—A.D. 1852—a commodious adobe edifice built under his immediate superintendence, but washed down by the rains just before the roof of thatch 273 was to be put on, in 1854. It bore the title “The Church of San Salvador.” This is also the legal name of the township, and in particular was the name he delighted to give to his own sub-neighborhood, a cluster of convenient adobe houses (of which the church would have been the central charm), where

he had gathered together his numerous sons and daughters and daughters-in-law and their infinite offspring, with I know not how many *hijados* , and governed them like a venerable patriarch.

He was an enthusiast in all he undertook, without worldly education, of much energy and good sense. He had an idea that San Salvador would soon become a flourishing town. Visions of “lots” ended in but half-suppressed jealousies amongst the other inhabitants up and down the river, and the rains that ruined his beloved church design moderated and changed his plans of a more temporal nature.

Providence took better care of the flock, we might think when we see them fleeing from the mad waters to the altar which their piety afterward erected upon a safer and in all respects a more desirable spot. The present church is a large frame building, situated on the main street or road running along at the foot of the high bench that bounds the valley on the west through its whole length. Many of the people resided on this bench, having their farms and gardens below. Adjoining the church are two or three rooms occupied by the priest of the parish. With agreeable emotions, I mention three successive occupants of these cells, Rev. James Anthony Borgatta, Rev. Dominic Serrano, Rev. Peter Verdaguer, the last yet in the very youth of his apostolic career, who has the other day laid the foundation of another church at the City of San Bernardino. Poor Don Lorenzo, the beginner of the good work, “may he rest in peace!”

They used to show me here, at the foot of the ridge of lofty hills and peaks that hem in the valley on the southeast, all the stations, each with its rude cross surmounting a little mound of rocks, where the corpse rested on its journey to the grave-yard; the stations have escaped the flood. Don Lorenzo departed this life in the year 1857. It is probable that he planted the heavy wooden Cross that half a mile or so below the church greets the traveller over the arid plain from San José (Toybipet) and Cucamonga, just as he gladly leaves its chaparral to descend beneath the once refreshing foliage of San Salvador. One is often asked the meaning of this Cross. It is seen in the same way near every New Mexican Village, upon elevated ground, to be made visible a long distance off, the sign that you are approaching the territory of Christians. Thrice welcome signal of rest at hand it is, moving the heart of the most thoughtless to a momentary gratitude.

Doña Barbara, whose house one first comes to and never leaves without regret, who makes the lightest tortillas, wheat or corn, ever cheerful Doña Barbara, from year to year unchanged! How different from many I have known! I speak of her with kind emotions; to her I owe one narrow escape I have made from danger; otherwise than to acknowledge her services, the particulars of the incident are now unimportant. She married in New Mexico and, with her husband, accompanied the original emigrants to this place. The two old people lived very independently and were most happy, although he was often long absent in the Sierras, faithful to an inveterate taste for hunting. I fear life had of late become uneasy to him. As late as 1850, when he was at the age of 77, the wide valley of San Bernardino and its mountain ranges and streams were all his own, with their spoils of trout and deer and bear—the last his greatest pride to follow and to conquer. The next year came the swarm of Mormons from the beehive of Utah, to replace the half-dozen herds-men and their harmless herds; then soon, magistrates, taxes, mines, squatters,—the restraint bore hard upon his patience. In the summer Of 1850 riding with me, the heavy rifle upon his shoulder as usual, his still faultless eye detected the lurking bear's track, not half a mile from his house. Even now I remember the light of the old man's cheek. He was the only American domiciled at Agua Mansa.

These were among the noted leaders of the settlement: 275 Don Lorenzo, Viejo Slover,—worthy that a better pen should emblazon their humble story.

This region has an earlier history, necessarily not to be traced far back. The Indian traditions we have of it are few. In the year 1841 it was the largest of the landed possessions or ranchos belonging to the Missions, but by no means the most productive. Before 1835 the Cahuillas and Serranos had been partially Christianized, and a regular establishment formed amongst them at the distance of six miles up the river from the present church of San Salvador. Here taught and labored the Rev. Father Tomas Esténaga, unfortunately doomed to see the best efforts for their salvation crushed in a rising of neophytes, aided by untamed savages, in the last-named year. They subjected even their pastor to rough treatment. Quiet was restored but the Indians never returned in any number to the establishment, and it soon became nothing more than a stock-farm called Jumua. Some of the old

buildings could be seen in 1850, with the olives of the garden and the outlines of the fields that had been cultivated still apparent from the rows of cottonwood.

The Serranos were not numerous, of a milder temper and fairer complexion. The black and fiercer Cahuillas, whose name means *Master* or *The Great Nation*, who twenty years before filled every habitable spot, had left here a petty village of fifty beings on a little rise of ground at the edge of the present City, euphoniously enough called Apolitano. In the following year Mormons bought them out, and since it has been a harder struggle with them for existence at their new home twelve miles off at San Timoteo. The rest of “the great nation,” with the exception of the servants in the towns and ranchos of the whites, have taken to the few places of grass and water to be found upon the Colorado Desert.

It must not be understood, however, that all have relapsed into heathenism. The signs are too evident that fruits of the seed which the good Fathers planted so many years ago remain. Many of the men at any village will claim to be *Cristianos*, and I have known the women to travel far seeking baptism for their children. Ere long the hymn of praise shall again resound in these wilds, under the gentle influence of the Sisters of Charity. The genial sun of their beneficence shall pour forth rays upon a race abandoned, seemingly, by almost every human providence.

Certain tragic circumstances brought me, in July, 1850, with some civil officers, to the peaceful and silent Jumua. Delayed there a day or two, I had little to do save to look around upon the scenery or up to the skies. Our first impressions are often the truest, at any rate they are apt to be long remembered.

Mount San Bernardino was still crowned with his snow, and the cliffs of limestone far down his breast seemed to be snow in the reflection of the sun. His right arm, sweeping out to the north, to reach the Cajon, bore aloft its pines all the way as if so many tiny stems of flowers, while beyond rose the Cerro of Cucamonga.

And the broad valley of Apolitano lies smiling before me, as when those virgin charms so much excited admiration. For midsummer, the wind was bleak that blew down through the Cajon;

vegetation, however, was out of danger from the cold blast. It was a mass of verdure, with its groves of forest trees scattered over the immense grassy lawns, up to the very foot of the mountain ridge, except where the tall yellow primrose and sunflower or the humble crimson escobaticita had won possession of the fields. There is the dark gorge whence you may see the main river emerging, after many miles' travel from the secret caverns near the summit-few but the bear-hunter yet tempted into its recesses. There the huge gaps the rivulets with time have worn, for their nymphs, as the Indian legend saith, to pass into this flowery world. (Mill and Warm and City-surely these are not of the nymphic idiom). Here are the streams, as now we speak of them—Indian village—the company of soldiers-and countless cattle. None of these were in sight in 1850, nevertheless the spots they occupy could be pointed out.

Were the good old Fathers merely the ascetic monks those who least understood them have sometimes described 277 them to be? Were they only speculators for temporal gain? One thing has been observed of them; in the whole country, they invariably made the best selections for the purposes of a Mission, and there is no doubt they were adepts in what makes for utility. Still, see their ideas of beauty, around their cells at San Diego, San Gabriel, San Fernando. But go to Jumua, and you will say they must have been *poets* .

