



JOAQUIN PURSUED—HIS TERRIBLE LEAP.

THE LIFE

— OF —

JOAQUIN MURIETA

— THE —

BRIGAND CHIEF OF CALIFORNIA;

— BEING —

A COMPLETE HISTORY OF HIS LIFE, FROM THE AGE OF
SIXTEEN TO THE TIME OF HIS CAPTURE AND
DEATH AT THE HANDS OF CAPT. HARRY
LOVE, IN THE YEAR 1853.

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THE LIFE OF JOAQUIN MURIETA.

CHAPTER I.

His early visit to the Capitol of Mexico, and magnanimous conduct while there towards an enemy—Return home—Visits California—Lynching of his Brother—Murder of his wife—The stolen horse—The undeserved punishment—Commencement of his criminal Career—His first deed of blood—Organizes a band of Brigands—Murder of Clark at San Jose—Attempt to kill an officer of Marysville—Departure for the Mountains near Shasta—Returns to Sonora—Marries again—Reappearance in California—The Rendezvous—Arrival at Mokelumne Hill—His fearless conduct in the gambling saloon.

In portraying the life and character of Joaquin Murieta, a man as remarkable in the calendar of crime, as any of the celebrated marauders of the old or new world, it is not for the purpose of ministering to a taste for the horrible, but rather to contribute to those materials out of which the criminal history of this State, shall at some future day be composed. The character of this man was nothing more than a natural production of the moral and social condition of the country in which he lived, acting upon certain peculiar circumstances favorable to such a result, and consequently his individual history is a part of the most valuable history of California.

Joaquin was born of respectable parents in Sonora, Mexico, where he received a good education, and while growing up, was remarkable for a very mild and peaceable disposition, giving no sign of that daring and indomitable spirit which subsequently characterized him. Those who knew him in his school-boy days, speak affectionately of his noble and generous nature, at that period of his life, and can scarcely credit the fact, that the renowned and bloody bandit of California was one and the same being.

In 1845 Joaquin left home to seek his fortune in the capitol. He was then sixteen years old, tall and well made, possessed of a pleasing exterior and full of the exhilarating spirit of adventure. Shortly after his arrival in the city of Mexico, he called upon one of his father's old friends, Senor Estudillo, and presented a letter of introduction. The Senor received him warmly and soon obtained for him a situation as groom in the magnificent stables of the President Lopez de Santa Anna, which situation, it was hinted, although a comparatively mean one, might prove a stepping stone to the highest offices under the Government. Santa Anna being an ardent admirer of skillful horsemanship, and Joaquin having been noted at home for his daring feats in that line, in subduing and taming some of the wildest Texan horses, was delighted at the opportunity thus presented him of gaining the notice and perhaps the friendship of the Ruler of Mexico. His ambitious hopes, however, were subsequently clouded a little on finding himself an object of suspicion and jealousy to other servants of the household, especially one of his fellow grooms, by the name of Camplido, who thought Joaquin assumed an air rather too aristocratic. The latter for some time took no notice of the scornful glances cast upon him, and endeavored to "live them down," by strictly minding his business; but the groom above mentioned having at length sought an occasion and a cause for a quarrel by sneering at the stranger's horsemanship, a trial of skill was set for a particular day, and on that day many of the household assembled with a hope of witnessing the defeat and total discomfiture of the young Sonorian.

Some very reckless feats were performed by both and then came the final grand leap to decide the merits of the rival equestrians. An adobe wall, five feet high and three feet wide was to be jumped without being in the slightest manner touched by



Equestrian Trial of Skill between one of Santa Anna's Grooms and Joaquin, at the age of sixteen.

a hoof. A dash of one hundred feet was allowed and Joaquin's opponent taking the first chance, cleared the wall in good style, receiving with a smile the loud praises of his fellow servitors. Joaquin now rode slowly up to within fifty feet, and then freely using his spurs, dashed at and over the wall; but at the instant the leap was made, a white handkerchief attached to a pole, in the hands of the quarrelsome groom, was fluttered so near the head of Joaquin's horse, that the latter swerved a little, and knocked off with his hoofs some pieces of the adobe. All then joined in the laugh against the unlucky rider, with the exception of one, a son of General Canales, who had experienced similar treatment himself during the commencement of his service. This young man, fired with indignation at the dastardly conduct of Camplido, rushed upon him with a knife, and would have ended his earthly career at once, had not Joaquin by a rapid movement arrested the uplifted weapon. With a remark that no blood should be spilled on his account, and with a glance of contempt at his now cowering opponent, he quickly remounted, cleared the wall at a bound, and rode out of the city. He returned home, determined to relinquish all ambitious notions and live a life of quiet happiness amid the scenes of his boyhood.

In January, 1848, Joaquin arrived at San Francisco in search of his brother Carlos, who had long been living in California, and had obtained a grant of four leagues of land from one of those excessively generous governors who flourished about that time; but not meeting with him or any one who knew of his whereabouts, Joaquin retraced his steps homeward and soon after married a girl by the name of Carmela Feliz. He had been married a year when he received a letter from his brother, requesting him to come to the Mission of San Jose as quickly as possible. The latter mentioned that great discoveries of gold had been made in the mountains, and that if he desired to accumulate a brilliant fortune, no time should be lost in reaching the placers.

Joaquin then made the necessary arrangements for the journey, but on account of family affairs, illness of his father, etc., his departure was prolonged ten months. He then started, accompanied by his wife, and when they reached San Francisco, Joaquin was so astonished at the change which had taken place since his former visit, that he resolved to remain a few days in town to see in what manner "los Americanos" enjoyed life. On the second day after his arrival, as he was strolling through one of the gorgeous saloons that lined the plaza, he met his brother, who, after an affectionate embrace and fond enquiries concerning those at home, informed him that the four leagues had been taken from him by the Americans, by means of forged papers, and that he was now on his way to one of the mining camps to obtain a witness who

would go with him to the city of Mexico and see the grantor himself, and so recover the land.

Joaquin having expressed a desire to accompany his brother to the mines, merely to see how, and in what quantity, the gold was taken out, the latter advised him to leave his wife in charge of an old friend of his by the name of Manuel Sepulveda, who resided at the Mission Dolores.

This was acceded to, and Joaquin the next day went with his brother to Sacramento, where they purchased horses and traveled to Hangtown. Here the desired witness, a young native Californian named Flores, was found. He had just come in from a distant camp to sell some dust; and after an introduction was had with Joaquin, the trio entered a Mexican restaurant and called for supper. While they were discussing the merits of frijoles, tortillas and other delicacies, and dwelling upon the forgery affair, two Americans who had followed Joaquin and his brother all the way from San Francisco, entered the house, took a drink at the bar, and after glancing with apparent unconcern at the party, went out.

After supper Flores borrowed Joaquin's mule to ride around town with Carlos, and Joaquin being somewhat indisposed after the journey remained in the restaurant to enjoy the flavor of a cigarito, and to ruminate upon the great inroads that were being made by the Yankees upon the rich domains of Mexico.

He had been brought in contact with many of the natives of the United States during the war between that nation and his own, and had become favorably impressed with the American character, and thoroughly disgusted with the imbecility of his own countrymen; so much so that he often wished he had been born on the soil of freedom. The sluggishness and cowardice of the Mexicans he compared with the energy, activity and bravery, of the Americans, and their undying love of liberty; and were it not for that happy and peaceful little home in one of the most charming valleys of Sonora, he would have relinquished at once all claim to nativity, and have become, what he already was at heart, an American.

His meditations were suddenly cut short by the wild shouting and yelling of hundreds of miners in the streets, intermixed with cries of "hang 'em!" "hang 'em!" "string 'em up and try 'em afterwards!" "the infernal Mexican thieves!" Joaquin rushed out, and was just in time to see his brother and Flores hauled up by their necks to the limb of a tree. They had been accused of horse-stealing by the two Americans from San Francisco, who claimed the animals as their own, and had succeeded in exciting the fury of the crowd to such an extent that the doomed men were allowed no opportunity to justify themselves, and all their attempts to explain the matter and to prove that the horses were honestly obtained, were drowned by the fierce hooting and screaming of the mob.

Struck dumb with surprise and horror, Joaquin could at first only gaze upon the swinging corpse of Carlos, and the crowds of demoniac wretches around him, and wonder if the scene were real; but tears at length came to his relief and saved his brain from madness, and then with a heart full of desire for revenge, he obtained a mule and returned with all speed to Sacramento. Here he took the boat for San Francisco, from whence he proceeded to the Mission, sought the house of Sepulveda and acquainted his wife with the murder of his brother. Although Carmela shuddered with horror at the recital of the facts by Joaquin, yet with true womanly feeling, she begged him to seek not for revenge and thus endanger his own life, but to leave the perpetrators to that punishment which their guilty conscience would mete out to them sooner or later. She assured him that all Americans were not as depraved and bloodthirsty as those who composed that mob of murderers, and with all the strength of a loving heart, implored him to yield to no criminal temptation.

With tears and entreaties, and words of love and consolation, a change was wrought in the heart of Joaquin, and his spirit imbued with a feeling of forgiveness.

"Well," said he, rising from the feet of his beloved partner, where he had been reclining, and listening with deep devotion, "Well, it is all past; let us be cheerful and happy, and when I have collected some of this golden sand, we will return to our own pleasant home, and wander no more." A few days afterwards, Joaquin, accompanied by his wife, reached the mines on the Stanislaus river, where he built a comfortable cabin, and commenced washing the glittering particles from the earth. The country was then full of lawless and desperate men, calling themselves Americans, who looked with hatred upon all Mexicans, and considered them as a conquered race, without rights or privileges, and only fitted for serfdom or slavery. The prejudice of color, the antipathy of race, which are always stronger and bitterer with the ignorant, they could not overcome, or would not, because it afforded them an excuse for their unmanly oppression. A band of these men, possessing the brute power to do as they pleased, went to Joaquin's cabin and ordered him to leave his claim, as they would not permit any of his kind to dig gold in that region. Upon his refusing to leave a place where he was amassing a fortune, they knocked him senseless with the butts of their pistols, and while he was in that condition, ravished and murdered his faithful bosom-friend, his wife.

The soul of Joaquin now became shadowed with despair and deadly passion; but still, although he thirsted for revenge, he felt himself as yet unable to accomplish anything, and would not endanger his freedom and his life in attempting to destroy single-handed, the fiendish murderers of his wife and brother. He determined to wait and suffer in

silence, until a fitting opportunity occurred for the carrying out of his plans. Accordingly he went (in April, 1850) to mining at "Murphy's Diggings" in Calaveras county; but meeting with very little success, he abandoned the business, and sought to improve his fortune by dealing "monte," a game very common in Mexico, and considered by all classes in that country as an honorable occupation. For a time, fortune smiled upon him and furnished him with a golden evidence of her good will; but then came a change, suddenly and heavily, and Joaquin was at once hurled into the deep and dark abyss of crime. He had gone a short distance from camp to see a friend by the name of Valenzuelo, and returned to Murphy's with a horse which his friend had lent him. The animal, it was proved by certain individuals in town, had been stolen some time previously, and a great excitement was immediately raised. Joaquin found himself surrounded by a furious mob and charged with the theft. He informed them when and where he had borrowed the horse, and endeavored to convince them of Valenzuelo's honesty. They would hear no explanation, but tied him to a tree and disgraced him publicly with the lash. They then went to the residence of Valenzuelo and hung him without allowing him a moment to speak. Immediately there came a terrible change in Joaquin's character, suddenly and irrevocably. His soul swelled beyond its former boundaries, and the barriers of honor, rocked into atoms by the strong passion which shook his heart like an earthquake, crumbled and fell. Then it was that he resolved to live henceforth only for revenge, and that his path should be marked with blood.

On a pleasant evening, not long after this unfortunate occurrence, an American was wending his way along a trail at a short distance from the town. Upon descending into a ravine, through which ran the narrow pathway, he was suddenly confronted by Joaquin, whose eyes glared with the fury of an enraged tiger, and whose whole form seemed to quiver with excitement. For an instant each gazed upon the other, and then with a fierce yell Joaquin sprang upon the traveler and buried in his breast a long two-edged dagger.

"What—what means this?" gasped the victim as he sank to the ground, "why do you murder me? oh! mercy—spare my life."

"You showed no mercy to me," replied Joaquin, "when you assisted in tying and lashing me in the presence of a multitude of people. When, in the proud consciousness of your strength, and supported by the brute force of some of your own countrymen, you seized upon an innocent man—a man—with heart and soul, and all the noble attributes received from his Maker—a man possessed of more truth and honor than could have been found among those who helped to torture him; when you seized him and bound him, and scored his back

with the ignominious lash, you did not then think of mercy. When your countrymen hung my brother by the neck like a dog, was there any mercy shown him? When they cruelly murdered my heart's dearest treasure, in my own presence and almost before my eyes; and when she must, with her silvery voice, have faintly appealed for mercy, was that appeal heeded by the inhuman wretches? Ah! my brain is on fire!" he added, pressing his left hand to his forehead, while with the other he inflicted another wound.

"Murder!" muttered the doomed man, raising himself upon his elbow and staring with wild, glassy eyes upon the savage features of the desperado, "h! mercy—mer—," but the steel had now entered his heart and he fell back a corpse.

Again and again was the knife plunged into the body, until the latter was almost hacked to pieces, for the demon of revenge possessed the soul of Joaquin and urged him to excess.

"Now, thus have I commenced this work of death!" he hissed through his closed teeth, as he drew himself up to his full height and gazed upon the blue expanse above him, while from the weapon in his outstretched hand still dripped the crimson fluid, "thus have I laid one of my base oppressors at my feet, and having so initiated my hand and heart, shall know no rest nor peace until every one of them is blotted from the earth; and oh! dearest Carmela, you whose spirit I believe is even now hovering over me, you too shall be terribly avenged; my arm is nerved for the work of destruction, and the life-blood of the Americans shall flow as freely as the mountain stream."

The corpse of the murdered man was found the next day by some miners, and though horribly mangled, was recognized as one of the leaders of the mob engaged in whipping Joaquin.

Shortly afterward, a doctor, who was passing in the neighborhood of the murder, was met by two men on horseback, who shot at him with their revolvers, but owing to his speed on foot, and the unevenness of the ground, he escaped, with no other injury than a bullet hole through his hat, within an inch of the top of his head.

Fear and consternation spread among the individuals who had been leaders in that mob and they were afraid to go as far as the outskirts of the town. Whenever any of them strolled out of sight of the camp, or ventured to travel on the highway, they were suddenly and mysteriously killed. Reports came in from time to time that the dead bodies of Americans had been found on the roads and trails, and it was always discovered that the murdered men belonged to the mob who had whipped Joaquin. He had now made himself amenable to the law by the commission of these bloody deeds, and his only safety lay in a continuance of the unlawful course which he had begun. For the furtherance of his plans he found it necessary to have horses and money, which he could not obtain except by adding

robbery to murder, and thus he became a bandit and an outlaw before his twentieth year.

It became generally known, in 1851, that an organized banditti was ranging the country, and that Joaquin was the leader. Travelers were stopped on the roads and invited to "stand and deliver;" men riding alone in wild and lonesome regions, were dragged from their saddles by means of the lasso, and murdered in the adjacent chapparal. Horses were stolen from the ranches, and depredations were being committed in all parts of the State, almost at the same time.