To obtain the most perfect prospect—myself neither poet nor painter—I would choose Jumua, and next, the hillside of old Don Hipolito; the two points seven miles apart on a due north and south line and equidistant from the center of the present city (which itself, with its adjacent farms and the lower river lands, is a flat of an area seventy miles square). From any veranda, the lands are so very low you may suppose yourself to be walled in by Mt. San Bernardino and the ridges extending to and beyond Cucamonga, and those from Jurupa southeasterly in the direction of San Jacinto, with a single narrow avenue of escape opening to the west.

An immense tract of land around San Jacinto's base is owned by an amiable and numerous family, of the honored names of Estudillo, Pedrorena, Arguello, always mentioned with respect by those who know them well, indeed with the warmest kindness. "I go to San Jacinto"—"I come from San Jacinto"—these are common expressions. We know little Of this gigantic heap, a *terra incognita* .

An Indian rancheria, said to be well-governed, is somewhere there. Familiar as I am with Indians, I have never seen a soul that belongs to it. Realm of mystery! What spirits of the ancient heathen tribes are guarding it from invasion? Is there no legend to tell? I only remember that its sands are of gold on the farther side, and Juan Antonio, great chief of the Cahuillas, went there a twelvemonth since, worn with public cares of San Timoteo, to die of the pestilence. There he was born, eighty years ago, I have heard. Let it be his monument-Chief, whose stern deeds are all the history thy people have, or all till now told of them.

Between these two mountains Nature has made for the cars of commerce an almost imperceptible ascent and 278 descent, each of fifteen miles, out into the Colorado Desert, and thence to the birthplaces of most of us.

Habit continues to the river the cognomen of Santa Ana. If it were in English I would like it better; the Spanish reminds of the Mexican whose fame is too doubtful. General and President I think it was originally called from the flourishing Californian settlement of Santa Ana a hundred miles from its head and forty below San Salvador; at Guapa, above, it is "river of Guapa," and thus differently, at the several settlements. If these waters are to be christened by the people of Santa Ana, let us restore the Indian name for the settlement itself, that is Hutucgna.

I must long remember the wearisome cañon from Holcombe Valley to the mouth, from the visit I made with Rev. Father Raho shortly before his death to Holcombe. It was then full of miners, but they were poor. Their pious contributions aided one of his dearest objects, the repair of the church at Los Angeles, which had been injured by the rains of January, 1862. There is a marked significance in the gilt inscription he caused to be placed upon its front.

A belt of willow and oak and sycamore closely hugs the edge of the ridge enclosing the pleasant nook of Yucaipa, on the east. The eye easily follows the river's windings until between Jumua and the City, in the distance of twenty miles a small hill or two intervening, at this point it is visible no more. The woods of Lytle Creek are a verdant thread coming from the Cajon and broken as it bends toward Jurupa; the creek is famed for trout and often gay and joyous with the pic-nic; nearer its

source, at a day's journey, the charmed resort of vigorous hunter as well as pale invalid. It is one of thirty laughing streamlets that might create a Paradise here. Meanwhile Warm Creek, noted for the medicinal hot spring, has gone to mingle with the chief current. Four miles beyond the City this falls into the deep hollow of Agua Mansa.

The group of *Cerritos* clustered near Agua Mansa look as if they formed an impassable barrier to egress from the valley; really, only the lofty gates that open to more bountiful soils and more luxuriant pastures, on plains that tire the eye to gaze over. In general the *Cerritos* are without verdure, yet there is a singular beauty about them. The days are warmer here than on the immediate coast; the sea breeze is tardy in arriving, and comes heated by the furnace of Cucamonga; the exhalations, too, from this damp valley and from an alkaline soil must contribute to influence the atmosphere. Whatever may be the reason, the hills put on hues and take them off more strangely than I have observed nearer the seashore.

Down deep within the bosom of those *Cerritos* lay the fair and blooming Agua Mansa. Flowing away from it, the river is more rapid through old Jurupa and until its waters touch the tender grasses of Pasignogna. Here, fed by innumerable springs, it capriciously grows more quiet, sleeping along; then to regale the vine among the joyous Germans of Anaheim, and then off over the open plain to the rich acres of Refugio and Jenga; a little further, the will of Providence done, it bounds gladly into the peaceful sea.

What I have called Jumua requires an explanation. The Indians called the place where the old Mission buildings are Gua-chama. But there is not much difference. The whole tract of land around was owned, in 1850, by the family of Lugo. One brother, José del Carmen, resided at Gua-chama, a mile and a half or so from the other brother, José Maria, whose place was called Jumua. Either word might be used, if occasion required it, in a poetical composition, according to the judgment as to the sound.

I have not been able to find the Indian word for Mt. San Bernardino. Since the conquest, the Spanish designation has prevailed, *Sierra Nevada*, which does not distinguish it from the mountains elsewhere in the State.

The mountain in San Diego County called Cuyamaca—"the high mountain" is higher than Mt. San Bernardino; it is often called San Ysabel but this applies more properly to a point lower down on the side or descent of Cuyamaca. San Bernardino, San Jacinto, Cuyamaca are the three mountains of this section, the only three in an extent of two 280 hundred miles from Kern River along the coast range, the rest are low ridges.

The family of Lugo, lands and cattle counted, in 1850-52 were worth \$150,000. They are now on the borders of poverty. Thus the finger of Providence seems to mark the decay of the old Californian families. We must not judge. But the Indians have suffered great crime and injustice from the later Mexican governors and people.

Words of the idiom of the San Bernardino Indians: God—Chanopa Music—Wireunakai Summer—Tunava Winter—Tamave I am glad that my poor friends the Cahuillas have a pretty word for Music; it might do as well for Poetry.

The City—I must confess the least picturesque object in the panorama-stretches its irregular clumps of trees and cabins until the elevated bench of the Cucamonga desert terminates the view.)

HENRY WILLIS, ESQ., TO JUDGE HAYES January, 1863, San Bernardino.

We have again been visited with a terrible flood, exceeding in magnitude that of '61 and '62, though it may probably not cause as great a loss of property, though the amount of water that fell in this valley and the vicinity has been greater than on any other occasion. The Santa Ana river has destroyed everything in its course, so far as heard from. Agua Mansa has suffered most. Entirely destroyed. Meek's Mill, now owned by Ben Mathews, is the only property near the banks of the river that is uninjured or not swept away. The water reached the second step of the church at Agua Mansa. You can imagine the volume of water flowing from this valley. There was a large river

running past Pim's Hotel, which cut for itself a bed two or three hundred feet wide, in some places half a mile. This water was from City Creek. It destroyed everything in its course from City Creek to where it joined Lytle Creek a little distance below Mr. Margetson's. Many families have been left without a home. George Spark's farm was entirely washed away, house, fences, granary, crops, In fact everything. Mr. Singleton lost everything, farm entirely washed away. Mr. Cabb's house was washed away, also a part of his land. Mr. Lord is also very much injured. These are only a few of those that have suffered by this storm. The valley at present looks really frightful, with so many deep fissures on its surface. It was fortunate, for this little town that Lytle Creek did not take a course towards It. or the town would have been entirely washed away. No power could have prevented it. The Toll Road through the Cajon Pass is entirely washed away.

The heavy rain and the highest stage of the water was on the 23d, 24th, and 25th of December. Everyone was confined to his home, the torrents of water everywhere made it impossible to travel even to your neighbor.

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San Bernardino correspondence, *Los Angeles Star* , Feb. 21, 1863:

“SMALLPOX: This loathsome disease has made its Appearance in our community, but not to any great extent, only a few cases having been reported to the time of writing. . . . Old Juan Antonio, of San Timoteo, is also a victim to this disease, and upon its becoming known among his tribe, they immediately packed up and left for the Cabazon Valley, leaving their old chief without any assistance and entirely destitute of food. Mr. D. G. Weaver, who resides in San Timoteo, on hearing of the condition of Juan, very kindly engaged a Mexican to carry him some provisions and to render him such other assistance within his power. Juan's mode of treatment is sweats, followed by cold water baths. such treatment will, *of course*, soon produce a fatal result.”

[Same, Feb. 28, 1863]: “Since my last, old Juan Antonio and four other Indians have died of smallpox, and I have been informed that the bodies have not been buried and that they are being

mutilated by hogs and dogs (this is surely an exaggerated rumor-Ed. *Star.*) Of course it is a matter of much annoyance to the whites living in that neighborhood. Where Is our Indian agent?"

Jan. [], 1863. To Hon. Alex. Godey, Indian Superintendent of Southern District of California: The undersigned, citizens of the counties of San Diego, Los Angeles, and San Bernardino, beg leave respectfully to call your attention to the recent alarming spread of the smallpox, within said counties, and especially among the Indian population, as well among those domesticated upon the ranchos and in towns, as those who continue to live in their several rancherias. In the small town or settlement of San Juan Capistrano, about one hundred and thirty Indians have died of this disease, within the last three months, and it is now beginning to affect Temecula, Pala, San Ysabel, and the other principal rancherias of the mountains. It is impossible, apparently, with convenience either to the Indians or to the whites, at present to separate the two classes of population, and thus whatever may be done by the county and municipal authorities to mitigate, check, *or* eradicate this disease amongst the whites, must connect itself with some measure for the particular benefit of the Indians, if we expect ever to restore health to the counties above mentioned. We find that a great mistake has prevailed, as to the reported vaccination of the Indians, and a fatal mistake has been made, the consequences of which we are just beginning to see. It is not necessary now to inquire as to the causes of this mistake; we assure you solemnly and earnestly of the fact. As one of the first steps, therefore, towards the eradication of the smallpox, now so fearfully extending amongst us, we would respectfully petition that we may have your influence, heretofore so usefully felt here, in procuring the appointment by the Federal Government, of two or more competent, benevolent, and faithful *physicians* to visit these Indians at the earliest possible day, so as to ensure their immediate vaccination.

BENJ. HAYES, District Judge, etc.

The above I wrote at San Diego; it was generally signed in the three counties, and forwarded by Mr. Godey to Mr. Wentworth, the Indian Superintendent. Up to that 282 date, Jan. 16, there had been comparatively few cases in San Diego county, nine at San Mateo, eight at Montserrate, three at Temecula, three at Pala. There were none at the City of San Diego, or elsewhere in the county of

San Diego, but the greatest alarm prevailed among all classes. This is shewn by the annexed letter of Col. Coutts, although only in part. He afterwards told me he would not have admitted me into his house, if I had stopped on my way down in the stage. Indeed, at the City I think I was received by several with much caution, thinking I might have the poison on my clothes. Nevertheless, they had made no arrangements for a hospital, and had even forgotten to have the Indians vaccinated. I suggested to Mr. R. B. Tibbets, Justice Of the Peace, the annexed regulations for the Indians, which were carried into effect there, and before I left some 70 Indians, from 100 years old down, were vaccinated by Dr. D. B. Hoffman. These regulations were forwarded by me to the adjoining townships of that county, as well as to San Bernardino county, and to San Juan and El Monte townships in Los Angeles county.*

The Supervisors of Los Angeles County, Messrs. Morris, Aguilar, Gibson, and Wilson, appropriated \$200 for the relief of the citizens of San Juan Capistrano. Regulations and instructions were sent by Judge Hayes in Spanish. At his request Don J'an Abila, Don Juan Forster, and Don José António Yorba took charge of the supplies purchased with the donation. They reported on Feb. 14, 1863, that relief had been extended to thirty-four families. For Don Agustín Olvera Judge Hayes translated an address to the Californians in Los Angeles, on which is noted: "Their committee made some little effort to carry it into effect, but they did no practical good. after day, consulting over this little address! They were a full week, day Meanwhile, how many died! More successful was an address written by the Judge for Mr. Samuel Prager, addressed to the Hebrew Benevolent Society of Los Angeles. It calls attention to the fact that 1000 persons had been attacked by smallpox in the town and more than 300 had died, and resulted in a substantial contribution. Judge Hayes notes that the warrant from the County for the aid at San Juan was worth at least 55 cents on the dollar. On Jan. 31, 1863, the *Los Angeles Star* published in English and Spanish the ordinance issued by the City Council creating the Los Angeles Board of Health, as the result of the smallpox epidemic.—Editor.

[DRAFT FOR ORDER MADE AS DISTRICT JUDGE] January [], 1863.

In view of the recent rapid spread of the small-pox within the County of San Diego and the adjacent counties, and, as far as may be, to prevent its extension through the township of San Diego, it is hereby ordered as follows:

1. Manuel, an Indian, is hereby appointed Captain of all the Indians domiciliated and living within the limits of the City of San Diego, to see that order is preserved amongst them and that they observe the laws and police regulations, especially concerning the public health.

2. All said Indians shall be immediately reported to Dr. D. B. Hoffman, or other competent physician, for vaccination.
3. Said Indians shall immediately clean up their houses and habitations and corrals, and remove to some point remote from said town, all rubbish and offensive matter, and wash all bedding and apparel.
4. No person of said Indians shall visit any other Indian rancheria within said township, or said county, without first obtaining a written permission or pass from the proper Justice of the Peace, or other competent authority.
5. No Indians or other persons inhabiting Indian rancherias shall be permitted to visit or mix with the said Indians of the town of San Diego, without a written permission or Pass from the proper Justice of the Peace, or other competent authority.
6. No Indians shall depart from their respective rancherias without first being vaccinated, unless in cases of necessity and with the proper permission or pass.

COLONEL CAVE J. COUTS TO JUDGE HAYES CONCERNING THE BURIAL OF DON
YSIDRO ALVARADO OF RANCHO MONTSERRATE

Guajome, Jany. 14, 1863.