Joaquin's superior intelligence and education gave him the respect of his comrades, and appealing to the prejudice against the "Yankees," which the disastrous results of the Mexican war had not tended to lessen in their minds, he soon assembled around him a powerful band of his countrymen, who daily increased, as he ran his career of almost magical success. A young man named Reynardo Feliz, the brother of Joaquin's wife, had joined the band, and on account of his murdered sister felt as deep a hatred towards the Americans as the leader himself. In all cases of individual assassination and wholesale slaughter, he lent a willing hand, and became a great favorite with "Three-Fingered Jack," another of the gang, who had joined merely for the love of blood-shedding. This fiend in human shape was known in Mexico by the name of Manuel Garcia. He had one of his fingers shot off in a skirmish with an American party during the war, and hence the soubriquet by which he was afterwards known in California. This was the man, who, in company with others, in 1846, surrounded two men (Americans) on the road between Sonora and Bodega, stripped them naked and slowly tortured them to death by throwing knives at their bodies, cutting out their tongues, punching out their eyes, and finally flaying them over a slow fire.

Among the other principal members of the band were Pedro Gonzalez, Luis Guerra, Juan Cardoza and Joaquin Valenzuelo, all brave, cunning, skillful and revengeful. Gonzalez being an expert horse-thief kept the company continually supplied with fresh horses. He also acted as a spy, and wherever they went, furnished a thorough knowledge of the state of affairs around them. Valenzuela was a brother of the man who was hung at the time Joaquin was whipped, and had acted for a long time in Mexico in company with Guerra, as a bandit under the guerilla chief and priest, Padre Jurata.

The number of the band at this period was not less than forty-five, and it was steadily increasing by arrivals from Lower California and Sonora. At the head of this powerful combination of cut-throats Joaquin ravaged the State in various quarters during the year 1851, and many who were personally acquainted with him, saw him frequently in the towns and villages without having any idea that

he was connected with the bloody events which were then transpiring, and filling the country with terror.

For weeks at a time he resided in different localities, engaged in gambling, without exciting the least suspicion as to his real character.

In the summer of '51, while living in a secluded part of the town of San Jose, he was one night arrested for being engaged in a row at a fandango, and was brought before a magistrate and fined twelve dollars. Having parted with his loose change at the fandango he requested deputy sheriff Clark, who had him in charge, to accompany him to his house where he would obtain the amount and also pay him something extra for his trouble. They proceeded together, conversing pleasantly on the way, until they reached the edge of a thicket, when Joaquin suddenly drew a knife and telling Clark that he had brought him there to kill him, stabbed him to the heart before he could draw his revolver. Mr. Clark had made himself obnoxious to the banditti, by a rigid scrutiny of their conduct, and repeated attempts to arrest some of their number, and the leader therefore availed himself of the opportunity for putting him out of the way.

Some months afterwards Joaquin had settled himself down among a cluster of tents and cloth-houses known as the Sonorian camp and situated some three or four miles from the city of Marysville; and it was not long before the whole country was startled with accounts of frequent and diabolical murders. Between the 7th and 12th of November 1851, no less than eleven men were murdered by the band, in a region of country not more than twelve miles in extent. A wild excitement sprang up among some of the citizens of Marysville, and a company was immediately organized for the purpose of searching for, and bringing to justice, the perpetrators of these deeds of blood. After a few days' search six other men were found murdered near the Honcut creek, and each one bore upon his throat the mark of the lariat. The entire county of Yuba was scoured without finding any trace of the murderers, and the company then returned to their homes and reluctantly disbanded. Reports came in the next day that several individuals had been killed and robbed near Bidwell's Bar, and the consternation then became general. Hundreds of hearts thrilled with fear and all dreaded to travel the public roads.

Suspicion was at length directed to the Sonorian camp, which was occupied exclusively by Mexicans, many of whom had fine horses, splendid serapes, valuable jewelry and plenty of money, yet no ostensible employment.

The sheriff of Yuba, Mr. Buchanan, went out one moonlight night accompanied by Ike Bowen, to reconnoitre the place, and to arrest three suspicious characters known to be lurking in the

neighborhood. While climbing over a fence, they were attacked from behind by four Mexicans, and the sheriff was severely wounded with a pistol ball, which passed through his body. The Mexicans escaped, and Buchanan was carried back to Marysville where he lay for some time in a very dangerous situation, but eventually recovered. The bandits made their sojourn in the vicinity of Marysville as short as possible after this occurrence, and rode off to the coast range to the west of Mount Shasta, and in the wild and rugged fastnesses they hid themselves for several months, only descending into the valleys at long intervals, with no other purpose than to increase their stock of horses.

In that lonely region, through which only a few straggling miners occasionally passed, the bleached skeletons of human beings were found, some with no trace of the manner in which they had perished, while the perforated skulls of others plainly showed how suddenly and secretly the leaden bullet had done its work.

In the early part of the spring of 1852, Joaquin and his band descended from the mountains, and by traveling in the night, drove some three hundred horses, which they had collected during the winter, down through the southern portion of the State into the province of Sonora. Returning in a few weeks they took up their head-quarters on a fine tract of rich pasturage known as the Aroyo Canteova, containing seven or eight thousand acres, well watered, and fenced in by a circular wall of mountains, through which an entrance was afforded by a narrow pass, where a formidable force could be checked in their progress by a small body of men. This rich and fertile basin is situated halfway between the Tejon and the Pacheco Passes, to the east of the Coast Range, and to the west of the great Tulare Lake, thoroughly embosomed in its rugged boundaries, and the more valuable as a retreat by reason of its distance of fifty leagues from any human habitation. It abounded in game; grizzly bears, elk, antelope, deer, quails, grouse, and every species of smaller animals most desirable for food, and in this respect in particular, was well adapted to the purpose for which it was chosen. Here, under the rich foliage of a clump of evergreen oaks, the young bandit fixed his residence, and on many a pleasant day he was to be seen reclining upon nature's own luxurious carpet, with a young and beautiful female companion whom he had wooed and won on his late visit to Sonora. This charming girl, Clarina, was the daughter of Don Sebastiano Vallero, who was once a grandee of Spain, but having almost impoverished himself by his liberality, had fled to Mexico with the scanty remnant of his fortune, and had settled upon a small piece of land adjoining the rancho of Joaquin's father. When Clarina first saw Joaquin, although she was then but ten years old and he not yet fif-

teen, she admired his graceful form and handsome face, and the skillful ease with which he managed the fiery charger that bore him on his morning excursions; and always when he had turned towards her, she had glanced upon him with pure love and adoration. But his large black eyes only responded with a gaze of laughing indifference, and the bright red color of his cheek had a less romantic origin than the deep carnation tint which mantled the cheek of the young maiden. She had read, with beating heart, of the chivalrous cavaliers of olden time, and her kind governess had materially assisted the spirit of romance by learning her some of the favorite ballads or ditties of old Spain, among which was one commencing,

Gaily the troubadour touched his guitar,
As he was hastening home from the war,
Singing "from Palestine hither I come,
Lady-love, lady-love, welcome me home."

and another:

A damsel possessed of great beauty
Did stand by her own father's gate,
And while the gallant hussars were on duty,
To view them this maiden did wait.

When Clarina witnessed each morning the departure of the youthful Joaquin accompanied by a number of his equally youthful friends, it was no difficult matter with her to imagine them a band of warrior cavaliers; but when they returned, although their "horses were capering and prancing," she could not truthfully say that she "espied her own gallant hussar"—and her heart grew sad and melancholy, and the pearly tears dimmed for an instant the diamond brightness of her eyes, and rolled from the long dark silken lashes upon the white rose-buds at her feet where they lay like dew drops from Heaven.

When at last, after a lapse of some years, Joaquin was on the point of leaving home with his chosen bride, and had bade adieu to his parents and friends, Clarina with her heart nearly bursting with grief, hurriedly placed upon his finger a small golden circlet, and darted away to the privacy of her own chamber to find relief in tears and prayers. Joaquin thinking the bauble a mere token of friendship for his wife, presented it to her; but Carmela remarking that it had the appearance of one of those "charms" worn by some of the nobles of Castile, returned it to him and begged him to wear it for her sake, as it might possess a power to them unknown, and perhaps shield him in the hour of danger. With a light merry laugh, he replaced the circlet and wore it ever afterwards until the fatal hour preceding his death. Only once had he neglected it and that was on the day when he was publicly degraded at Murphy's Camp. He had carelessly left it in his room, in a little case containing other jewels; and from that time he was induced to give way to a little superstitious feeling, and believe that it really possessed the power of warding off any danger

that menaced him. When he revisited his home, and Clarina saw that her keepsake was still where she had placed it, she imagined herself beloved and soon after confessed to him the state of her own heart. During Joaquin's stay in California, he had communicated by letter all that had befallen him, and Clarina already knew that his wife was dead, and also that he had become a bloody and renowned bandit; and notwithstanding the reports which arrived from time to time concerning his career of crime, she still loved him with the passionate devotedness that belongs to the dark-eyed damsels of Mexico. Joaquin at first only admired the charming innocence and naivete with which the fair girl sought to prove her affection, but as time wore on, he found himself gradually coming under the influence of those bewitching eyes, and finally throwing himself at her feet, acknowledged the victory of Cupid, and even went so far as to assure the beautiful Clarina that his former love was but a boyish fancy, and that he now for the first time experienced the true sentiment in all the purity and intensity of its fascinating enchantment. Thus had he again become possessed of a faithful-bosom friend, and as they reclined upon the moss-covered earth in the Aroyo Contoova, and talked of love and the future, the name of Carmela was forgotten and all her tenderness, affection and devotion blotted from the memory of the robber chieftain.

After spending a few weeks at the rendezvous, Joaquin divided his party of seventy-five men, into different bands, headed by Valenzuelo, Luis Guerra and Three-Fingered Jack, and dispatched them to different places with orders to employ their time solely in stealing horses and mules, as he had an object to accomplish, which would require fifteen hundred or two thousand animals. Joaquin himself, took a separate course, accompanied by Reynaldo Feliz, Juan Cardoza and Pedro Gonzalez. Three females were also in the company, dressed in male attire and well armed; these were Joaquin's mistress, and the wives of Gonzalez and Feliz. All the party were well mounted, and none, except the leader himself, knew whither they were riding. On reaching Mokelumne Hill, in Calaveras county, they quartered themselves with some of their Mexican friends in that place, and when visiting the saloons, or passing through the streets, were looked upon as nothing more than peaceable Mexicans, residents of the town. This was in the month of April, 1852. While here the women appeared in their proper habiliments and were admired for their very modest and quiet deportment. The men occasionally sallied forth at night, mounted upon their magnificent chargers, and scoured an extent of many miles ere they returned stealthily to their hiding place, and the arms of their loving partners. Joaquin's appearance was that of an elegant and successful gambler, which



"I am Joaquin! If any of you want to shoot me, now is your time; I dare you to shoot!"

character he was enabled to sustain by the ample means obtained from his night excursions.

In the meantime his men were prosecuting with great ardor, in all directions, the business upon which they had been ordered, and Joaquin ascertained from the newspapers that the ranchos throughout the lower country were being nearly impoverished by horse-thieves; the papers at the same time making free use of his own name, as being concerned in these depredatory transactions. In the various murders and robberies in which he had been personally engaged, he had worn different disguises, and whenever he showed his real features, was actually disguised the most; so that no man who had met him on the highway would ever be able to recognise him in the cities. Very frequently he stood unnoticed in a crowd, and listened to earnest conversations relating to himself, and laughed in his sleeve at the many conjectures which were made concerning his whereabouts and intentions.

After remaining as long as he desired at Mokelumne Hill, he prepared about the first of May, to take his departure. At the hour of midnight, after the horses were saddled, and the women again dressed in their male clothing, and everything in readiness, Joaquin sauntered out into the streets to visit, as was his custom, the various drinking and gambling saloons which then formed the principal features of every town and village in California. While sitting at a monte-table, upon which he had carelessly thrown down a small sum of money to while away the time, his attention was suddenly withdrawn from the cards by hearing his name distinctly pronounced immediately in front of where he sat. On looking up, he observed four or five Americans engaged in loud and earnest discourse in relation to his identical self, in which one of them, a tall rough-looking fellow, armed with a huge bowie-knife and revolver, remarked that he "would just like for once in his life to come across Joaquin, and that he would kill him as quick as he would a snake." Upon hearing this, the daring bandit jumped on the monte table in full view of the whole house, and drawing his six-shooter with his right hand, at the same time baring his breast with his left, he shouted out, "I am Joaquin! if any of you want to shoot me, now is the time; I dare you to shoot!"

So sudden and startling was this movement that every one quailed before him, and in the midst of the consternation and confusion he gathered his cloak around him, walked quickly out and mounted his horse. By this time, however, the courage of the party inside had returned, and as Joaquin dashed off he was saluted with a number of shots, but escaped without a wound, and the only satisfaction the men received for the loss of their powder was a whoop of defiance, which rang out upon the night air with thrilling effect.

CHAPTER II.

Revisits the general rendezvous—Becom s restless and renews h s active course—Robbery and murder of a Teamster—Meets the notorious Bill Miller—Capt. Harry Loe—Adventure of Loe with the Guerrilleros; the race for life and his miraculous escape—His pursuit of Joaquin—Capture of Joaquin and a few of his Companions by the Digger Indians—Their release after being robbed of their money and clothing—Mountain Jim—Arrival at San Gabriel—Capture of one of the Gang by Captain Loe—Th attempt ed Rescue and Fatal Signal—Murder of Capt. Wilson—Murder of Gen. Bean—Joaquin meets an old friend—The Latter betrays him—The Spy—Speedy and bloody revenge of the Bandit—The Camp fire—The Robber Priest Jurata—Luis Guerro recounts a bloody Adventure in Mexico—Three Fingere Jack and the Chi-amen—The wholesale slaughter—Arrival at the Aroyo Cantovera—Reunion of the entire Band—The Feast—The Story of Three Fingere Jack—Arrival of new members—The Quarrel and its fatal termination—Journey of Joaquin to San Louis Obispo and Adventures on the Route—Capture and hanging of Reynardo Filiz at Los Angeles—Suicide of his Mistress—Hanging of Mountain Jim at San Diego—Murder of four men on the Merced River.

Returning to the rendezvous at the Aroyo Cantovera, he found some three or four hundred head of horses, which had been collected by the bands, who were also there and waiting patiently for further orders. He detached a portion of them to take the animals into Sonora for safe keeping, and at the same time made a remittance of \$5,000 to a secret partner of his in that State.

Towards the latter part of May, becoming again restless, and tired of a life of inactivity, he started forth upon the highroads, attended as before, by Gonzalez, Felix and Cardoza, and the three bright-eyed girls, who, mounted on very elegant horses, appeared as gay a trio of handsome cavaliers as ever delighted the vision of a romantic maiden. Not meeting with any one for a week or ten days, but poor and delapidated foot travelers in search of "diggings," Joaquin's purse was getting into a collapsed state, and he determined to stop the first man he might meet who appeared to be supplied with cash. A young man named Allen Ruddel, who was driving a wagon loaded with provisions, appeared in sight towards evening, and Joaquin, leaving his friends behind, galloped over to Ruddel on the open plain, and requested the loan of what money he might have about him. The man, probably judging from the other's youthful appearance, that he was only an amateur highwayman, bestowed upon him a smile of derision, and whipped his horses into a faster gait. Joaquin then rode up to him and presenting his revolver, which he had

not drawn before, peremptorily and gruffly demanded him to stop. Ruddel now became frightened and pulled up.

"Now, my friend," said Joaquin, again assuming a cheerful tone, "I only wish to borrow your money, for although I am a robber, I dislike to deprive a hard working man of his earnings, and as sure as my name is Joaquin, I will repay you the full amount."

Ruddel instead of replying, made a sudden movement to draw his pistol, when Joaquin exclaimed:

"Come, now, don't be foolish; I am not often without the precious metal, and you can rely on my promise; I don't wish to kill you, but if you draw a weapon I shall certainly do so."