In avoiding the loathsome disease now infesting our community, we have had to resort to *arms*, resulting in the killing of one man. Early this morning I learned that Don Ysidro Alvarado was about to be buried, at San Luis Rey, having died with small-pox. I immediately despatched a boy to advise the Indians not to allow it. The Capt. came to me soon as possible, remonstrating against the burial, but that he had no force to prevent it. In the meantime a servant of Alvarado's (Juarez) arrived here drunk, paying no attention to the guards on the outside, but riding up to the door and refused to leave until I drew my pistol on him. He then went off a hundred yards or so and waited until I gave him a note to Tomas Alvarado, which note was sympathising with all the family at

the loss of their father, and an order *for no one to be buried at San Luis Rey* who died of small-pox, stating it was by your order. At last I sent Blunt (my brother) to head them off and not allow the burial to take place. To prevent any trouble, as I thought, I sent two boys with him in my little wagon, with shotguns. Blunt drove up and told them that he had come as Shff. from the Justice of the Peace not to allow that body to be buried there. They then sung out, "To arms!" Blunt had got out of the wagon, and one of them (named Leon Basquez, as I hear). jumped the wall and at Blunt with his spade and knife. Blunt shot him dead. He (Basquez) is known as a bad character. After Blunt fired, they all broke. Blunt came back to the ranch, and it was my intention in the first place to arm all hands and go back, but as there were some seven or eight of these roughs from PaIn, I have thought more prudent not to do so, but send this express to you. I regret to learn, as one of the boys tells me, that Tomas was also present.

The fellow killed is really not worth noticing, further than to satisfy those who may have been present, or *of a like cast to himself*. They can hardly trouble me here, without the collection of the large rabble about Pala.

Please give McCoy such instructions or orders as you may think proper, and keep the matter secret for the present. Blunt was just ready to start for San Ysabel, but now remains here. Hope you will answer me fully by the negro, Miguel, who goes with this, or if you can, come out yourself.

Yours truly, (Signed) Chvz J. Covrs.

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JUDGE HAYES TO CAPT. GEORGE A. PENDLETON Jan. 28, 1863.

Extract. I attended a funeral at the Catholic Cemetery, yesterday, of young Matias Savich (nephew of Antonio Coronel), who died of consumption. This led me to have a view of the upper part of the City, from the Church *por arriba* . Not a soul In the streets, except the funeral procession: every window shut: not a person at the doors, except a little boy who, as if by chance, opened his door, and cried out to another inside, "Come, see the funeral!" The ladies did not leave the carriages. Entering the Cemetery, we found one New Mexican, with a couple of Indian boys, just completing

the grave of a poor woman who was lying by in her plain black coffin—a few young Indian girls were sitting around, attracted there from curiosity, I presume, for it was only after several inquiries I could ascertain the name of the deceased, Maria Cañeda de Castan, a Sonoranian, the third who had died of that family. The priest accompanied *our funeral* , and *celebrated the last rites* . I wished for a *peso*, to ask him to sprinkle the holy water over the rude coffin, but was ashamed to ask the service on credit, even for an hour; perhaps it is “all the same in Heaven.” As the Indians who dug our grave were not vaccinated, they were Instructed, when we left them to finish the work, not to go near to the other coffin, and we left the parties at their sad offices, not omitting to notice what is so plain there, the great number of fresh graves. Even outside along the walls, there are very many new mounds which I did not see there last November. Returning in our carriage to Olvera's, the same gloom as before. Coronel pointed out to me one house In which eleven had died, in another three, in this two remained sick, In that three, in that one, and so on. I felt relieved at last to meet the venerable Bishop in his carriage, passing up into this abode of sorrow. I am afraid I may not have charity enough to return there, unless It be on the same errand, or, perchance, to be myself the occupant of one of those snug little tenements for which we pay no monthly rent.

To be candid with you, I think some Justice of the Peace or other officer of San Diego should have communication with the ranch of Montserrate, enough at least to furnish them with lime, or other necessaries, to put the ranch In order again, at least with friendly *advice* . Because a house is afflicted with a contagious disorder, it is not to be cut off from *all the* kindnesses of life.

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VIII LATER SAN DIEGO NOTES MASSACRE OF PAUMA

Some families of San Diego yet mourn for relatives who were killed by the San Luis Rey Indians in 1846. The day is remembered only as between *dia de la Virgen* (Dec. 8th) and that of Guadalupe (Dec. 12th). It was immediately after the battle of San Pascual, which took place on Dec. 6th. It is unknown and inexplicable what may have led the Indians to strike this blow at persons living amongst them on terms of the greatest confidence.

Don José Antonio Serrano lost a brother, Manuel Serrano, aged twenty years; his wife, Doña Nieves Aguilar, her brother Ramon Aguilar, and her nephew Santos Alipaz, the latter a child of thirteen years. The rest of the slain were:

José Maria Alvarado, José Lopez (father of Don Lino Lopez), Dominguez, of Los Angeles City; Basualdo, son-in-law of José Lopez; Santiago Osuna, the young son of the venerable Doña Juliana Osuna; Justachio Ruiz, son of Don Joaquin Ruiz of Las Bolsas, Los Angeles County, together with a man from Baja California and a New Mexican whose names are forgotten.

Don José Antonio Serrano, Don Juan Maria Osuna, Don Bonifacio Lopez and Don José Aguilar, at this time had cattle, sheep, and horses on this rancho, which was granted to Serrano and Aguilar and a brother of the latter in 1843 by Governor Micheltoarena. The rest had placed their stock there for safety from the American arms, in accordance with a recommendation or order of the Mexican General, José Maria Flores. Early in the night Don José Antonio Serrano had been at Pauma, but left for Pala, where were staying his own and several other families, in consequence of news furnished by a letter which had been brought out that day from the pueblo of San Diego.

Pablo Apis, Chief of Temecula, was also at Pala. He 286 offered his protection to the whites, after the worst became known to him, and, it is believed, did save them from further injury.

The well-known "General," Manuelito Cota, was supposed to have been at the head of this sudden movement of his people. The inmates at the ranch house, several of them, were asleep, when he knocked at the door. Recognizing his voice, which always had been regarded as that of a friend, Don José Maria Alvarado opened the door, against every remonstrance of the rest. The Indians rushed in, seized their victims, took them to a place between Potrero and Agua Caliente, and put them to death in the most cruel manner.

This is another Striking proof of the fierce character which these Indians of the missions are capable of assuming, in addition to many instances in their history since 1833, when to a great extent they were freed from religious control. It is very certain at the present day they will require watchfulness

and care on the part of the Government, with just treatment from citizens, to guard against occasional atrocities they may commit when under any excitement. In general their impulses are good and they are docile enough, but, like children angered, their first rage never distinguishes the offender from the innocent.

The stock of the Californians was appropriated by the Indians and none of it ever recovered. Some of it afterward was sold to Major Graham when his command crossed the Colorado desert. The loss for a time broke up Señor Serrano.

A strange version of this tragedy came by rumor into the American camp at San Diego, indicated by the following paragraph in Dr. Griffin's *Unpublished Journal* (this story was probably started by the Indians, who were always ingenious enough to gloss over their conduct). Dr. G. says, December 22d:

“A report reached our camp the other day that the Indians had killed eleven Mexicans, who had first attacked the Indians, killed five or six and taken their cattle and horses. At night the Indians surrounded the Mexican camp, 287 captured the party, took them off to some distance, and shot them to death with arrows. All tell the same story as regards the number killed, but vary as to the manner. Those best versed in California affairs believe these men were killed in the action of the 6th, and that the Mexicans conceal their own loss by complaining of the redskins. They acknowledge 1 killed and 14 desperately wounded. After the action of San Bernardo (San Pascual) I sent word to Pico that I would be most happy to attend to his wounded. He replied, he had none. It is now said his men are in the greatest state of excitement against him for not accepting my services.”

There is no reason now to doubt that the persons killed by the Indians were inoffensive at the time, occupied in the care of their herds and flocks. Nor had they given any offense to the Indians. Don José M. Alvarado and Don J. A. Serrano were present at San Pascual. The former may have fought. His countrymen often smile when they tell of the latter gentleman, riding through the strife with no weapon but his riata, as if he had gone out to pasear at a rodeo, rather than to take a hand in

carnage. He always has been a prudent man, and proved so on this occasion. He kept his own horse saddled and tied up on this night, put spurs to the animal at the first hostile Shouts, to get away, finding himself presently in the midst of Americans, whom he could faintly distinguish, and seeing the capture and death of Lara, he bore off on the hillsides, out of danger. Thus he was able to view the rest of the conflict, until he arrived safely beyond the Soto hill where he found Don Andres Pico and one of his principal officers, Tomas Sanchez, with many other companions of the night.

Don Tonito, as he is familiarly called, was one of those who lacked confidence in the power of California to resist the American arms, and who, if they could not avow themselves neutral strictly, kept as much as possible out of the vain contest. If Gen. Kearny had appeared in open daylight in compact force, San Pascual might have had as happy a result as that of Cahuenga, without striking a blow.

This rancho lies on San Luis Rey River, about 15 miles 288 S.W. of Warner's rancho, 10 miles south of Temecula, and 42 N.E. of the town of San Diego. The river flows through it all the year and beyond as far as Pala, and it has several fine creeks, with abundance of grass and choice oak and fine timber, in quantity three square leagues or 13,317 acres. Its climate is pleasant the year round.

One league now belongs to Rt. Rev. Bishop Amat, another to his nephew Don Joaquin Amat, the third to J. Chauncey Hayes. The design of the Bishop is understood to be, to form here a missionary establishment for the numerous half-civilized Indians of that vicinity. With rich soil, ample water supply, delicious climate, and other advantages, Pauma must one day possess one of the most prosperous settlements in this county.

BENJAMIN HAYES TO DR. JOHN S. GRIFFIN San Diego, () 1869.

Yours was received this evening. For fear of engagements tomorrow, I will state at once what I know in regard to the qualities of San José del Valle (Warner's Rancho). I am the better able to give it a good name from having seen George V. Dyche here to-day, who lived on it a long time in

charge of the Rains stock. I have also had a conversation with Don José Antonio Serrano, who is well acquainted with the land.

Both concur, and they agree with the accounts I have always heard for many years, that it is a splendid ranch for sheep, owing to the abundance of pin grass (alfilerilla) and clover, as well as the bunch grass upon the hills that surround the valley. No ranch in Southern California is better watered. It is good also for horse stock, being free from lions.

It must be remembered, however, that once in a while there will be a snow storm—this seldom in a long series of years. In the winter of 1865-66 snow fell in the valley to the depth of several inches. Doña Vincenta Sepulveda then had to remove her sheep. This can be easily done. It is only necessary to descend a few miles along the Temecula road, or better about four leagues down the San Luis River to Pauma, where there is plenty of grass and water and a climate milder even than that of the port of San Diego.

From all the information I have I would say that San José del Valle is the best sheep ranch in this part of the State. Of course for such flocks as Flint and Bixby have more territory would be required.

I once camped two weeks, in January, 1850, on this rancho, with a number of travelers, just from Missouri. The weather was not severe—the days very pleasant. When we left, our mules were fat and fresh, as when we started on our tramp. I was there afterwards in 1862, and again in August 1867. In 1860 John Rains put on about 1600 head of stock cattle. In 1865, Dyche accounted to the Receiver for over 5000 head, and that after losses by the Indian depredations and partially by the drought of 1863-64. vicinity and on the land. There are five rancherias of Indians in its These have to be fed now and then with beef. This is not so great a drawback for sheep as it would be for cattle.

BENJAMIN HAYES

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As to the Indian title, I regard this as merely possessory; still, it is the right of possession, which is of some importance. I know of no state law or state authority, that could at present dislodge, for example, the Indians of the village of Agua Caliente. Their planting grounds surround the famous Hot Spring. This is of great value. When I was last there (1867) they seemed to regard the immediate vicinity of the Spring as their own. I paid them a dollar for my bath, at the rustic bathing establishment they have constructed, consisting of two goods' boxes sunk in the ground, sheltered by a *ramada* , and communicating with the Spring by means of a trough a quarter of a mile long.

J. J. Warner, I believe, used to claim their little vineyard; and came near losing his life when they rose in insurrection in 1851. But I think when they find the ranch to be in full occupation by its owner, at this late day, and especially as their villages are fast diminishing in population, they will begin to look to the Federal Government, for aid to place them at some other place. What the country needs for the profit of that whole mountain region is the removal of these Indians to a reservation. Until this can be done, the owners of San José del Valle, Temecula, Santa Ysabel, and the other large ranchos, will have to bear with this possessory claim, which in most cases, I believe, is expressly mentioned in the original grants; among them, in the grant of San José del Valle.

From your letter I infer, that you are in a strong disposition to purchase this rancho, and it seems to be almost necessary for you to do so. I put its value at \$30,000. It may be worth more, really. I have never been inclined to overrate lands. Dyche says it is worth \$40,000. Looking to the railroad enterprises it is situated convenient to either of the routes which the 32d parallel road must take, in order to enter California, either by Jacume or by San Gorgonio. In this point of view, Its agricultural advantages are not unworthy of notice. And these are always spoken of highly, with the single exception of grasshoppers.

I really wish you would purchase the rancho. But I do not feel entirely satisfied to advise you to give \$37,500. No doubt there are men who will give it. From what I see around me I am convinced, that the lands in this county, about September next. if not sooner, will run up far beyond prices of last year. The rancho of San Bernardo, about half way from this city to Warner's, sold for \$36,000. Two dollars an acre is beginning to be the standard price asked for other ranchos. San Bernardo has

four square leagues, (Warner's six). I have been over it recently. It will hear no comparison with San José del Valle.

Here we are in the midst of a great railroad excitement; public meetings, enthusiastic speeches; subscriptions of lots and lands by private citizens, to the enterprise; and last but not least, an actual sale by the San Diego and Gila Railroad company, of its whole stock and lands (two square leagues) to the Southern Texas-Pacific company.

It is declared by Gen. Hunter, who is now here, that "ground will be broken within 90 days." Now, is not the effect of this certain, if no other (for several years), namely that our lands will almost immediately go up, all over the country. I advise you of this new phase of things, in order that you may lose none of the elements material for a safe calculation, in your proposed purchase.

In respect to the title, it is well for me to repeat, that I entertain no doubt of the right of Pioche and Bayerque, through J. Mora Moss, to one square league of San José del Valle, as confirmed to J. J. Warner. I have examined this matter minutely, having been professionally called upon to do so.