Ruddel made another attempt to get his pistol, but from excitement or from its being caught in some manner in the holster he could not draw quick enough. At this moment Reynardo Feliz came galloping up and advised his leader to hasten, as there were two mounted men in the distance, coming speedily towards them. With a fierce oath, Joaquin instantly replaced his revolver in its sheath and drawing a long knife, slashed the teamster across the neck and hurled him from the saddle. On searching his pockets he found four hundred dollars. Leaving the murdered man where he lay, he returned to his companions and continued the journey. Five minutes had scarcely elapsed when the two riders, who had been previously espied, came up.

"Now," muttered Joaquin, "I shall see what these fellows have in pocket, and this time I shall not be trifled with;" and slightly touching his horse with the spur he bounded forward in advance of his party, and facing the strangers with his six-shooter pointed, commanded them to "stand or die!" The steeds were reined in so suddenly that they fell back nearly upon their haunches, and one of the men with a loud laugh exclaimed:

"Why, Joaquin! don't you know me?—don't you know Bill Miller?"

"Ah! yes—I remember you now;" replied the bandit with a smile, and returning his weapon to its sheath, "you appear to be well mounted."

"Oh, yes—tolerably well; you see I picked up these animals in the Sacramento valley, and I'm now bound to the lower country on a cattle expedition, for I'm almost flat broke and must raise some tin as soon as possible."

"Well, Bill," returned the other, "you are an American, but you have always acted like a friend to me, and if a hundred dollars will be of service to you, here is the money and you are welcome to it."

"Thank you," said Bill as he received the present, "it will do me a heap of good; and now I'll be off—so good-bye till we meet again."

"Adios, and good luck to you," responded Joaquin, and the two parties rode on towards their respective destinations.

At this period it happened that Capt. Harry Love had, on his own responsibility, organized a small party, to search for the daring outlaw. Capt. Love had been a hardy pioneer from his early youth, and passed through all the hardships and dangers of a border-life; and during the Mexican war had performed valuable service as an express rider, carrying dispatches from one military post to another, over the wildest and most dangerous parts of Mexico. The dreaded "guerrillas," who rode fleet horses and were expert in the use of the lasso, were continually straggling through the mountain passes and deserts, ready to murder any unfortunate man that might chance to fall into their hands, and many a long race Capt. Love had with them to save his life and the valuable documents in his charge. On one occasion he was riding over the open plains when a band of these villains at a distance, perceived him and gave chase. The Captain had previously noticed them, but as they were so far off, and every bound of his horse increased the intervening space, he thought they would not see him, or, if they did, that they would not take the trouble to molest him. One of them, however, having caught a glimpse of the solitary rider, pointed him out to the rest, and the next instant the whole party were in hot pursuit. Onward they came with the velocity of the wind, and onward flew the Captain on his gallant bay; but the animal was slightly jaded by the journey over the rugged mountains, while the horses of the pursuers were fresh from a three-days-pasture. The space between was momentarily and speedily decreasing, yet on they came, faster and faster, making the air resound with their horrid yelling. One hideous-looking fellow, half Indian, half Mexican, whose face was marked with a deep scar across his right cheek, was in advance of his comrades, and urging his animal on with such savage fury, that its sides were covered with gore. As the Captain looked back, for at least the fiftieth time, to see how they were gaining upon him, he observed this man in the act of whirling his lasso, preparatory to throwing it! Death now seemed close at hand, yet the brave heart of Love did not shrink, nor did his cheek pale with fear; but keeping his eye on the fellow, he watched until the latter hurled the murderous coil through the air, when with a sudden jerk upon the rein he caused his horse to jump a little aside, and the noose fell upon the Captain's shoulder and thence to the ground. It was his turn now, and wheeling half around, he drew his revolver and fired. With a terrific howl, the half-breed threw up his arms and fell dead to the earth; and the next instant a score of bullets came whizzing around the flying bearer of dispatches. Suffice it that he escaped uninjured, and delivered his papers in good order, and in a much shorter time than he had expected to.

Possessing the greatest coolness in the hour of danger, a proficient in the use of the bowie-knife,

the pistol and rifle, no man was more fitted to contend with such a person as Joaquin, than Capt. Harry Love.

After the murder of Ruddel, the Captain got upon the track of the bandit and pursued him to the San Luis Gonzagos rancho, which place had always afforded the banditti a regular harbor. He arrived at that place at night, and ascertaining by a spy whom he had employed, that the party he was searching for were stopping in a canvas tent on the edge of the rancho, he proceeded cautiously with his men to the place. Before he reached the door, the alarm was given by a woman in an adjoining tent, and as quick as lightning, Joaquin, Feliz, Gonzalez and Cardoza cut through the cloth in the rear part and escaped into the darkness. When Love entered, he saw only four or five women, three of whom were the mistresses of the bandits; of which fact, however, the Captain was not aware, or he might have been able to catch the robbers by watching their treasures. Having business which recalled him, Love followed them no further, and for a time at least, the robbers were safe from capture. When they had cut their way out of the tent, they had gone directly over to the Orris Timbers, about eight miles distant, and stole thirty splendid horses, which they drove into the neighboring mountains. The next night they returned to the place where they had left the women, who speedily donned their male attire and galloped off with their companions into the hills; and after tarrying there till morning, the party started with high spirits across the Tulare Plains for Los Angeles, driving the stolen animals before them. Arriving in the country of the Tejon Indians, they encamped on a little stream not more than five miles from the bark-hut capitol of the tribe, and considering themselves perfectly secure amongst so harmless a people, they laid aside their weapons and resolved to pass a few days in careless repose and genuine rural enjoyment. An Indian, prowling in the vicinity of their retreat, and observing their elegant apparel and jewelry, and the fine horses that were grazing around them, flew to the capitol and reported the matter to the old Chief, Sappatara. The cupidity of the latter was excited, and he resolved to make an attempt to grasp the riches which he believed the Great Spirit had sent into his dominions for the especial benefit of the tribe. Without the least apprehension of danger, Murieta, Gonzalez and Feliz were one evening seated under separate trees, enjoying a *tete-a-tete* with their loving partners, and Cardoza was lying upon the grass and drowsily watching the horses around him, when they were all suddenly seized, overpowered, and bound securely with leathern thongs. The Indians were in raptures at the successful accomplishment of the feat, for had any resistance been made, had a knife or a pistol been drawn, they would have darted from the ground with the speed of the antelope. The prisoners were marched to the capitol

where they were divested of their jewelry and clothing, and permitted, for the sake of modesty, to cover their forms with pieces of filthy cast-off blankets that were lying around in the dirt. They were robbed of four thousand dollars in gold and about two thousand dollars worth of jewelry, and were also in hourly danger of being robbed of their lives. The old chief kept them for eight days as prisoners of war, revolving in his mind whether to shoot, hang, drown or burn them; but finally thinking he had punished them sufficiently for their temerity in entering his kingdom, they were escorted to the outskirts of the village by a guard armed with the knives and revolvers taken from the bandits, and after a long speech from Sappatara, in which he enlarged upon the enormity of the crimes they must have committed in obtaining possession of so much money and finery, were ordered to step out and travel.

Joaquin had endured his captivity with quiet resignation, laughing occasionally at his ridiculous situation, and wondering how the poor, cowardly Tejons had summoned up courage enough to achieve so great a victory. After traveling two days the party reached the head of the Tejon pass, within a few miles of the San Francisco rancho, where they met with one of their confederates known as Mountain Jim, who upon being informed of their adventure, immediately rode off to the rancho and soon returned with a quantity of clothing and three horses. One of the latter, a fine black charger, already saddled and bridled, he presented to the Chief, handing him at the same time a Colt's revolver and a bowie knife; and thus, in a very short space of time, was the naked and defenceless fugitive clothed, booted and spurred, and fully equipped for the highway; transformed at once into a powerful and dreaded outlaw, by the efficiency of that combination which his own genius had started and successfully maintained. Everything being in readiness, and Joaquin, Feliz and Gonzalez being mounted, with their respective mistresses, comfortably seated behind them they went off at a gallop in the direction of San Gabriel, Cardoza following on foot. It was late in the night when they arrived in San Gabriel, and on going to their customary meeting place, in an out-of-the-way house, they unexpectedly found Guerrero and Valerzuela and their band, who had returned from Sonora sooner than they had intended, and not finding their leader at the Aroyo Cantoora, had preferred going on a robbing expedition to remaining idle. They had committed many depredations in the neighborhood of San Gabriel since their return, but had been greatly harassed by Gen. Bean, who had made strenuous exertions to arrest them, and had several times compelled the whole party to seek safety in flight.

"This man," said Joaquin, "must die; he is dangerous and before we leave this place we must put him under ground."

To this the others assented, and the conversation then turned upon the journey to Sonora, during which his subordinates informed him that the horses had been safely placed upon the rancho indicated by him in his order.

Being well supplied with provisions, blankets, liquors and cigaritos, the bandits concluded to remain two or three weeks in their present quarters. In the meantime, Gonzalez and Cardoza had been sent by their leader on a private mission to the rancho of Santa Buenaventura, which was known to a few to be a harboring place for Joaquin, whenever he found it necessary or convenient to make it so. Some days afterwards, Capt. Harry Love, who was then Deputy Sheriff of Los Angeles county, and to whom Gonzalez was personally known, caught a glimpse of him and his colleague Cardoza, on the skirts of the Buenaventura rancho, and determined, if possible, to capture them and bring them to justice. After watching patiently for some time, he saw them enter a little grove on a by-road that led up into the mountains, and taking his station behind a rock in the immediate vicinity, awaited their reappearance. Twenty minutes passed, when the Captain thinking they were making too long a visit, left his hiding place and started for the "shop." Before he reached it Cardoza came forth alone and was making his way down the mountain, when Love pounced upon him; but the daring criminal tore himself from his grasp and fled like a deer, followed by two bullets, one of them making a deep furrow on his scalp, and the other knocking off a splinter from a projecting rock, around which the fugitive turned and was lost to view. Not being very particular as to the capture of this man, the Captain did not pursue him, but turned his attention to Gonzalez, whom he knew to be a desperate villain. Upon entering the grove, pistol in hand, and expecting to meet with a sanguinary resistance, he was surprised to find the bandit in a maudlin state of intoxication, which made it an easy matter to disarm him, and in half an hour afterwards they were traveling on the road leading to the county seat of Los Angeles. Cardoza having perceived the pair from a distance, hastened to his Chief with information of the arrest, and the latter, attended by Mountain Jim and the band of Valenzuela, started at full speed to overtake Lake and save the life of his valuable comrade. After riding all night, they came in sight of the two men just at day break, and Gonzalez who anticipated a rescue, on looking back and seeing them, waved his handkerchief. Love, being aware of the imminent risk which he ran in journeying alone with a member of so dangerous a fraternity, no sooner saw the act than he leveled his revolver and sent a bullet through the heart of his prisoner. Casting a glance behind him he observed the pursuing party coming up in a cloud of dust like a whirlwind, and putting spurs to his horse dashed off at the top of his speed. In a few

moments more, the bandits rode up to the place where Gonzalez had fallen, and seeing him a ghastly corpse, yelled with rage and disappointment. Leaving the now worthless carcass of their companion, they returned to San Gabriel, where Joaquin ascertained that Three-Fingered Jack and his party were at Los Angeles, and that Captain Wilson, deputy sheriff of Santa Barbara county, had visited San Gabriel the previous evening, to make enquiries concerning the bandit chief, whom he was bent on capturing, if possible, dead or alive. Being very anxious to see Three-Fingered Jack, Joaquin took two of his best men and went down to Los Angeles, where he found that worthy and was furnished by him with an account of the burning of a house about ten miles from San Gabriel, during which he had slaughtered the inmates as they came out, one by one. Remaining a few days at his regular hiding place in the town, and strolling out occasionally at night to collect items of news, he found that Capt. Wilson was stopping at the principal hotel, boasting of his resolution and ability to shorten the bloody career of the young bandit. On the following night an excitement was raised in front of the hotel, and a crowd collected to witness an apparently hard rough-and-tumble fight between two Digger Indians. Wilson stepped out of the house with others, and was watching the amusing affair with considerable interest, when a rakish looking fellow, well mounted, rode up by his side and whispered in his ear, "I am Joaquin." The astonished hearer started at the words, and had scarcely turned around before a bullet entered his head, and he fell lifeless to the ground. With his customary whoop, the daring outlaw put spurs to his horse and dashed off out of sight. The row between the Indians had been caused by Three-Fingered Jack for the purpose of bringing Wilson out of the hotel, and thus affording Joaquin an opportunity for murdering him.

After a hasty conference with his followers, he sent Valenzuela and his band, accompanied by Mountain Jim and Cardoza, into San Diego county with orders to collect as many horses as they could, and drive them to the Aroyo Cantoova rendezvous, while he himself, accompanied by Three-Fingered Jack and a few others, returned once more to San Gabriel. About a week from this time, Luis Guerra, who had been placed as a spy upon the movements of Gen. Bean, saw him one evening leave his store at San Gabriel and ride off in the direction of his home, a few miles distant. Joaquin, Guerra and Three-Fingered Jack started by themselves and waylaid him in a lonely part of the road, within a mile of his house. Although he struggled bravely and manfully, the villains were too strong for him, and prevented the use of the weapons which he had drawn for his defense; and while Guerra and Three-Fingered Jack dragged him from his saddle, Joaquin twice sheathed his glittering bowie-knife in the breast of the unfortunate man, who then fell

dead at his feet. Three-Fingered Jack, to satisfy his brutal disposition, finished the tragedy by discharging three loads from his revolver into the head of the corpse. After this horrible deed, Joaquin collected his party together and traveled northward into Calaveras county, committing a score of robberies on the way, and arriving in the vicinity of the town of Jackson, near the close of the month of August, 1852.

As he was riding along one evening by himself, he met a young man named Joseph Lake, whom he had known in the days of his honesty and happiness. They had worked together in the mines on the Stanislaus river, and had for a long time enjoyed each other's confidence. After a friendly salutation, Joaquin turned and they rode side by side for some distance in silence. At length, laying his hand gently upon Lake's shoulder, he exclaimed in a tremulous voice, "Joe, you know what I was once, and you know what I am now; but by Heaven! I have been driven to it by injustice and oppression. I do not ask you to love or respect me now, for you are an honest man, but I will ask one favor of you, and that is, that you do not betray me to those who are as yet ignorant of my name and character."

"Joaquin," replied the other, "it is true we were once united in the bond of friendship and were as brothers to each other; and had you continued in the path of rectitude we might still be friends—but the wide gulf of dishonor yawns between us, and the bond is broken forever."

"You speak truly, Joe," said the bandit, "still you must not betray me. The Americans are my enemies, but I love you for the sake of the past, and it would grieve me to the heart to kill you; yet if you reveal the fact of your having seen me to-night, I shall certainly deprive you of life."

"Be assured, there is no danger," responded Lake, and after a civil *adios*, they separated, Joaquin taking a circuitous course to reach his rendezvous, while his former good friend continued on to the little town of Ornitás, where he resided.

On the following day, Lake considered it his duty to warn the citizens that so dangerous a character was hovering near them, and slyly informed a few Americans that he had seen and talked with the bloody bandit chief Murieta. There stood at the time within a few feet of Lake, a Mexican enveloped in his *s rape*, who seemed to be wholly oblivious to everything but the perfume of a cigarito, which latter he handled with that peculiar grace, attained only by the natives of his own country and those of Spain and Italy.

About three hours later, a horseman whose face was half covered with a heavy black beard, rode slowly up to the front of a store where Lake was conversing with some of his friends, and with a polite bow, beckoned him to come forward.

"Do you know me, Joe?" asked the stranger.

"Ah! yes; I recognize your voice," replied Lake, stepping back a pace or two, "you are —"

"Yes, sir, I am Joaquin! and you have betrayed me."

The next instant a ball from Joaquin's revolver pierced the skull of Lake, and the murderer, by the lightning speed of his horse, escaped the shots that were fired at him by the crowd, and was seen shortly afterwards on the brow of a mountain, surrounded by forty or fifty of his men, with whom he rode leisurely off.