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THE CAJON, 1867-THE MISSION DAM

Sunday, Nov. 10th: I availed myself of this charming day, in company with Don Miguel de Pedrona, to visit the Cajon rancho belonging to himself and sisters. Our road led up Mission Valley six miles to the old Mission of San Diego. The improvements made by the military prior to 1858 are all gone. Anastario Navarro, a Sonoranian, now has the property on shares with the priest. He was busy curing olives. They are kept in fresh water fifteen days, changed every second day, then kept in salt water; they serve for daily use or sale; they bring \$2 per keg of 15 gallons. Here the river is about 450 feet in width. All its flat might be cultivated in corn, without irrigation, which Marcellino has proved this year with his field. With the Portesuelo on one end, the white limestone crags on the west bank, and the mesa de arroz and low hills that round the mission site, it is not entirely without beauty. The climate is warmer than at the city; it is the place of places for invalids.

A long, narrow cañon, the ascent gentle, called Daddy Ames' road, in two miles brought us upon the broad table-land which begins just back of the town, extends southeast to Sweetwater Valley, and in the direction we are travelling terminates in Spring and Cajon valleys. It is covered with bunch grass, with good soil; there is also considerable low grass (ramo) which cattle and sheep resort to in bad seasons. When scarcity of grass was ever spoken of, Don Juan Bandini used to inquire: *Hay ramo* ? If receiving a favorable reply, he smiled content, with the emphatic remark, “ *Si hay ramo, no mueren .*”

From the cañon we emerge on a tableland and before a most beautiful panorama. Far to the southeast Tia Juana, farther in the same course the sierra of San Ysidro, over which passes our southern boundary line. Between the two those grand elevations in Lower California that are known as Table Mountain and Moro; yet farther eastward Tecaté Mountain. Before us the broad breast of Cuyamaca, covered with dark masses of forest, nearer, below it, Custom House 291 Peak, on the edge of Cajon Rancho, away to the east Lyon's Mt., on our right distant but a few miles San Miguel that shades the Sweetwater.

Seven miles from the Mission we descend into the valley of the Cajon, or rather one of its arms, and soon catch a glimpse of the line of timber along the river. Three miles north down the valley we are at the house of Don José Maria Estudillo, who is now the only white dweller upon this tract.

Custom House Peak, distant eight miles, on the side nearest to us, presents a precipitous wall tapering into a long point to the southward, at which is “the silver mine.” Don Miguel Says his father once sent some of the rock to Peru when there were no assayers in California; it proved to be silver, gold, and iron or copper (of these last two he does not remember which).

Immediately behind the peak is the Indian Village called Capitan Grande of about 50 souls. They hold a valley three miles in length and a mile and a half in width; raise corn, melons, etc.; they have no vines. At this village the San Diego river runs all the year. It is 12 miles from Estudillo's.

Sequan is another Indian village, 12 miles nearly east of Estudillo's, having a little valley, a good peach orchard, and some vines. There are between 30 and 40 souls. The Indians of the two villages are Dieguinos, so called from the Mission of San Diego.

Cajon rancho contains 11 square league or 48,820 acres. It is, for stock, reputed next to Santa Margarita. Approaching Estudillo's we passed a fine creek with three stunted trees, where thousands of trees might have been planted. At the house is a bottom of several hundred acres which the river overflows every year, and where an immense quantity of corn might be raised. I saw no sign of cultivation.

Don José Antonio Estudillo, father of José Maria, formerly cultivated a piece of land some eight miles up the river, having his actual summer residence there (1845-1852) about six miles above Don José Maria's present house. His father had a good spring, and the river runs always to that point, which is called the head of the rancho. There is el Cajon proper, the Box, so called from the contour of the lofty land surrounding it. The locality of Don José Maria is rightly denominated Santa Monica, and extends to the father's old house. At El Cajon the Mission Fathers had a vineyard. Long neglected, it is near ruined. Some of its Vines have taken hold of the highest trees and give delicious grapes, as late as 1863 Mr. John Brown, of San Diego, made an excellent wine there. Frost is not early, but it is very cold here when Santa Ysabel and Cuyamaca are mantled in snow. Cuyamaca is visible from Don José Maria's door. There the river is 250 feet wide.

From where the river enters the rancho, until buried in the *canon de la presa*, its course is near due west, lined with cottonwood, sycamore, willow, oak, and ash above the rancho boundary. There is a great deal of oak, both *roble* and *encino*, as well as cottonwood, alamo as well as *alamillo*. It has the common willow and the *sauce chino*, from which saddle-trees are made. In the gorge of the dam there is much valuable oak, but difficult to get at. Bunch grass, *zacate mateado*, abounds between the river and the hills. The pasturage is excellent. In the dry season of 1864-65 great herds were brought from Los Angeles to be kept in the valley of Cuyamaca and its neighborhood. The winter's cold drove them down upon El Cajon. Don José Maria says in March 1865 a rodeo was made which must have had at least 5000 head of cattle in it, all from those mountains or

neighboring ranchos. This rancho is now almost a wilderness, for Don José Maria has but a small flock now. One great feature of its ancient usefulness yet remains, *la presa* .

This is the dam built by the Fathers to supply water at the Mission of San Diego. With his fresh carriage-horses in our buggy, Don José Maria drove me down the left bank, through heavy timber, to the bed of the river, within a hundred yards of the dam. A little above this the river divides into two branches, leaving a rising timbered piece between them. Doubtless this breaks the force of the flood, 293 just before it reaches the dam, below which runs a ledge of enormous boulders into the gorge. From Don José Maria's house to the dam is two miles; thence two miles through the cañon to where the timber gives out; a mile further to the mouth of the gorge and to the mission buildings three miles.

Originally this structure seems to have come up to and rested upon the left bank, and here is a buttress, built on the lower side, inclining 45 degrees, in length about 60 feet; a weak point discovered, probably, and thus fortified. When is not known, but finally the water has broken through, making a gap of 24 feet between the earth bank and the dam. The bank itself shows plain marks of the violence of the torrent. The buttress, however, stands firm, the triangle which it forms with the main wall being now filled with sand and earth and bearing trees many years of age, as well as I could judge.

From this end of the wall is 58 feet to the left side of the gate, which is gone. The gateway is 12 feet. From its right side to the right bank of the river is 150 feet, making the whole 244 feet. In the lower side, it must have been thirteen feet high, or more, from the rocky bed on which it stands. The sand deposited from year to year along the upper side has left but three feet above the surface in the main branch of the river. Last year the water stood here, a large pond. To-day we got water by digging a foot in the sand. On the lower side a thin stream is permeating through the cement, as if from a reservoir above.

The whole wall is 13 feet thick, of large blocks of stone, the gateway faced with square bricks. Upon the cement of the wall we made little impression with a crowbar, seemingly hard as the rocks or the brick.

Immediately on the right bank, a few feet above the channel, commences the aqueduct by which the water was drawn from this grand reservoir. It consists of a single tile about six inches at the bottom, resting upon small stones; on each side, a brick 18 inches square inclined outward, so as to make a surface of two feet of water, some 12 inches deep; these bricks lined on the inside with cement, 294 and propped on the outside by small rocks solidly cemented. From this point Don José Maria has carried off all the bricks for a chimney.

We returned to his house on a level, good road, and over a tract that would make several splendid farms, in the right hands.

The Dam belongs to this rancho. Above until reaching Cuyamaca there is no other Mexican grant. In general the river runs as far as Santa Monica till July, and all the year to the head of the rancho. With similar dams sufficient water might be collected, not only to fill this rancho with orchards and vineyards, but to bring into extensive cultivation the mesa over which we passed in the morning, and supply every house in the port of San Diego. Don José Maria says, by our road we came 19 miles; on horseback he had made it ahead of us that same morning in 15 miles; which is the old road of the Fathers and can be put in good order with very little cost.

A lunch with the family, then to the tableland at a different point from that of the morning, pausing awhile for a glance at the mountain Views before us, the tops of Paguay, Palomar, Cuyamaca, Lyons' Mt., Tecaté, San Ysidro, San Miguel, with the valley of Santa Maria twelve miles distant, an emerald set high in the shining wall.

Passing the Mission, we hailed Don Anastasio, forcing him to take pay for his tin coffee pot in which we had carried his *regalo* of cured olives, forgotten to bring it back.

Note, 1875: El Cajon was sold by the heirs for about \$50,000; has been finally partitioned among the purchasers; is covered with improved farms and has proved, for grain, scarcely second to any land in the State. B. H.

SAN DIEGO MISSION

In 1848, Mr. Philip from Crosthwaite had a lease of it from Col. Stevenson. The outhouses, mechanics' shops, oil factory, weaving establishment, the Indian habitations in 1845, when he first saw it, were all clustered much further down the valley and on the south side of the river, in front of Cañada de la Soledad. Sergeant Brown of the Mormon 295 Battalion took charge of the mission buildings in 1847, for the U. S. Government. No troops were permanently stationed there, till 1849, when Major S. P. Heintzelman's infantry took post there. In October, 1848, Col. J. D. Stevenson leased the Mission, with its stock, etc., to Mr. Crosthwaite. He made an inventory, which is lost. He removed there with his family to the priests' house. With few exceptions the old rooms, offices, and workshops were then in good order. For want of irrigation, the fine vineyard was nearly gone; a few vines remained.

He received 50 mares and colts, 300 sheep, and 80 head of neat cattle. He found there many trunks full of priests' clothing. There were rich vestments, chalices, and various church furniture, some good oil paintings in the church. The library was large, consisting of works in Latin and Spanish chiefly, with a few in French. There were some parchment manuscripts, very old and magnificently illustrated.

He went to the mines, leaving his brother-in-law, Don Bonifacio Lopez, in charge for him. The original lease was for three years. When he returned in August, 1849, he found that Maj. Heintzelman, with his infantry, had gone into possession. In September of that year all the livestock of the Mission was sold at public auction by order of that officer. Richard Rust was the auctioneer. All the rest of the above-described property rapidly disappeared, by whom appropriated is not certainly known, or not now remembered. A weaving loom he found there he loaned to Don Ramon Arguello, for an old Indian at Tia Juana who knew how to work it. This was returned. In 1845 the

Mission sold olive oil to the people at 25 cents the bottle or \$1.25 the gallon. The above facts have been communicated by Mr. Crosthwaite.

SAN DIEGO MISSION AQUEDUCT

The Aqueduct commenced at the dam and ran full three miles through a gorge the most difficult that can be conceived—keeping on the hillsides of the right bank of the river. Sometimes it crosses gulches from ten to fifteen 296 feet wide. In such places, a stone foundation was built up high enough to keep the level. The canal in general was simply of cobblestones and a narrow tile laid in cement at the bottom. In the gulches, the rock foundation has with time fallen down or been washed away. Such has been the strength of the cement, this brick canal holds together occasionally across the gulch, as firmly as if cast-iron pipe, and now and then portions of it hang to the rocky wall at the height of ten to twenty feet above the bed of the river. For some distance after leaving the mouth of the gorge, toward the mission, this work was continued, still on the right bank, until reaching the ditch, in that, the water continued on the grounds Of the Mission. From a large pond in the valley above the Mission—on the left bank—another ditch was taken for cultivation below, signs of which are still very plain. It is impossible to go through the entire gorge on horseback. The deer-hunter will get in there but must trust himself afoot amongst its crags and brush and timber, to follow the game.

When was this dam and aqueduct built? Tradition does not pretend to fix the date, but I think certainly before the year 1800, basing my conjectures on the description which Father Fermin de La Suen gives in 1783 of the successive failures of the crops down at the mission, when the priests began to think of abandoning that site entirely.

Still, I am not inclined to overrate the value of this work. Don Blas Aguilar, who was mayordomo of the Mission eleven months in 1831, says that at that date this aqueduct was useless. The Mission then depended wholly upon the ordinary rise in the river. Prior to that time the great dam above had been partially thrown down in a flood. FRANCISCO PACHECHO

In his history I have found nothing remarkable, except that until about two years ago he had been gentil (unconverted). He was then baptized, at the age of 65 (Jan. 14, 1873) at the old Mission of Descanso, by Rev. Antonio Ubach, Catholic priest of San Diego, and remarried to his present wife.

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Probably more than two-thirds of the Indians of La Frontera are Gentiles. They generally understand the Spanish language; cultivate the soil, or at times work upon the ranchos; when they can, dress like the whites; it may be properly said, to a great extent are civilized; at any rate are peaceful and keep on good terms with the white population sparsely scattered through that extensive country, and have been quiet for many years. Those living between Santo Tomas and the northern boundary line, and from the Pacific Coast to Santa Catarina mountain, have abandoned their ancient customs in a great measure. Those of Santa Catarina and San Pedro Martir mountains, on the eastern descent toward the Colorado river and everywhere below San Vicente near the coast, mostly preserve their primitive manners. At San Telmo they may be met with, as on the river Colorado, and with like costume. They are still very numerous, between six and eight hundred, on Santa Catarina mountain, in its various valleys.

Pachecho is a native of San Rafael valley, about one hundred miles southeast of San Diego. He has long lived at La Zorra, a rancharia of about fifty souls, 12 miles east of the old Descanso mission and about 50 miles southeast of San Diego. This is a little valley, with plenty of water and timber. The Indians have no cattle, few horses. They make their crops regularly every year.

This place is better known as the former residence of Jatinill, of whom Pachecho is brother-in-law, for he has been twice married. Jatinill always maintained friendship with the whites and served to protect them from the incursions of the savages of the Colorado, save in one instance. Then he killed one or more persons at Guadalupe, and intended to kill the priest, who, however, escaped by being concealed under a woman's skirts, an Indian woman, named Garcia. In reward for her brave strategem, the Padres gave an instrument of writing intended to secure her title in San Antonio (Real), the same land since patented by Doña Maria Ampara de Burton.

The famed Indian fighter Macedonio was absent at Sonoma. He was sent for, came down, and this *revolucia* 298 was soon settled. The archives often mention Jatinill in commendatory terms. In the threatened Indian troubles, he appears in the attitude of “holding the balance of power. His relative, Pachecho, is a man respected among his race, and well thought of amongst the whites of that section. Jatinill Still lives, old and blind. About two years ago Don Manuel Machado happened to visit Alamo, the residence of Jatinill, and found him very sick. The old man begged him to baptize him, which was done, Don Manuel believing that he was at the point of death. So Jatinill is now *Cristiano* and not *Gentil* . An only daughter takes care of him. His name means black dog—*Chuchu prieto* .