Feeling some anxiety in regard to Valenzuela, Cardoza and Mountain Jim, and the result of their mission, Joaquin hastened onward with his band in the direction of the principal rendezvous. Towards the close of the next day they encamped in a ravine, where they built a fire and proceeded to refresh themselves with sardines and crackers which they generally carried with them. While they were enjoying this anti-dyspeptic meal, Three-Fingered Jack drew the attention of the others to a small blaze of light at some distance down the ravine.

"Probably the camp-fire of some lazy Indians," suggested Joaquin, glancing carelessly towards the object, and then turning to Three-Fingered Jack, he added with a smile:

"As you are the discoverer, Jack, and as it may chance to be something of more consequence than Diggers, you will have the goodness to act the part of a scout."

"With all my heart, Capitan," replied the other, jumping to his feet, and hastily drawing his shirt sleeve across his capacious mouth, "I am always ready for anything of that kind."

"But finish your lunch first," said Joaquin.

"Oh no, I'll go at once; there's no danger of the sardines losing any of their warmth," and clutching his knife and pistol, Three-Fingered Jack started on his errand at a nimble pace.

"Jack is a brave fellow," remarked Feliz, "but he takes rather too much delight in drawing blood."

"Not half so much as old Padre Jurata whom some of us had for a leader in Mexico," said Guerro.

"No, no; no indeed," exclaimed a half dozen of the band.

"Oh! he was a perfect Diabolo! a monster!" added Guerro. "You should have seen him one night when we surprised a company of—but no matter—it saddens my heart to bring up recollections of the good old times, and makes me feel home-sick."

"Let us have the story, my friend," said Joaquin, "it will interest the company exceedingly; yes, by all means give us the story."

"Yes, yes! the story! the story!" echoed twenty or thirty voices.

"Well, comrades," resumed Guerro, "as you seem to be very anxious to know as much as pos-

sible about the old priest, I'll relate the adventure for the benefit of those among us who have not had the pleasure of serving under him. Well, you see, one night the Padre and myself and twenty-five others were jogging along on our mustangs at an easy trot, and had just entered a thick chapparel in order to make a short cut to a watering-place, when Jurata observed a thin, light colored smoke curling up into the air, at about a quarter of a mile ahead of us. 'Halt and dismount!' he suddenly exclaimed, 'remove your spurs, tie your horses, and follow me in silence.' at the same moment sliding from his own saddle, he unbuckled his jingling silver heel-trappings, and with an impatient wave of his hand, darted through the thicket. With quick and noiseless step we bounded after our leader, our hearts beating with anxious desire for blood and booty, and our hands ready to execute any and every order of the fearless padre. On we went, through tangled brush, drawing nearer and nearer to the slowly rising column of smoke, till at length we reached the bank of a deep and gloomy looking gulch, through which a noisy stream was leaping and sparkling in the moonlight. On looking down, Santa Maria! what a scene met our delighted vision. Around the smouldering embers of a few half-burned logs, lay a score of men, covered with the heavy, coarse blue over-coats of the American army. Their muskets were stacked at a short distance from them, and all unconscious of danger, they were resting from the fatigue, perhaps, of a long and toilsome march. Like serpents we glided down, and at a signal from Jurata, sprang upon them with our knives. Caramba! how they did squirm, and kick, and yell! 'Finish them speedily!' shouted the padre, while he himself jumped from one to another, sheathing his dripping blade in the bodies of the dead as well as the living, and in a perfect frenzy of excitement severing the neck-joints and casting the gaping heads into the rushing water. It was a glorious affair, *paysanos*, and was only marred by a single unfortunate incident. One of our men, a brave fellow who possessed great influence in the band, had thoughtlessly enwrapped himself in one of the dead men's coats, and Jurata mistaking him for an American, with a sudden and violent plunge of his huge bowie-knife, stretched him lifeless at his feet. The mistake was only discovered when the padre, holding the ghastly head for an instant in the dim rays of the moon, previous to hurling it into the stream, saw the large, black, glassy eyes of Francisco, gazing full upon him. 'Holy Virgin!' he shouted, 'what have I done!' and jumping back to the body, he tore open the coat and beheld the well known form of one of his bravest followers. 'Oh, fool! fool!' he added, 'you have well deserved your fate for encasing yourself in that hated garment, and were it possible, I would punish you with a thousand deaths;' and after burying his bloody knife several times in the inanimate breast

of Francisco, he led the way back to where the animals were picketed, and solemnly resumed the journey."

"A lively story," said Joaquin, "and if the padre, Heaven rest his soul! were alive now, I would send for him, and resign to him the command of my brave little army."

"No, no! not with our consent," exclaimed the others.

"No, indeed!" said Antonio, another old member of Jurata's band, "we prefer our present youthful leader, to all the chiefs that ever lived."

Three-Fingered Jack at this moment reappeared, driving before him no less than eight terrified Celestials, who on finding themselves in the presence of so many armed men, fell upon their knees, and in a by no means euphonious tongue, pleaded for mercy. Their lugubrious supplications, rolling eyes, and general ridiculous appearance, only excited the merriment of the band, who made the woods echo and re-echo with long and loud peals of laughter. The poor Chinamen were then ordered by their captor, by words and signs, to change their position and seat themselves against a rocky ledge, a few feet from the fire. The order was obeyed with considerable alacrity, and Three-Fingered Jack, after brandishing his knife over their heads, and telling them "if they moved he would cut their hearts out," again commenced upon the sardines and crackers with a good appetite.

"Ah!—Jack, *mi amigo*," said Joaquin, "how came this fresh blood upon the blade of your knife?"

"Well, I was obliged to kill one of the rascals, before I could bring the others to terms; but as soon as they saw the fellow laid out, one of them with a little more instinct than the rest, took the lead, and like sheep, the balance followed, and so I drove them up."

"And now that they are here, what do you intend to do with them?" inquired Antonio.

"Why, *kill* them like sheep, of course."

"Better do it at once then," suggested Feliz, "for they are half frightened to death already."

"Oh, they'll keep," replied Jack, glaring ferociously at his prisoners, "I brought them for the amusement of the company, but must finish my supper before I begin the entertainment. I have adopted the American maxim of '*business before pleasure*.'"

After a lapse of fifteen minutes, which had been passed by Jack in eating and by the other bandits in smoking, the former jumped towards the Chinamen, and tying seven of them together by their cues, brought the eighth close to the fire, some of the band having moved a little aside to make room.

"Stop! stop! Jack," said Guerro, "you are not going to *burn* him—we can't stand that on a sardine stomach!"

"Oh, no, I've only brought him up close, so that you can the better witness the performance;" and drawing his knife, he drove it with powerful force into the heart of the trembling Celestial; then instantly withdrawing the weapon, he supported the victim with both hands, while a stream of blood spirted out and partly extinguished the fire.

"Carrajo!" exclaimed one of the men, "you are spattering me all over."

"And putting out the fire too;" said another.

"Come, Jack, let us have no more of this," rejoined Joaquin, impatiently, "such cruelty is disgusting and sickening; despatch them at once, where they are, and have done with it."

"Oh, very well: as you like, Capitan; I thought the company wanted some amusement; but I shall now have all the pleasure to myself;" and after dragging away the corpse and throwing it carelessly down, Garcia leaped upon the other captives, and despite their screams, entreaties and struggles, proceeded leisurely to cut their throats one after the other.

Previous to the killing of the first, the three females had drawn their serapes over their heads, unwilling to witness the fiendish act, and trembling with affright at the idea of being made accessory to the murder of so many helpless beings. Clarina, who was seated by the side of the bandit chief, had heard his order to dispatch the prisoners and with a true feeling of compassion, attempted to save the remainder from their horrid fate. Without uncovering her face, she leaned her head upon her lover's shoulder, and exclaimed in a voice tremulous with emotion.

"Ah Joaquin, why do you not prevent this terrible slaughter—this unnecessary destruction of human life. Hear those despairing cries! those shrieks for mercy! you have power—will you not stay the murderer's hand?"

"Alas! dearest, I cannot; Garcia is impetuous and cruel, and it was only to gratify his unquenchable thirst for blood, that he joined the band; but he is brave even to recklessness, and I can ill afford to lose him."

"Then their doom is sealed," murmured Clarina.

"It is, and I pity them from my very heart. Listen! there are now but *two* voices pleading, and now—*only one*, and *that* is suddenly stifled. The work is done, and they no longer suffer."

"Ha! Muieta," exclaimed Three-Fingered Jack, as he reseated himself in front of the fire, "by all the saints! this has been a glorious night for me; what a delightful time I have had with those wretches, and how little they resisted. San Miguel! what a luxurious feast of blood!"

The next morning, at an early hour, the banditti continued their journey, and notwithstanding the tragedy of the preceding night, all were in high spirits and filled with joy, in anticipation of a long and unbroken and peaceful rest at the rendezvous. The females, especially, felt the exhilarating effects

of the change from a night of darkness and horror to a day resplendant with all the brightest and loveliest of Nature's gifts; and as they cantered along with Joaquin and Feliz in advance of the others, and chatted with gay vivacity upon some pleasing topic, many a clear, ringing peal of laughter went forth into the pure and bracing atmosphere, giving additional lustre to their eyes and enhancing the general loveliness of their features.

After making several encampments, the party finally reached the Aroyo Cantoova, and the young chieftain was delighted beyond measure at the beautiful sight that met his eyes as he glanced over the extensive valley. At least a thousand horses were feeding on the rich grass, or bounding, with flowing manes and expanded nostrils, in graceful circles over the plain; while a few snow-white tents, pitched under a clump of evergreen oaks, added another charm to the scene, and showed that his subordinates, after faithfully performing their task, were now awaiting the further orders of their chief. Giving the well-known whoop by which they could be recognized as friends, Joaquin and his party galloped up to the tents and dismounted. They were immediately surrounded by Valenzuela, Cardoza and a portion of their band, (the remainder having gone on a hunting excursion,) and after the most joyful greetings on both sides, the horses were stripped of their accoutrements, and turned loose to graze upon their favorite pasturage, while their riders threw themselves carelessly upon the grass, to find that repose which they so greatly needed. After a most refreshing slumber of five hours' duration, they were summoned to prepare for supper. The hunters had returned with the approach of night, well laden with game, and the busy cooks having hurried up the fire, the most delicious savor was already being emitted from the roasting venison and bear meat. Broiled quails and grouse were suspended in front of the flame, by branching sticks driven into the ground, large iron pots filled with steaming coffee were standing around the edge of the fire, and more than a hundred small Indian mats were covered with tin plates of frijoles and tortillas, cans of preserved oysters and lobsters, fruits, jams and jellies. At the side of each mat lay a tin cup, a bunch of cigaritos and a bottle of sparkling wine, forming altogether an ample and luxurious banquet, and one that might have tempted many a city epicure. At a signal from the cooks, the fierce and hungry bandits became seated, each one opposite his mat, and with the utmost expedition proceeded to satisfy their appetite. At one end of the fire sat Joaquin and his lovely Clarina, flanked on the right by Reynardo Feliz and his charming Marguerite, and on the left by Juan Cardoza and the fair Mariquita. The last named damsel had mourned long enough the decease of her former lover, Gonzalez, who was so summarily executed by Capt. Love, and had found a new adorer in the bandit who now sat by her side,

and to whose repeated assurances of affection and devotion, she only replied occasionally by a low, merry laugh, and an unmeaning request for him to *vamos*.

Conversation flowed freely among the band, and each man endeavored to amuse the others by a song of patriotism or sentiment, or by a tale of daring deeds or hair-breadth escapes. After a series of bloody narrations had been heard, Joaquin turned to Three-fingered Jack and said:

"Come, Señor Garcia, you have passed through more exciting scenes in California than any of us, give us some little account of your career previous to joining the band."

"Ah, that is impossible, Capitan," said Jack. "A little account of what has happened to me would monopolize the ears of the company for forty-eight hours, but as I am expected to contribute a trifle to the evening's amusement, I will relate an incident which may be interesting to those of our brotherhood who anticipate a departure from the world at the end of a rope."

"What! a rope! a death by hanging! nonsense, Jack—absurd! impossible!" exclaimed a score of voices, intermixed with peals of merriment from the rest of the party.

"Well, comrades," continued the Three-fingered, "I can assure you that such a thing is *not* impossible, and may happen to you when you least expect it, as it once happened to me."

"You? happened to you?" asked Feliz.

"Yes, I was hung once, myself."

A general roar of laughter followed this apparently truthless assertion.

"Order! amigos, order!" exclaimed Joaquin, "let Jack tell the story, and whether it be true or not, it will add to the entertainment."

"Certainly it will," said Jack, "and allow me to remark in the first place, that if any of you had been in my situation, you would think it no laughing affair. Well, then, in the latter part of the year 1849, an old partner of mine, named Lorenzo Bayacero, and myself were encamped in a little chapparrel a few miles from Stockton, and near the road leading to Sohora and the southern mines. We had lately come from Santa Barbara, where we had been lying in idleness for some time, and had scarcely money enough left to buy a sack of frijoles. Lorenzo had proposed this encampment for the purpose of robbing teamsters on their return trip from the mines, and we had already killed one fellow for not having more than six hundred dollars and were waiting for a better customer, when my partner became impatient and started for town for a little recreation. As I could not make him alter his mind, I accompanied him; and that same day we were both suddenly seized and overpowered by a half dozen Americans, headed by a man named Williams. This man had often seen us in the lower country, some five or six months previously,

and on one occasion had the pleasure of exchanging shots with me, in a gambling saloon, at Los Angeles. The ball from my pistol grazed his shoulder and made a representation of the sun upon a mirror behind the bar, and I was only saved from instant death by the coolness of Lorenzo, who threw up the arm of my antagonist at the moment the latter pulled the trigger. As I was, at the time, somewhat effected by *aguadiente*, the disturbance was quelled by some of our mutual friends, and no further demonstration made on either side; but ever since then Williams had harbored a feeling of deadly animosity against me, and having heard, during his residence at Stockton, several reports of my exploits, was glad of an opportunity to arrest me, in order to avenge himself, and at the same time perform what he called an act of justice. Well, after we had been securely tied down for a few minutes, Williams came and unloosed Lorenzo, saying he would give him twelve hours to leave town, and as soon as my partner disappeared, a number of other Americans stepped up and one of them cut the cord which was bound around my feet. I was then gruffly ordered to 'come along,' and though I knew their intention, I made no effort to save myself; and what would have been the consequence if I had? Carajo! on making the first movement to escape, I would have been riddled with bullets. So I walked on with my captors, followed by a crowd of people, till we reached a large tree on the outskirts of the town. One of the men then produced a stout rope, and forming a noose at one end, placed it around my neck. The next instant I felt myself hoisted from the ground and then something struck me heavily on the head and I became insensible."

"That must have been the limb of the tree," suggested Antonio.

"You are right," continued the narrator, "and you can imagine my astonishment when my senses returned and I opened my eyes! Santa Anna! there I was all alone; not a soul was in sight, and by the gentle swinging of my body, to and fro, I knew I must be some distance from the limb. I looked down, and saw that only four feet of space separated me from the earth; but I thought that it might as well be a hundred feet, for all the good it would do, and then I laughed inwardly at my ridiculous situation, and wondered what my executioners would think and say if they knew how they had been fooled. Then came a series of horrible ideas: I was hanging by the neck, and though still alive, how long a time would elapse before I starved to death! With my hands firmly tied behind me, to release myself was impossible; and if I called to any traveler on the road, it would only cause a more effectual hanging. The sun had already set, and the idea of remaining in such an uncomfortable situation during the entire night, and perhaps in the morning have the flesh torn from my face

by carrion, made me close my eyes in an agony of despair, and I gave myself up for lost. Suddenly I heard the step of a man; nearer and nearer he came, until he stood directly in front of the tree, and whilst I was revolving in my mind whether to expose my real condition and thus put a speedy end to my sufferings, or to remain in a state of suspense, and hang on to life to the last moment, I slightly raised my eye-lids, when, Santa Maria! who should I see but my dear comrade! I then opened my eyes to their full extent, and contrived to articulate: 'Caramba! Lorenzo—¡aquí!'