By this name he is commonly spoken of. His family name is Hatam, by baptism José Manuel Pol-lon, this last appellation being added from his godfather, a Christian Indian so called.

Manuel was born at Santa Catarina. When a young boy he was sought of his parents, by Padre Manuel, one of the founders of the frontier missions, to be baptized, and became one of the Santa Catarina Mission. Many years ago Padre Feliz sent ten Descanso boys and ten from Santa Catarina—of these last he was one—to work at Los Angeles, as vaqueros and in other employments. He worked there for Don Dolores Sepulveda. The past fourteen years, with one daughter, survivor of his ten children, he has lived at San Diego, during most of this time Captain of the rancheria of this place, nearly all of which, like himself, are *Abajeños* .

He thinks he must be near 100 years of age, but this can scarcely be so. He keeps a good watch over his people, few of whom ever come under the notice of the civil authorities. He speaks the Santo Tomas tongue, and says that this is the language of all the Indians from Santo Tomas north to our line and from the Pacific Coast to San Rafael and into the Santa Catarina mountains. Below Santo Tomas, from San Vicente to Rosario, and back to San Pedro Martir, Valle de la Trinidad, etc., the language is wholly different. 299 And all are widely different, he thinks, from that spoken by the Diegueños of this county. Manuel says that he understands but a word here and there of the Diegueño language.

Like the rest of these rancherias, he disavows relationship to the Cuchans (Yumas) although the frequent resemblance of words, seemingly tends to establish it, at least a former intimate communication between them.

Manuel, old as he is, in general is seen upon the street “lively as a cricket” in his manners, “polite as a dancing-master,” and especially full of smiles in return for any little gifts which his old acquaintances often make, in acknowledgment of his actual, if humble services to the community.

He observed to me Seriously, and in good faith I do not doubt, that he has always persuaded the Indians to be Christians and to bury their dead, instead of burning them.

“Soon I shall go,” he said, pointing above.

A note or two of the transaction that has turned out so important, the Horton purchase of city lots May 11th, 1867. My office was then in the corner room of the Estudillo house, nearly in front of the City Hall that since has been burned down. I distinctly heard the proceedings, at times, from my door. All was public and apparently fair. Nothing occurred that had not been usual at sales that had been made by the Trustees through a series of years. It did not excite my attention enough to draw me away from some writing in which I was engaged, which doubtless could have been postponed. Long after this, occasionally I notice this far-seeing gentleman in the town, generally at the store of E. W. Morse; pleasing in manners, pulseless, but meditating a stupendous enterprise, none less than to found a new commercial city of the grandest proportions.

Later, going one day for vegetables to the Government Garden at New Town, since Sherman's, I met him and Morse in the thickets of Mangley, with tapeline and little flags. I thought nothing of the result soon to be seen of 300 the survey they said they were making. Shortly thereafter, during the session of the Legislature, I got an inkling of the design of Horton, when he came seeking a wharf franchise. But I confess I remained incredulous as to its utility to him, although I gave it all my humble aid. [Judge Hayes was State Assemblyman from San Diego for one term, 1867-1868.-Ed.]

I returned home in the month of May. By that time a few houses had been built—shanties, rather, most of them. In a little while his vacant lots, so insignificant to Old Towners in 1867, were adorned with the Horton Hall, of brick, and a mill and wharf, and substantial dwellings, and finally a splendid Courthouse—all of which have opened our eyes to the value of this land, and inspired hopes so far beyond any fancy of the tranquil-minded population of 1867, nor scarcely ever dreamed of by the pleasure-seeking (methinks happier) race with whom I mingled, content, ten years before.

From Horton Hall, the first brick house he built I believe, his ideas expanded into the Horton House. Even now he has added to his other works a magnificent banking house. Up till to-day, however, the vaults have not seen “the benevolent face of a dollar or two.” Tis a wonderful page, the rise of Hortonville, germ of the future emporium of Southern California. Let justice be done to the virtues of American character, that often triumph over the most adverse circumstances.

The first discovery of palatable water at San Diego was made under the direction of Capt. A. S. Grant in February, 1863, at the place commonly afterward known as the Government Garden. Previously water had been drawn, at vast annual expense, from a well sunk in the river bed three miles distant from the military post. Capt. Grant was then stationed there in command of Company C, 4th Regiment Infantry, California Volunteers. He is now Country Clerk of San Diego County. Sat., Sept. 12, 1874: By 12 we were at the once fine old mission of San Luis Rey, so named after the good King Louis. It was the 301 last mission founded in Alta California [eighteenth, Ed.] and surpassed all the others in splendor. It is now in ruins. Mass is said here occasionally. It was founded on June 13th, 1798. The Indians called it I cayme. In 1827 the Mission of San Luis had 22,610 head of cattle, and 28,532 sheep, being more than any other Mission.

At 2 P.M. we were at the Monserrate Rancho. Here we leave the San Luis Rey valley to the right, not having time to go up to Pala Mission, six miles distant. This was established by Father Peyri as a branch mission to San Luis Rey. It was named for himself, and the Indians annually gather on the feast of San Antonio, June 13, to celebrate the memory of the holy Father. In the time of Father

Peyri, Pala Mission had a fine vineyard and peach orchard. The original trees, sixty in number, and a few pear trees alone remain around the ruins.

Passing the Temecula river, which is really the Santa Margarita, we proceed up the “valley of mourning,” for Temecula is an Indian word and such is its meaning, no doubt commemorating some god. The source of the river is only a mile from that of the San Luis Rey; thence it flows in a semi-circle around through Pauba and Temecula valley, passing Santa Rosa, and through the glorious valley of Santa Margarita into the sea a short distance below the residence of Don Juan Forster.

At six we were hospitably received by Mund and clever Levi. A pleasant evening, singing and dancing to the sweet strains of the guitar and violin. Next morning we were on our way, and more content, for the pleasant Pancho Pico accompanied us.

San Diego, March 14, 1875: My door fronts full upon Stockton Hill, with the Corral del Rey below it. I step to the end of the porch; the old Presidio is in view through olive leaves and pear blossoms. And I am in the house where lived and died that fine military commandant there (1825) Captain Ruiz. Doña Josefa Carrillo de Fitch of Sonoma, when on a visit here last year, pointed me out the precise spot in the-room where his bed 302 occupied (for she was reared in this house), and the trees she well recognized in his garden from which she plucked the fruit in her girlhood. Those trees were older than the oldest inhabitant (Doña Felipa Osuna de Marron, born May 9, 1809).

On the hillside are the remains of the former residence of Don Bonifacio Lopez, and nearby the broken adobe walls of the corral where “the King” brought his cattle and horses to be branded, or for safety from Indian incursions. Part of this runs down into the garden of my friend George Lyons. I am on Washington Street, to be Seen entering Old Town from the north.

After the death of her husband Doña Josefa continued his business here for a time. When I first saw Fitch Street it consisted first of the Aguilar house, next the house of Don Juan M. Osuna, then the

house owned by Fitch and J. Snook. On the opposite side of the narrow street stood a two-story, dark red building used by Fitch as a store, with the once-fine garden prized by Doña Josefa.

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