He started back in terror, but hearing me mutter some other words not very complimentary to him, he came up to me again, and asked if I were really alive.

"Certainly I am," was my reply, "cut me down, mi amigo—be quick!"

Lorenzo, with an exclamation of '*bueno*,' and a half-stifled shout, immediately climbed the tree, and severed with his bowie knife, the infernal rope. In an instant I found myself sprawling on the ground, with Lorenzo cutting away my necktie and the rope which bound my arms. Ah! paysanos! what joy was mine, to find myself again free. Well, we then started off at a brisk walk towards our tent, but we had not gone a mile when we perceived a horseman advancing upon us at a gallop. We dodged into the chapparrel and the man, whom we discovered to be Williams, dismounted and followed on foot. At a sudden bend of the trail, the pursuer came face to face with Lorenzo; then I heard the report of a pistol, a yell of despair, and a heavy fall upon the dry-brushwood, and knew that my faithful comrade was dead. By making innumerable turnings and windings, I distanced my enemy, and finally escaped, and reached the southern mines, where I killed three Americans the next day, as a partial revenge for the base attempt on my own precious life."

At this moment, the well-known signal whoop was heard, and a mounted company of twenty men dashed up at full speed, headed by Mountain Jim. The circle was enlarged, the cooks went to work again, and the newly arrived force proceeded to refresh themselves, amidst the cheerful congratulations of the band. These men were from Chili, Peru and Sonora, and had been collected together by one of Joaquin's dearest friends, who accompanied them to the rendezvous, and who was known by the name of Fernando Fontes. They brought with them as a fee of initiation, seventy-five splendid horses, and the chief was informed by Mountain Jim, that no less than two hundred magnificent animals were corralled at the San Francisco Rancho, and would be driven over in the following week. Conversation was renewed, and the older members vied with each other in entertaining the new arrivals. More startling and romantic stories were related, and melodies that would have

charmed the heart of a fiend, warbled from the lips of the fair *senoritas* and held the fierce and bloody bandits spell-bound in rapturous admiration. The festivities were suddenly broken in upon, by loud and angry words between Three-fingered Jack and Mountain Jim, originating in a remark made by the former, that "no American should be allowed to visit the head-quarters, or be entrusted with the secrets of the band." Mountain Jim being the only American present, at once replied that although he was a Yankee by birth, he was a Mexican at heart, and felt more interest in the welfare of the band, than he who had joined merely to satisfy his craving for blood.

"If that remark is applied to me," exclaimed Garcia, drawing his six-shooter, "the speaker is a liar and a coward!" and the eyes of the monster glared with malicious intensity under his shaggy brows, while his scarred and wrinkled face, and large and rugged form, added to his demoniac appearance, and might have caused the bravest man to ponder well ere he selected him for an enemy.

Mountain Jim on hearing the word "coward," had just drawn his own pistol, when Joaquin suddenly arose, and in a loud and commanding voice, requested them to re-sheath their weapons, and discontinue the quarrel.

"With all my heart," said the mountaineer, "I willingly obey the order of our chief."

"But I do not!" growled Three-fingered Jack, and at the same instant a report was heard, and one of the new members who sat beside Mountain Jim, fell over upon his face, mortally wounded. With one terrific howl, the banditti sprang to their feet, and with their revolvers pointed at the murderer, shouted for Joaquin to "give the word."

"No!" said the chief, waving his hand, "down with your arms!—down all!"

The order was sullenly obeyed, and whilst all eyes were bent upon Garcia, the latter stood gazing at his leader with stolid indifference, still holding in his hand the implement of death. Joaquin then drew forth his own silver-mounted weapon, the bright steel barrel of which gleamed in the light of the flames like burnished gold, and pointing it at Three-fingered Jack, with his large, glistening eyes fixed full upon him exclaimed in a voice of smothered rage, "Jack, you have disobeyed your leader; you have committed an act of open rebellion, and have murdered, in a moment of your habitual blood-thirsty excitement, one of your own comrades—not the one whom you *intended* to murder, but one whom you have never seen previous to this night, and with whom you have never exchanged an angry word. You deserve death!—and I shall see whether my aim be not truer than yours!"

"Joaquin," said Garcia, throwing his pistol aside, and tearing open his shirt-bosom with both hands, "I fear not death!—I am ready—fire!"

At this moment a small and beautiful hand was placed on the shoulder of the bandit chief, and the soft, tremulous voice of Clarina whispered in his ear,

"Ah, Joaquin—spare him."

For a few seconds Murieta remained undecided, then lowering his pistol, he said:

"Jack, I cannot kill you—you are too brave a man to die in this manner—and though your bravery is marred by savage barbarity and cruelty, yet it is your nature, and you have not the power to curb your ferocious spirit."

"Yes—it is his nature—pardon him," cried a number of the band, who in admiration of the undaunted coolness of Three-Fingered Jack, had already in their hearts, forgiven him. The body of the victim was then removed, peace proclaimed, and joy and happiness again reigned around the festive circle.

After passing a fortnight in rural pleasures, Joaquin dispatched Antonio and Guerro and the band of the latter, to the State of Sonora with fifteen hundred horses, while he himself, accompanied by Valenzuela, Feliz, Cardoza, Mountain Jim and Three-Fingered Jack, and the three damsels, started for San Luis Obispo. On the succeeding day, as they were traveling along through a narrow pass in the mountains, they came upon two French men who were snugly camped in a rocky cavity, and eating their noon-day meal.

"Better see what these fellows have in the way of cash," suggested Jack, drawing his knife.

"Very well," said Joaquin, "but remember—no blood!"

The next instant, Jack stood over the men, and in a voice of thunder commanded them to "shell out, or he would cut them into mince-meat." Assured of the truth of this remark, by the glaring eyes and fierce attitude of the bandit, the poor fellows nervously jerked out their buckskin purses and handed them to him, when the monster perceiving the amount to be only forty dollars, quickly drew his weapon across their throats and left them weltering in gore. The young chief, who was some distance in advance, saw the deed, but only groaned and rode on. Towards sun down they reached a little ravine where three Chinamen were lying pierced with arrows, probably the work of some of the Digger tribe. Two of them were already dead, and the third, though not mortally wounded, could not possibly have lived more than a very few days, without medical or surgical assistance. Seeing the mounted company passing, he raised his head and articulated some words in a supplicating tone, and with a most beseeching look.

"It is useless to stop," said Joaquin, "he is too far gone for human aid."

On looking back a moment after, he saw Three-Fingered Jack stooping over the prostrate Chinaman, and coolly punching his eyes out with an ar-

row which he had drawn from the wounded man's shoulder.

"Garcia! Garcia!" shouted Joaquin.

Looking up and beholding the latter gazing angrily towards him, Three-Fingered Jack as quick as lightning plunged his knife into the heart of his victim, and remounting his fiery, raven-black charger, galloped up to the side of his chief.

"Garcia," said Joaquin, "you are too cruel; that man would have died in a day or two, at most."

"Well then," replied Jack, wiping the bloody knife on the horse's mane, "what harm was done in killing him? I merely wanted to put him out of misery."

"By torturing him to death? Ah, Jack, say no more; your heart to its very core is black with evil."

On arriving at the Mission of San Luis Obispo, Joaquin sent Reynardo Feliz to Los Angeles, and Mountain Jim and Three-Fingered Jack, who were now apparently the best of friends, to San Diego, with orders to steal horses, and also hear if anything was said about the murder of Capt. Wilson and Gen. Bean.

Scarcely a week had elapsed since their departure, when news was brought by Texas Jack, (another member of the band,) that Feliz had been hung by the people of Los Angeles. While standing in a "fandango house," he was recognized by an American whom he had once assisted in robbing near Mokelumne Hill. He was suddenly arrested and charged with being concerned in the murder of Gen. Bean; and although there was no evidence to implicate him in that affair, yet sufficient proof was elicited of his being a robber, and undoubtedly a member of Joaquin's band. A rope was quickly adjusted around his neck, and after kissing the crucifix handed to him by a priest, the platform fell, and the career of Reynardo Feliz was ended.

His mistress, the young and voluptuous Margarita, would not at first credit the fatal tidings, but on sending Valenzuela to Los Angeles, and receiving on his return, a solemn confirmation of the fact, she drew forth a silver stiletto, and before any one could prevent her, inflicted a mortal wound in her bosom and died with the name of her lover on her lips.

This distressing event was followed by the arrival of Three-Fingered Jack with intelligence of the death of Mountain Jim. Jack and his comrade had gone into a drinking-shop, within a few miles of San Diego, and had taken a glass or two of execrable liquor, when a party of Americans rode up, and looked with so much suspicion at them, that Jack drew the mountaineer aside and advised a hasty departure. Jim being considerably affected by the brandy he had drunk, laughed at his partner's words, and went swaggering up to the bar to ask for another glass. Shortly after, another party of Americans approached, when Three-Fingered

Jack sprang into his saddle and called to Jim to follow him; but Jim only answered by a drunken whoop, and kept his station at the bar. The new party on entering the shop, drew their revolvers and ordered Mountain Jim to surrender. A scuffle ensued, and Jack knowing what was taking place, and that it was useless to contend against so great a force, only fired two shots into the crowd, and wheeling his horse, went off like the wind. Several Americans pursued him, but mounted as he was, on an animal that might have rivaled in strength, spirit and speed, the famed *Bucephalus*, they might as well have tried to catch the storm-cloud's electric flash.

Mountain Jim was easily overpowered and taken into town, where he was strung up without any further loss of time than was necessary in making a noise at the end of the rope.

About a month after these unfortunate mishaps, Joaquin, whose companions now numbered but five, including the two females, started for Tuolumne county on a pleasure trip; having no other object in view than to divest the mind of his loving Clarina of that feeling of sadness which had taken possession of her since the self-destruction of the true-hearted Margarita. They journeyed slowly and comfortably, and in two weeks reached the Merced river, on the banks of which, under the dark, green foliage of a noble tree, they pitched their tent, and resolved to remain awhile in peaceful and undisturbed repose. This fond resolution was destined to be destroyed quickly and abruptly. On the following morning Joaquin was aroused from his slumber by Three-Fingered Jack, who informed him of the approach of four miners, on the opposite side of the stream.

"If they are not looking for us," said the chief, peering through a narrow opening in the canvas, "let them pass."

"Ha! no! by all the saints!" he suddenly added, his face assuming a wild and savage expression, come! Ca doza! Valenzuela! up and follow me!" and despite the tearful remonstrances of the females, he seized his revolver and dashed out of the tent accompanied by the others.

The travelers had passed on a few yards, and were walking along at an easy gait, with no apprehension of danger, when the simultaneous report of four pistols rang upon the air, and three of the doomed men fell apparently in the agonies of death. The fourth being only slightly wounded, turned to look upon the assailants.

"Ha! Americano! do you know me? I am Joaquin!" cried the bandit chief, and firing three shots in quick succession, sent forth a long, loud whoop of joyful satisfaction as he saw the man sink lifeless by the side of his companions.

"Now! Jack," he continued, pointing to the bodies, "this time I not only give you permission, but I command you, to exercise your natural pro-

pensity. Some of them may be still alive; at any rate, their blood is not yet cold."

Three-Fingered Jack had started at the first word of his leader, and was already half-way across, wading in the muddy stream to his arm pits. In another minute, he clambered up to the opposite bank and commenced his horrid work. With a shout of exultation he discovered that two of the men were not mortally wounded, but still so disabled as to make escape impossible; and heedless of their cries and struggles, the demon slowly disemboweled them, and finished the sickening scene by cutting out their hearts.

When Three-Fingered Jack returned to the tent, he inquired the cause of the chief's particular hatred towards those men.

"Jack," replied Joaquin, "three of them were of the party who murdered my Carmela and drove me from my home in the mines. Who the other man was I know not; but he deserved his fate for being found in such company."

"The wretches!" exclaimed Jack, with a ferocious grin that made him perfectly hideous, "well, capitan, I hope we shall meet with a few more of these cavaleros."

"If we do, your knife will not become rusted for want of blood. But come, let us leave this place; we will camp to-night somewhere else."

Half an hour later, Joaquin and his party rode on in the direction of Mariposa, near which place the chief intended to remain awhile at the rancho of a friend.

CHAPTER III.

Arrival in Tuolumne county—Robbery and murder near Columbia—Hair-breadth escape of Joaquin—Journey to Stockton—Murder of three miners from San Andreas—Departure for El Dorado county—Assassination of Juan Cardoza—Murder of a German by Three-Fingered Jack—Lynching of two of the band at Mud Springs—Rendezvous near Salmon Falls—Joaquin relates the story of his escape from Officer Leary of Columbia—The journey resumed—The company of miners—Jim Boyce—The recognition—Superhuman daring and recklessness of the bandit chief—The subsequent pursuit and its unfortunate consequences—Capture and hanging of Carillo—Arrival at Yacqui Camp—Killing of one of the band by Joaquin.

After a further lapse of thirty days, a part of which time had been passed in the neighborhood of Mariposa, where at least a dozen robberies and nearly as many murders, had been committed by the insatiable Three-Fingered Jack, the party again resumed their journey. Crossing the Merced river at a shallow place, they traveled through the woods and mountains until they struck a trail leading to the forks of the Tuolumne, where they easily waded with their animals, and then pursuing almost a straight course, soon found themselves in the

vicinity of Shaw's Flat. On all sides was heard the sound of innumerable picks and shovels, and pans and rockers, in the hands of the busy miners; the industrious Chinamen had pitched their little cloth houses in various spots, and were assiduously working in groups, realizing profits satisfactory to them in places abandoned by Americans as worthless; and everything connected with the animated scene betokened peace, prosperity and contentment.

Joaquin and his company were seen, but not suspected; and it being so common a thing for packers, horse-traders, drovers, hunters and others to camp on the banks of a stream, or under the shade of a tree in some lonely place, for days and even weeks at a time, that to imagine a party to be criminal, merely from such circumstance, was scarcely just. The habit among all classes, of going armed, prevented any special attention being drawn towards the bandits on account of their weapons, and enabled them to remain perfectly safe, until they chose to reveal their true character by some open act of criminality.

Joaquin, having on hand a plentiful supply of money, resolved to tarry here several weeks in ease and quietness, and circulate a few hundreds of dollars among the gambling houses, restaurants and fandangos of the neighboring towns and villages. Finding that a comfortable log cabin was offered for sale by its owners, who contemplated a trip homeward, Joaquin gladly purchased it, together with all the cooking apparatus, mining implement, rustic tables and chairs, etc. The cabin being in a dry gulch which had been worked and re-worked till its golden treasures were supposed to be exhausted, was doubly prized by the bandits, on account of its lonely situation and its freedom from observation by prospectors who never thought of going through such a deserted place. Day after day, the bandit chief, accompanied by Cardoza and the females, strolled into the towns and camps, and whiled away the time in various amusements, leaving Valenzuela and Garcia in possession of their retreat, with express orders to the latter to remain quiet and not shorten the sojourn of the party in their present agreeable quarters, by any act of robbery or murder. Three-Fingered Jack appeared, for once in his life, to have lost a relish for blood, and during a period of three weeks, remained in or near the cabin, dividing his time in drinking and card-playing. At length, however, his natural spirit returned, and one evening while Valenzuela was in Sonora with Joaquin and the others, the villain sharpened his knife and sallied out in search of a victim. The Chinese were collected in groups in front of their tents, engaged in examining the proceeds of the day's toil, and the eyes of Three-Fingered Jack sparkled with savage animation as he gazed upon his favorite game; but as the cabins of the Americans were around them on all sides, and as he merely wished to cut a windpipe or two without creating a general disturbance, he walked

on in the direction of Sonora, with the hope of finding a better locality and safer opportunity. As he passed along, enveloped in his serape, he met many well-armed parties of miners, and occasionally a solitary Chinaman, but refrained from attacking the latter, as there were other travelers continually in sight. On reaching a fork of the road, he turned off towards Columbia, and when only a short distance from the town, sat down by the wayside to enjoy the fumes of a cigarito. It being a fine starlight night, Three-Fingered Jack resolved to stop where he was and smoke away the hours till two or three o'clock in the morning, when without any very great risk, he could pounce upon some of the opium-stuffed Celstials in the vicinity of Joaquin's cabin, and kill a half-dozen of them with the greatest convenience. While anticipating the pleasure of such a butchery, he was disturbed by the sound of a footstep, and a voice attempting to sing portions of negro melodies, but with such ludicrous effect as to prove, beyond a doubt, the presence of the imps of mixed potations. With all the strength of his lungs and liquor, the stranger had commenced with "Jim Crow," "Possum up a gum tree," and "Coal-black Rose;" then tried to whistle "Yankee Doodle" to the air of "Auld Lang Syne," but finding it unsatisfactory, broke out with a mixture of singing, yelling and whooping.

"Oh! Su(hic)sanah! don't you cry (hie) for me, I'm gwine to Cal(hic)ifornia with—hooroo!—I don't care a cuss for nothin!—ki yi! yow ow! hoo-raw for Jackson!—hoop! hey!" "Hello! old fellow!" he added as he stopped, or endeavored to stop, directly in front of the Mexican, "Hello! say!—what are you doing here, eh? Come and take a drink!—what? which?—you won't?—well who cares!" and with a yell that might have been heard five miles, he staggered onward and again commenced singing. He had gone but a very few yards, when Three-Fingered Jack caught up with him, and without giving him a chance to ask another question, stabbed him repeatedly in the back, until the unfortunate man sank to the ground, a corpse. The murderer then hastily searched the body, and finding a belt containing three thousand dollars in dust and coin, walked quickly back to the cabin and threw himself on his blankets "to sleep, perchance to dream." Four or five hours later, Joaquin and Valenzuela entered hurriedly, and the former immediately awakened Three-Fingered Jack by a violent shaking.

"What's the matter?" growled Jack, jumping to his feet and casting off in an instant all traces of slumber.

"A murdered man has been found on the highway," said Joaquin, "and from a description of the wounds, I judge them to have been inflicted by no other hand than yours."

"Indeed?"

"Yes, yes—'tis useless to deny it; but do you know who you have killed?"

"No," replied Garcia, sullenly, "and I'm not anxious to find out. I thought you might want a little more money, and so I went out and collected some. Here, take this."

"Well, Jack, said the chief, feeling the weight of the belt, "there is certainly a good amount of gold in this, and it comes at a time when I actually need it; but the victim happens to be one of the men from whom we bought this cabin, and his partner being now in Sonora, may perhaps mention the particulars of the sale and so cause us to be suspected."

"Well, what do you intend to do?" asked Jack.

"To remain in this vicinity a day or two longer; while you and Valenzuela proceed with all dispatch to Stockton. Clarina, Marquita and Cardoza have already started, and you will probably overtake them on the road."

"We had better be off at once, then," said Valenzuela.

The horses of the trio were quickly saddled, and as Three-Fingered Jack and his comrade galloped off towards Stockton, Joaquin rode slowly back to Sonora. It was nearly daylight, and yet the saloons were still thronged with miners and gamblers, conversing with great excitement upon the late murder, and showing a strong determination to lynch the perpetrator as soon as captured. Joaquin dismounted and quietly sauntered into one of these houses, with his cloak drawn over his chin in the customary Mexican style, and after nodding to some of his countrymen, took a seat in a corner of the room near the door. Various remarks were made concerning the brutality of the assassin in the infliction of so many wounds when one alone would have sufficed; and many a fierce oath was uttered at the possibility of his escaping the vengeance of the community of which the victim had been an honest and industrious member.

"I shouldn't wonder," said a savage looking six footer, slapping his broad, bony hand upon the counter, "I shouldn't wonder if them 'ere Mexicans hadn't somethin' to do with this."

"What Mexicans?" inquired another.

"Why, them chaps that bought out the claim; what they bought it for, I swear I don't know, and I don't keer—but they never worked nary lick at it—always runnin' around town here, and buckin' at monte, and puttin' on airs, and 'pearin' to hold a mighty sight of cash."

"That's so—darn all creation if it aint," said a tall, straight-limbed backwoods-man from the "far west," "that's jest so, exactly; but I don't believe in pushin' no man off the natral trail of his course, jest on mere sarcumstantial facts—I don't, myself, 'cause why, it runs agin my natur to see any human critter imposed on, 'cept I knows he deserves it."

"Well, that's right enough, 'cording to your way of thinkin'; but I tell you what, stranger, whar I

was raised they don't make no bones of stoppin' a man's wind, whatsoever, if as how they think he's been a spillin' of blood. But look a here! (pointing at Joaquin) if there aint one of them chaps a-settin' there as cool as a cucumber, I hope I may never cast another bullet! that's one of 'em, sure's you're born, and if he *sabes* the Yankee lingo, he must kinder think he's in a tarnal tight fix—'tany rate, he's *my meat*, and I'm agoin to take him!"

Joaquin had heard every word of the conversation, yet remained perfectly motionless, and when the American strided up to him and laid his huge paw upon his shoulder, and said, "See here, old boy! I *want* you," he smiled, and rose from his seat with apparently great willingness; but in an other moment, and before the smile had vanished, he had struck his captor a powerful blow on the side of the head, with the butt of his pistol, and laid him senseless on the floor. Dashing out of the saloon, he sprang into the saddle and went off at a break-neck pace in the direction of Stockton, catching up with his party the next day at a house six miles from the city. After briefly relating his adventure, Joaquin cantered along with his companions, and within an hour arrived at the end of the journey. Towards evening of the following day, as Joaquin, Valenzuela and Three-Fingered Jack were lounging on the levee, they observed three green-looking miners promenading up and down, seemingly with no other purpose than to display their new and fanciful clothing, and the large specimen pins in their bosoms.

"Those fellows," remarked Joaquin, "have considerable vanity."

"Yes," said Valenzuela, "and if it is based on their wealth, they must have an immense amount of oro."

"So it appears to me," exclaimed Jack, instinctively clutching the handle of his knife, "and I think it is something worth attending to."

At that moment the miners were seen to enter a restaurant, and Joaquin, saying he would soon return, followed them in and took a seat at the next table to theirs. In less than ten minutes, while sipping a cup of coffee, he gained all the information desired, and rejoining his comrades, they proceeded to their temporary lodging place in the Mexican part of the town, saddled their horses and rode out towards San Andreas. After traveling about four miles they reached a thicket of chaparral bushes, where they halted, and concealed themselves within a few feet of the road.

"They will be along presently," said Joaquin, "they are bound home with their pile and expect to take passage for San Francisco to-morrow; another of their company was to have joined them at 3 o'clock to-day, but as he did not appear, they are going back to San Andreas to look for him."

"A very fortunate thing for us," said Valenzuela, "and makes it an easy affair."

"I think they are coming," growled Three-Fingered Jack, peering through the bushes.

"Yes, there they are," said Joaquin in a half-whisper, "wait till they come directly in front of us, and then make a speedy job of it."

The party drew nearer and nearer, riding at a steady gallop, with not any apprehension of evil, and talking unreservedly of the "old folks at home," and of the girls they thought of marrying. Boasting their success in the diggings, and laughing at the envious feeling to be created among their old friends, joking, singing and relating fire-side anecdotes, not a shade of fore-warning flitted over their hearts to tell them of the near approach of death.

As they reached that part of the road opposite the hiding-place of the bandits, the latter rushed out upon them, seized the bridles of their horses, and before the ill-fated miners recovered from their astonishment, shot them dead and dragged them from their saddles. After searching the bodies and finding about eight thousand dollars worth of dust, they hauled them some distance into the chapparal, and then Joaquin and Three-Fingered Jack again sought concealment, while Valenzuelo returned to Stockton, to bring the two females and Cardoza. At sunset, the company being re-united, they took the road leading into El Dorado county. Crossing two or three ferries, they passed through a portion of the county of Sacramento, and finally encamped on the South Fork of the American river. Some days afterwards they were joined by Fernando Fontes and his band, one of whom, in strolling through the woods, had seen the chief and his party traveling along the banks of the river, and had hastened to make the fact known to his captain. Fontes had been engaged in collecting horses from different counties, and had already driven about four hundred to the rendezvous. He further informed the chief that Antonio and Guerro had returned to the Aroyo from Sonora, and that each had brought with him a mistress. Joaquin was well pleased with the cheering news, and was almost tempted to return at once to the rendezvous, so anxious was he to learn the particulars of the mission to Sonora, and to behold the newly arrived señoritas; but some secret business affairs induced him to defer the pleasure until a later day. As a good opportunity now offered, he sent Clarina and Mariquita to the Aroyo, in charge of Cardoza, Fernando and two others, in order that they might have a resting spell, and also be safe from any dangers which might threaten him and his band during his further prolonged absence from headquarters.

The females and their cavaliers had scarcely left the camp, when a quarrel broke out between Mariquita and her new lover, in which she insisted that he was not so kind as Gonzalez had been, and that she would live with him no longer. Cardoza finding that words were of no avail, snapped off a

switch from a bush close at hand, and inflicted what he termed a wholesome thrashing, to which the charmer submitted apparently with great humility. The next morning, as they were traveling slowly along a narrow mountain road, on one side of which was a steep declivity of one hundred and twenty feet, the revengeful Mariquita suddenly drew a sharp-edged dagger and plunged it into the back of her affectionate lover. With a slight groan Cardoza attempted to turn around, but in so doing, his horse backed off the precipice, carrying his dying rider with him to the depths below. The fatal thrust had not been witnessed by any of the others, nor had the little piece of well-tempered steel been seen in her hand, so quickly had she done the work of death. No one suspected her, and she wept long and bitterly, and appeared inconsolable for the loss of either the man or the horse. It is possible, however, that her tears and lamentations were caused by remorse; but even if that was really so, the naturally light-hearted girl did not long remain a prey to grief; for on reaching the rendezvous, she accepted for her third husband a dashing young fellow named Manuel Sevalio.

Joaquin heard of the catastrophe on the second day after its occurrence, one of Fernando's men having been sent back with the unwelcome intelligence. There was something so strange about the affair, Cardoza being one of the best horsemen in the whole band—and for him to allow his animal to lose its footing, seemed impossible, and the accident must have been caused by something else than a lack of skill in riding. So thought Joaquin, as he took a dozen of his band and proceeded to the place to bury his unfortunate comrade. By following another road leading into the valley, or basin, they came upon the spot where the unfortunate man lay side by side with his horse. A hurried examination was made of the body of Cardoza, but as, in falling, he had been cut in various places by the jagged rocks, the mark of the dagger was unnoticed, and after removing his knife, pistol, money, etc., he was interred in a bed of loose sand, and the bandits returned gloomily to their camp. At the expiration of a week, Joaquin, accompanied by Three-Fingered Jack Valenzuelo and the band of Fernando, numbering altogether twenty-six men, started out to recommence depredations in that county and the adjoining one of Calaveras. Upon arriving in the vicinity of Mud Springs, they perceived a lonely cabin on the side of a hill, and believing it to be untenanted and a good place to stop at during the fast approaching night, rode over to it, and Jack dismounted and pushed open the door. Contrary to the belief of the party, it was found to be occupied, the tenant being a German who, from sickness, was unable to give that life-like appearance to the place, the lack of which made it seem deserted. At a wink from Joaquin, Three-Fingered Jack jerked out his knife and cut the throat of the poor

invalid from ear to ear; then with the aid of two or three others, rolled the body down into the deep dry ravine at the base of the hill. The party then took possession of the cabin, which they found well supplied with coarse provisions, blankets, mining-tools, schnapps, pipes and tobacco; and after making up a quantity of the last named article into cigaritos, puffed away for a couple of hours, and then threw themselves upon the floor in their scrapes and slept soundly.

At early dawn, three men were sent into the camp of Mud Springs to purchase coffee and butter and some other little delicacies with which to cheer the appetites of the hungry band. After a lapse of four hours, one of the fellows returned alone, empty-handed and with a very rueful countenance.

"Where are your companions?" asked Joaquin.

"They're dead," replied the man.

"What!—dead?—dead?"

"Yes, capitano, hung by their necks like dead dogs. When we reached the camp, they went into a store to make the purchases, and I stopped at a saloon for a drink of agüadiente; and while I was talking with the barkeeper, who is a Mexican, I heard a great uproar, and on looking towards the store, observed my comrades in the hands of five or six Americans. One of the Americans said he knew Sebastiano to be a horse-thief; that he had stolen a number of horses from him in the Sacramento valley in 1850, and after being arrested, escaped; and that his companion must be a thief also, or he wouldn't be traveling with him. Then a crowd collected and took them to a tree and hung them, and with the assistance of the barkeeper I sneaked away, and so saved my own neck."

"A bad story, truly," said Joaquin, "and we must leave this place immediately. Were it not that I want all the men I now have around me for a special purpose, I would go into that miserable little camp and slaughter every American in it; I can leave that for some future time. Come, my friends, mount—and away!"

In an instant every man was in his saddle and moving on a brisk gallop. Taking a zigzag course, and stopping at various points, either to rob a traveler or to refresh themselves and their animals, they finally arrived at a dark and dismal billow, about a mile from Salmon Falls, where Joaquin determined to halt his company for the night. The place seemed to have been purposely formed by nature for the very uses for which it was now temporarily adopted. Almost totally concealed by the overhanging rocks and thickly tangled brushwood, and having a central space twenty feet in diameter, it was at once a snug, safe and comfortable retreat.

As soon as the horses were picketed, the bandits partook of such refreshments as they had collected during the day, and then drew out their cigaritos.

"Paysanos," said Valenzuelo, "I don't like this hanging business—it doesn't seem right, and the Americanos are too fond of choking men to death in the air, when they could be shot dead on the ground, in Mexican fashion."

"Yes, it's a bad plan," said Carillo, "but it can't be stopped, for the Americanos are a hanging people. They are taught hanging from their very cradles; the babe at the nurse's breast is made to know when it has enough, by the remark, 'how you do hang on.' A few years later the child hangs on the gate which hangs on its hinges; more time passes, and the boy feels himself strong enough to take away another boy's kite, or ball, or top, and hangs on to it; then he goes to school and if he misses his lessons, he sees the whip hanging over him and he hangs his head; after a while he hangs around saloons and street-corners and theatres, and says he'll 'be hanged if he don't' do this thing or that; then he gets into a rough-and-tumble fight with somebody, and his backers cry out 'hang on to him, Johnny—take him under the ear;' if he goes into any kind of business, it takes him some time to get the hang of it; if he joins with others in a nocturnal spree, it is a rule that they must 'all hang together;' if he opens a store or office, he hangs out his sign, and hangs on to the cash, and soon after is seen promenading with a señorita hanging on his arm. They're a hanging people, and always will be."

"Well, if we can't stop them," said Three-Fingered Jack, "from hanging our comrades, we can at least retaliate by hanging every American that falls into our hands—stop!—no! that wouldn't do; for whenever I kill anybody, I want to see the color of his blood. Carajo! let them hang, and let us shoot and stab."

"Comrades!" said Joaquin, "I have suffered from this hanging propensity, more than any of you, for I witnessed the strangulation of my poor innocent brother, at a time when it was not in my power to rescue him or to punish his murderers; but I have since had, and am still having, my revenge. However, as it is a disagreeable subject to converse upon, let us now abandon it, and I will tell you of an affair that happened to me some time ago in Tuolumne county."

"Good!—good!—listen!" cried several voices.

"Shortly after the commencement of my bandit career," resumed the chief, "I went into that county with my confederates, then numbering only seven, and found a convenient rendezvous in the little camp of San Diego about a half-mile from Columbia. We made it our business to rob and kill miners in the day-time, whenever we found them prospecting alone among the hills, or mining in desolate places; and a portion of the cash so obtained, we gambled away at night at the saloons in town. While making these visits to the monte-tables, I went disguised, so that those who had

known me in times past, previous to my change of character, would, if we came in contact, pass me as a stranger. Among those who knew me well, was a constable by the name of Leary, whom I wished particularly to avoid lest he should recognize me even in my disguise, and so compel me to stand on the defensive; and I would sooner have drawn a weapon upon any other man in the State than him, for he had always treated me in a civil and friendly manner. Knowing that he was aware of my altered course, and that as a public officer and an honorable man, he would use all his tact, courage and energy to secure my arrest and punishment, I determined to keep out of his way. One evening, however, I did not take the usual care with my disguise, and left off my false beard, intending to keep my face partly concealed by my cloak. On coming out of a saloon at about midnight I threw back the cloak to adjust its folds more comfortably, when, at that very moment Leary entered and caught a glimpse of my face. Without appearing to notice him, I stepped quietly out and then fled speedily through the darkness to the rendezvous. A little after daylight next morning I saw a number of men headed by Leary, coming towards our tent. I knew at once their object, and rousing my comrades from their slumbers, we availed ourselves of the only chance to escape, by dashing off down the road with all the speed we could muster. Numerous shots were fired by our pursuers, who succeeded at length in capturing three of my men, whom I then gave up for lost; but the brave fellows struggled and fought and regained their liberty, one of them being wounded by Leary, in the shoulder, as he was running away. Both parties being on foot, made it more favorable for our escape, for we were more accustomed to the mountains, and could travel faster than they on the narrow, uneven and winding trails; consequently we soon left them in the distance, and found a place of safety. It was the first time I had been chased by the Americans, but if I had had a few more men in my band, I would not have run a step."

On the following day the bandits met one of their countrymen driving forty or fifty pack-mules laden with provisions, and from him Joaquin purchased a quantity of flour, coffee, sugar, frijoles, etc. Continuing the journey till they reached a wild and luxurious piece of meadow, they encamped under a tree and resolved to remain there a week or ten days in order to give the animals a chance to recruit, and at the same time enjoy a little rest themselves.

At the head of a branch of the South Fork of the Mokelumne river, in a desolate region near the boundary line of the counties of Calaveras and El Dorado, were located a company of miners consisting of twenty-five men. They were at a long distance from any neighbors, having gone there well

armed on a prospecting tour, which resulted in their finding diggings so extremely rich, that they were persuaded to pitch their tents and remain. One morning while they were eating their breakfast on a flat rock which stood in front of their tents, armed as usual with their revolvers, a young man with very dark hair and eyes, rode up and saluted them. He spoke very good English and they could scarcely make out whether he was a Mexican or an American. They requested him to dismount and eat with them, but he politely declined. He sat with one leg crossed over his horse's neck, very much at his ease, and conversed freely on various subjects, until Jim Boyce, one of the partners, who had been to the spring after water, appeared in sight. At the first glance on him, the young horseman flung his reclining leg back over the saddle, and spurred his horse. Boyce roared out,

"Boys, that fellow is Joaquin!—shoot him! quick! quick! shoot him!" At the same instant he himself fired, but without effect.

Joaquin dashed down to the creek below with head-long speed, and crossed with the intention to escape over the hills, which ran parallel with the stream, but his way was blocked up by perpendicular rocks, and his only practicable path was a narrow Digger-trail, which led along the side of a huge mountain, directly over a ledge of rocks a hundred yards in length which hung beetling over the rushing stream beneath, in a direct line with the hill upon which the miners had pitched their tents, and not more than thirty yards distant. It was a fearful gauntlet for any man to run. Not only was there danger of falling a hundred feet from the rocks, but he must run in a parallel line with his enemies, and in pistol-range, for a hundred yards. In fair view of him stood the whole company with their revolvers drawn. Dashing along that fearful trail as though he were mounted upon spirit-steed, shouting as he passed,

"I am Joaquin! kill me if you can!"

Shot after shot came clanging around his head, and bullet after bullet flattened on the wall of slate at his right. During the first firing, his hat was knocked from his head, and left his long black hair streaming behind him. He had no time to use his own pistol, but knowing that his only chance lay in the swiftness of his sure-footed animal, he drew his keenly polished bowie-knife in proud defiance of the danger, and waved it in scorn as he rode on; and in a few moments a loud whoop rang out in the woods a quarter of a mile distant, and the bold rider was safe!

Joaquin, knowing well the determined character of Jim Boyce, and deeming it more than probable that he had heard of the different rewards offered for his capture or death, he made up his mind speedily that an attack would be made upon him



Perilous Escape of Joaquin from his Pursuers.

by the whole party of miners, if he remained at his encampment, which was some three miles distant from their tents. Concluding that they could not collect their horses together, and prepare their arms and ammunition in a proper manner for an attack or pursuit, before night, he conceived a plan, the most brilliant and ingenious that ever entered an outlaw's brain, by which to defeat their purposes, and carry out his own original intention of robbing them. Knowing that a trail could very well be made in the night, but that it could only be followed in the day-time, he ordered his men to saddle up and make ready for a ride. They obeyed with alacrity, and without question, and in a few minutes were on their horses and ready to move forward. The chief led the way in silence, proceeding over the pine ridges in an easterly direction. He rode on vigorously until night, over very rough ground, having traversed a distance of twenty miles; but wishing to put still a greater distance between him and the encampment which he had left, he did not come to a final halt until a late hour. Building a huge fire, and hitching their animals near by, the wearied bandits hastily threw their serapes down, and stretched their limbs upon them for repose. Sentinels sat up alternately until day-light, so that at the first touch of dawn the whole band arose and again started, having lost only five hours in sleep. They journeyed on in the same course, as briskly as possible, till noon, when having reached a nice little valley, covered with grass and wild clover, and watered by a beautiful spring, which bubbled up from the roots of a clump of evergreen oaks, distant about twenty miles from their last encampment, they stopped for two hours to let their horses graze, and to refresh their own empty stomachs with such light articles of food as they happened to have on hand. Here they left strong indications that they had spent the night, but established the contrary fact by riding on for the remainder of the day, whose close found them at another distance of twenty miles. Building fires as before, and eating a hasty supper, they again mounted, and, having made a circle of five miles in their course, suddenly turned to the westward, and encamped about three o'clock in the morning, at a spot distant another common day's journey from the last starting point. Thus traveling and resting, after the lapse of a few days they found themselves in the original trail upon which they had started.

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

At night, after a long day's ride over rugged

mountains and deep gulches, Jim Boyce and his party were seated around one of Joaquín's late fires, which they had re-kindled, quietly enjoying their pipes and laughing over numerous jokes and witticisms, when suddenly and startlingly the simultaneous reports of twenty pistols rent the air, the dark outer-wall of the fire-circle blazed as if a cloud had unbosomed its lightnings, and the astonished survivors of the company bounded up to see twenty of their number stretched upon the earth, and to meet with the deadly repetition of the twenty revolvers. Panic-stricken and bewildered, the two survivors of the second discharge, one of whom was Jim Boyce, fled headlong into the darkness, and taking no time to choose their ground, hurried madly and distractedly away from the horrible scene. Joaquín stepped quietly into the circle to see if Jim Boyce was killed, but Three-Fingered Jack leaped in like a demon, with his huge knife in his mutilated hand, and soon quenched the last spark of beating life in the pale forms around him. It is well known that death from a bullet flings a sudden and extreme paleness over the countenance and thus the light from the fire, falling upon the ghastly faces around, displayed a sight so hideous and harrowing, that Joaquín exclaimed with a shudder,

"Let's leave here; we will camp till morning in some more agreeable spot."

On returning to the tents of their victims two or three days afterwards, with the horses and mules taken from them, they made a thorough search of the premises and found nearly fourteen thousand dollars worth of dust; which Joaquín himself took possession of, and then went on with his band to Yacqui Camp, a short distance from San Andreas, where he had a rendezvous. The morning after his arrival at this place, he sent six of his men, headed by Valenzuela, to the Arroyo Cantoora, with the extra animals and the greater portion of the money, while with the remainder of the band, he again commenced a warfare upon the lives and property of his enemies. For miles around San Andreas, Caleveritas, and Yacqui Camp, robberies were committed in the boldest and most daring manner. Property was missed, but no one knew whither it was gone. Men were murdered, and the bloody hand remained unseen. Yet every one knew that thieves and murderers walked unknown in the midst of the community, and a strange dread hung over every face, and gave vigilance to every eye.

Capt. Ellis, the Deputy Sheriff of the county, succeeded in raising a company from among the most fearless of the citizens of San Andreas, and started out to search for the perpetrators of these villainous deeds. Having ascertained from a spy that Joaquín was at Yacqui Camp, and that one of his men was engaged there in dealing monte, he immediately entered that place, found the man by means of the description given, and took him pris-

oner. He was sentenced to be hung "forthwith" as a thief and murderer, but intimation of a pardon was made, in case he would reveal the secret abode of his comrades. This the villain scornfully refused to do, but begged them to spare his life, promising to aid them in some other manner, whenever he could without exciting the suspicion of the band. Finding his entreaty in so vain, he changed his tone, and with a defiant air, told them to do their work.

"If you go to my trunk," said he, "you will find a knife with the blood of an American still upon the blade. I have killed at least a score of them with that knife, and you can kill me but once."

This speech was received as something "much too much," and without any farther parley or ceremony, he was run up into a tree and strangled.

The enraged citizens then went to work, tearing down and burning up all the supposed dens and harboring places of the robbers; and the conflagration lit up the vault of heaven, and its sound roared among the mountains for miles around. Joaquín, who was stationed with his company on a hill a short distance off, saw and heard it with a laugh.

"If they had us now in their clutches," said he, "I think they would take a notion to roast us. Poor Carrillo! they have hung him, and he has gone, perhaps, where he will see his old friend Padre Jurata; but, caramba! the next twenty Americans I meet shall follow him, and also pay me a little cash for their passage."

Fully convinced that armed parties would scour the country the next day, in all directions, he started on a trail over the mountains, determined to reach the general rendezvous as quickly as possible, collect together his entire band, and give battle to the pursuing enemy.

As they were passing the Phoenix Quartz Mill, a few miles from the camp, they were fired upon by some persons on the inside of the building, and two of the bandits were slightly wounded. Joaquín instantly halted his men and returned the fire, but the enemy not being visible, he dashed into the place with Three-Fingered Jack and five or six others. Only two men were found, and these were fool-hardy enough to attempt a hand-to-hand combat, and were of course quickly shot down and killed. They were then dragged outside, where Three-Fingered Jack terribly mutilated their bodies with his knife; and after firing another round into the mill, the band proceeded on their way. Following the trail over the San Domingo Creek range of mountains, they soon struck another which led over Bear Mountain, on the other side of which they found a Chinese camp and robbed the Celestials of all the money they had, amounting to six or seven hundred dollars. Three-Fingered Jack manifested considerable anxiety in regard to their health and happiness, and thinking they looked very thin and miserable, de-

sired to relieve them of the burden and troubles of life; but Joaquín commanded him to ride on and wait till he could use his knife on the Americans. Crossing the river at Forman's Rancho, they traveled the main road along its banks, until they found another trail which conducted them within a mile of San Andreas. Here they struck off and crossed a mountain near Greaserville, and soon after came upon two Americans on foot, both of whom they completely riddled with balls, leaving Three-Fingered Jack scarcely room enough to operate upon with his knife; the fiend, however, satisfied himself by cutting their throats and kicking them in the face. Passing in the vicinity of a creek, near Angel's Camp, they entered a tent in which four Germans were sleeping, and holding their knives close to the throats of the horrified men, forced them to give up all their money, a sum of two hundred dollars. Three-Fingered Jack having remained in the rear of his comrades, now bounded towards the poor fellows, and with an oath that made them quiver with fright, declared he would cut their hearts out for not having more money; suiting the action to the word by brandishing his knife over their heads, and waving it to and fro so close to their throats as to start the blood. Joaquín, however, interfered, remarking that they were not Americans, and the Three-Fingered monster was forced to abandon his amusement, though he soon afterwards endeavored to steal away from the company for the purpose of returning and executing his threat; but Joaquín kept his eyes upon him and prevented every attempt.

A few days after this, one of the band by the name of Floresco, who had for sometime past shown an unruly disposition, informed Joaquín that he could accompany him no further, as he wished to return to Yacqui for a particular purpose.

"For what purpose?" asked the chief.

"Oh, some little private business," replied the other carelessly.

"Indeed; well, I cannot spare you at present, for I want to bring all the members together at the rendezvous, and unless you can give a sufficient reason for making the request, I cannot grant it."

"Oh! but I don't request—I demand."

"Then, Señor Floresco, the demand is made at an unsuitable time;" and a slight shade of contempt passed over the features of the leader.

"All times are suitable to me, and as you don't appear to be in a very agreeable mood to-day, I shall say no more, but use the time as I please."

Wheeling his horse, Floresco started to return, when Joaquín instantly drew his revolver and commanded him to stop.

"Well?" said the rebel, drawing in his rein, "what more?"

"I believe you are a traitor!" exclaimed Joaquín, enraged at being thus cavalierly treated in the presence of a number of new members, "and per-

haps you wish to return to give information of the route we have taken, and also to betray our secret rendezvous."

"Think as you please," returned the fellow, drawing his pistol, and throwing back an impudent and threatening glance.

"Ha! by the sainted cross! you shall die, if only for your insolence!"

The next moment the report of both weapons was heard, and Floresco dropped dead from his saddle. His horse, finding the bridle-rein loose, returned to the company, and the latter again started on their course; every man cursing the folly and stubbornness of their dead comrade, and praising the chief for his timely punishment.

"He wanted time," said Joaquin, "and I have given him eternity."

In two hours more, as they were following a narrow pack-trail which wound along on the edge of a deep gorge, they came upon another Chinese camp containing five Celestials. Though each was armed with a pistol and knife, they made no effort to defend themselves, but begged for their lives. Joaquin being now in a bad humor, the result of the mutinous conduct of Floresco, nodded to Three-Fingered Jack, who immediately stepped up to them, and drawing his highly-prized knife, commenced splitting their skulls, and severing their neck-joints. His eyes blazed with savaged delight, and he jumped from one to another, cutting and slashing as if it gave him the most intense satisfaction to revel in human agony.

CHAPTER IV.

The Rendezvous—Discovery of Pursuers—The Battle—Destruction of the Americans—Bravery of "Arkansaw"—Departure of Joaquin from the Aroyo Cantoova—The New Rendezvous—The Attack upon the Hangtown Stage.

On the arrival of Joaquin at the Aroyo Cantoova, he found that his marauding bands had been far from idle; for again the plain were dotted with hundreds of noble steeds, galloping hither and thither full of the spirited instinct of freedom. A perfect little village of tents occupied the customary place of encampment, around which were grouped the bandits, some of them whiling away the time at *monte*, and others lazily looking on, and puffing their cigaritos; while at a distance from the throng, and cosily seated upon a leaf-covered embankment, were no less than eight dark-eyed damsels, each with a lover at her side, and chatting, laughing and singing with all their natural gayety and sprightliness.

Having given the signal, Joaquin rode up and was warmly received with cheers and congratulations by his comrades, and at the same time a pair of beautifully-rounded arms encircled his neck, and the dark, laughing eyes of the lovely Clarina looked the welcome which the fullness of her heart pre-

vented her from uttering. After acknowledging the salute of the band with a few words of praise, he turned away with his mistress, and walked down to their favorite tree, where they seated themselves to enjoy an undisturbed *tele-a-tele*.

"Joaquin," murmured the voluptuous beauty, as she gently pushed aside the rich, flowing locks from his forehead, "you have been long absent—very, very long—and I have felt so very lonely and sad"—

"What?—Clarina—you sad! you lonely! and surrounded here by so many gay and light-hearted of your own sex."

"Ah, yes; it is because they are so joyful that I am so sad."

"Indeed?—explain, dearest—I am all anxiety to know the cause of this sudden change. Ah! you weep; is it, then so serious?"

"Yes, Joaquin, I weep," she replied, laying her head upon the bosom of her lover, "I weep, for I cannot, I cannot check the tears, my heart is nearly broken; you remember your promise? Oh, when will you abandon this disagreeable, this dangerous course of life, and return to our peaceful home?"

"Home? oh, would to Heaven I had never, never left it. I should not now be what I am; but come, Clarina, cheer up; a few months more and we shall be on our way to the sacred scenes of our way to the sacred scenes of our childhood, and then all these gloomy days will be forgotten."

The brow of his sweet and faithful friend grew sadder as she recurred to the happy and peaceful lives which they had once lived, but with a woman's true nature, she loved him in spite of all his crimes and her soul was again lighted up as she gazed into those dark and glorious eyes which had never quailed before mortal man, and lost her fierceness only when they looked on her. In her tender heart she made for him many allowances; she saw many strong palliations of his conduct in the treatment which he had received. She knew the secret history of his soul, his sufferings, and his struggles with an evil fate, and the long agony which rent up by the roots the original honesty of his nature. He had told her that he would soon finish his dangerous career, when having completed his revenge, and having accumulated an equivalent for the fortune of which he had been robbed by the Americans, he would retire into the State of Sonora, build him a pleasant home, and live alone for love and her. She believed him for he spoke truly of his intentions, and it mattered not how the world regarded him, to her he was all that was noble, generous and beautiful.

"Shall we then soon return?" asked Clarina in a more cheerful voice.

"Yes, my love, my revenge is nearly completed, and I wish only to increase my store of gold a few thousands more."

At this moment the young bandit was aroused from his luxurious situation by one of his senti-

nels, who galloped up and informed him that he had just discovered a fresh trail through the grass, about a mile below on the Cantoova Creek, and from appearances he should judge there were at least twelve or fifteen men. It was important to keep a sharp lookout, and to allow no Americans to leave that valley with the knowledge that it was occupied by any body of men, whatever, as such a circumstance would materially interfere with the plans of the robber chief, and compel him to seek another place for a secret encampment. Accordingly it was not long before Joaquin was mounted on one of his swiftest horses, and accompanied by twenty picked men, among whom were his constant attendants, Three-Fingered Jack and Valenzuela, and the equally brave and faithful Guerro, Antonio and Fernando. They proceeded to the trail indicated by the sentinel, and rode rapidly for two hours, which brought them in sight of fourteen Americans who faced about and waited for them to come up. When within a dozen yards of the strangers, Joaquin halted his men, observing with surprise that the leader of the intruders were no others than the tall backwoodsman who had attempted to arrest him in the saloon at Sonora.

"For what purpose have you come to this valley," demanded Joaquin, urging his horse a few paces nearer, to obtain a better view of the man's features, and thus removing all doubts of its being the same individual.

The Yankee hesitated. Smarting under the blow dealt him by the bandit in the gambling-house and forced to bear the rude jokes of his acquaintances, who, every time they met him inquired if he had "got his meat yet," he had finally determined to start out and capture the notorious robber, dead or alive, and so turn the laugh against them. With this laudable object he had found no difficulty in collecting together a "baker's dozen" of good and true men, most of whom were hardy pioneers like himself, who looked upon danger as a mere plaything, and courted it for amusement. When, however, he had formed the resolution to pursue Joaquin, it was with the impression that the latter was but a petty leader of a few cowardly cut-throats; and though he had good reason to believe the leader himself to be a man of nerve and courage, he doubted the bravery of his followers and imagined them to be "a gang of contemptible greasers." The appearance of the bandit chief at the head of a score of well-dressed, well-mounted and well-armed, muscular and ferocious-looking fellows, astonished "Arkansaw" (that being the name by which he was known in California,) and caused him to withhold, for a moment, the answer to Jaquin's question. Arkansaw lacked nothing in spirit and fearlessness, but possessed a considerable amount of self-esteem, vanity and cautiousness. He found himself confronted by a band of men superior to his own in numbers and arms, and felt that a battle with them would only afford such

pleasure as follows shooting and cutting, without the slightest chance of accomplishing the object for which he had set out. Therefore he hesitated, and Joaquin becoming impatient, exclaimed in a less agreeable tone,

"Did you hear me,—did I speak plain enough?"

"I reckon," replied Arkansaw, biting off a large quid of tobacco from a piece he had drawn from his shot-pouch, and casting a meaning look upon his companions.

"Then what is your answer?—be quick! who are you, and what is your business in *this* part of the country?"

"Now, 'taint no kind of use, stranger, to git into a ternal sweat about it, for I never hurries myself any when I gits my 'dander' riz, and then—jee-miny! I'm a hull team, you can jest bet! Well, now, you see, the long and short of the fact of the matter, aint nary more than this: we chaps is hunters, and have been out here in search of grizzly-bears and deer-meat, and if you aint got no notion to trouble us, we aint got none to trouble you, and that's plumb squar and plain talk."

Surprise and contempt were pictured upon the weather-brozed faces of the brave pioneers, as they heard the latter part of their leader's speech, and some gave vent to loud murmurs of dissatisfaction. The next moment one of them rode out in front of Joaquin, and fiercely exclaimed,

"I'm jest about sartain that I *know* you, my boy; you are Joaquin Murieta!"

In an instant, pistols were drawn, and an indiscriminate firing commenced on both sides. Five of Joaquin's men and two Americans had already fallen dead from their saddles, when the bandits, at a signal-shot from their chief, dashed in upon their opponents, and a bloody hand-to-hand combat ensued, in which nothing could avail a man but his own right arm and dauntless heart. Amidst the groans, yells and curses, could be distinctly heard the voices of the leaders, cheering and urging their men on, while they themselves fought with the ferocity of tigers. Gashed and bleeding, but still strong and unfainting, Murieta rushed from one part of the field to another, and with his dripping blade gave victory to his comrades wherever the result seemed doubtful; but the the Americans struggled desperately, and for a time had the advantage of their foes, and would have kept it, had not the invisible guardian fiend who everywhere pursued the bandit chief, turned the tide of battle and stretched the hardy backwoodsmen, one by one, upon the gory ground.

After emptying the contents of his revolver, Three-Fingered Jack had thrown it aside, and had busily engaged himself in furiously cutting and hacking with his bowie-knife in all directions, occasionally wounding, in his wild and crazy delight, one of his own companions or the horses on which they were mounted. When Joaquin at

length looked calmly around, after giving a last and fatal blow to one of his opponents, he perceived that nine of his own men lay dead upon the ground, and that the only American alive was the active and powerful Arkansaw, who was madly contending with Three-Fingered Jack. Long and well the backwoods-man fought, giving more than blow for blow, and causing the villain to howl with rage and fury at finding himself so well matched in the bloody encounter; while Joaquin with the remnant of his band, all wounded and bleeding, and panting with fatigue, stood looking on, confident of the final victory of their skillful and reckless paysano. Bounding from side to side upon their foaming steeds, each of the combatants endeavored to inflict a mortal wound upon the other, cutting and slashing with all the fierceness of men determined to conquer, or to spill every drop of blood in the attempt. Rendered more furious by the pain of a deep cut in his thigh, Arkansaw suddenly wheeled to the left of Three-Fingered Jack and with a terrible sweep of his arm produced a gash upon the cheek of the wretch that made him reel in his saddle and brought the now doubtful bandits to the aid of their favorite comrade. The latter, however, instantly recovered, and with a volley of horrid imprecations, ordered them back; but they still pressed on, resolved to prevent the self-sacrifice, by the immediate annihilation of the enemy, when the valorous Arkansaw, knowing he could not long prevail against such terrible odds, turned his horse's head and dashed off down the road with lightning speed, followed by his savage antagonist and the bandit chief. Neck and heel they had it, for five miles, up the hills and down, Joaquin a short distance behind, and the three-fingered desperado close on to the fugitive, at one time grasping at his bridle-rein and darting his knife with unsuccessful aim, and at another falling behind his horse's tail, and yelling with angry excitement at the perceptible failure of vigor on the part of his own animal. The pursuers finding the distance gradually increasing between them and the frantic rider, and seeing no possible chance of overtaking him, gave him a farewell curse and turned back towards the rendezvous. Their wounded comrades had already arrived, and were receiving such surgical treatment as the hands of the rough and awkward bandits could render. Fernando and another were so severely cut and hacked that they died the next morning, making a total loss of eleven men. Joaquin himself, though not seriously hurt, had lost considerable blood, and was obliged to remain inactive for a few days, under the anxious care and tender nursing of his mistress; and fortunate it was for Antonio and Guerra, that they also had each a fond and loving damsel to watch over them in their illness; to soothe their pain and smooth their pillow, and to minister to their wants with "cheerful love and rectitude," for they, as well as the chief, were restored to perfect health, and again

able and powerful, and eager for another fight long before their less favored companions had convalesced.

Joaquin felt extreme anxiety in regard to the brave and intrepid Arkansaw, the solitary survivor of the Americans, and cursed himself for allowing him to escape, instead of shooting him down during the combat with Three-Fingered Jack. A fortnight had elapsed since the sanguinary battle, and if the backwoods-man had recovered from his wounds, there was a strong probability of his raising another company of fearless adventurers, perhaps of uniting with all the armed parties in the State, who were bent upon the capture and extermination of the bandits, and by acting as a guide, lead them to the very heart of the rendezvous. Under the impression of this probability, Joaquin resolved to abandon his present quarters for awhile, in order to mislead the Americans, who, on reaching the place and finding it deserted, would be likely to return to their homes, or else continue the search in separate bands and in different directions and thus give him an opportunity to draw them into the mountain fastnesses, where he could conquer and destroy them without the loss of a single man on his own side. Accordingly the necessary preparations were quickly made; the hundreds of horses were herded together and driven off towards Mexico in charge of four of the most intelligent and trust-worthy of the band; the tents were struck, and placed upon upon some spare animals; and everything around and about the camp, of any use or convenience, was snugly and securely packed up for the journey. The females donned their male attire, and with their crimson silk scarf drawn tightly around their slender waists, prepared gaily and joyously to travel over mountain and plain, and through dark ravines and gloomy gulches; through almost impenetrable thickets and nearly impassable gorges, where they would encounter not only privation and fatigue, but the savage grizzly and the wily California lion.

Those of the wounded who had not entirely recovered were mounted upon the more gentle animals, which had usually been ridden by the women, while the latter, seated upon their fine Mexican saddles, which were securely fastened with a broad girth of horse-hair as strong as a band of iron, managed the fiery and full-spirited chargers of the invalids with ease and fearlessness. At length, everything being arranged, the whole party, numbering a hundred and six men and nine women, rode leisurely off, leaving behind them, in dreariness and desolation, the place which had for so long a time been animated with scenes of pleasure, gaiety and happiness. At the head of the column, and surrounded by some of his principal subordinates, was the bandit chief, whose handsome features wore a grave and stern expression, as he explained to them his reasons for leaving the Aroyo

Contoova. His late encounter with the Americans still hung heavily upon his mind, for although he had conquered them, he had paid dearly for the victory, and was forced to acknowledge to himself the inability of his own men when brought face to face in a general conflict with so brave and determined a foe; and regretted that his entire band was not composed of such skillful dare-devils as Three-Fingered Jack, Valenzuela, Antonio and Guerra. Annoyed too at the escape of "Arkansaw," he was forced to admit that even Three-Fingered Jack, the most powerful and reckless, the most expert, cruel and unflinching of cut-throats; the once favorite and right-hand man of the famous guerilla chief, Gurata; hardened by long experience, and bearing upon his person the scars of many a desperate single-handed combat, was not at all times victorious and could not be looked upon as invincible. Joaquin felt that his safest and surest course would be in avoiding anything like a general battle with the Americans, a fight with whom, were he even favored with success, would deprive him of a large number of men who could not easily be replaced by others, and which would prevent the accomplishment of the plans and objects resolved upon by him at the commencement of his bloody career. These and similar thoughts clouded the brow of Murieta, and for the first time he felt a true and strong desire to bring his criminal mode of life to a speedy termination, and retire to his native place with his adorable Clarina.

The latter, however, who rode in the rear of the party, with her female friends around her, felt not the same as her lover, and appeared in a different mood altogether; entertaining her equally beautiful companions with sparkling wit and merry song, causing the woods to echo with their joyous laughter, and starting the richly plumaged birds from the trees, by their silvery ringing voices.

After traveling over the rich valleys to the north of Tulare Lake, the band crossed the San Joaquin river within twelve miles of Fort Miller, and continued on in a northeasterly direction till they came to the Yohamite Falls. Here they again crossed the river, and went on over the Sierra Nevada range, and over the delightful valleys beyond, and finally reached the mountains to the east of Lake Mono. In the fastnesses of these mountains, Joaquin had, at the outset of his career, found a refuge from the pursuit of some Americans who had followed his little band from Hangtown to the Casteo Peak, some distance beyond the Sonora Pass; and had always since that time considered it the best and most secure hiding-place in the State. Leading the way along a rough and rugged trail, almost overgrown with grass and dwarf-bushes, Joaquin finally halted in one of the wildest and most romantic-looking places to be found in the whole world. It lies to the southeast of Lake Mono, about twenty-five miles, and is nothing

more than an elevated pass between two steep ridges, which are crowned with precipitous rocks, whose interstices would effectually conceal a man from observation. Thickets of chapparel cover various spots on the tops of the ridges, with open spaces between, and in many places the live-oak trees, with low branches and crooked, knotty trunks, form a kind of natural fortification, almost as perfect as if the had been arranged expressly for the purpose. The pass itself is but a lowering of a long, curving, natural wall, which connects the two ridges together, and between these ridges a long hollow leads up, and terminates at the pass. By the foot of the hollow runs a clear little stream, margined with green grass, and beautifully fringed with little and graceful willows. Behind the curving wall described, a steep descent goes down to the valley below, and is covered with immense grease-wood thickets, taller than a man's head, through which a party pursued could make a most safe retreat, and through which it would be dangerous to follow them. A few tall pines stand solated, here and there, on the different eminences, which shoot up in rugged majesty from the general outline. One ridge terminates at the connecting wall, but the other stretches on a mile or two beyond it, marked by an indistinct Indian trail, which suddenly plunges into a succession of deep ravines and gulches, lined with dense chapparel and low timber—lonely and sombre looking places. From this pass, on the ridges adjacent, a view of the country is commanded many miles in extent.

Here in this wild and solitary region, within a few miles of a spot inhabited by the cougar and wolf, and the more dreaded grizzly, the bandits pitched their tents, and as the shades of evening stole softly upon them, and all nature seemed to lull their unquiet spirits to security and repose, they drew their blankets around their outstretched and wearied forms, and slumbered; perhaps as sound and as peacefully as those whose hands were never stained with human gore, and through whose hearts had never passed even the shade of a desire to commit a criminal act.

On the following day Joaquin summoned every man to his presence and acquainted them with his views and intentions regarding the future.

"You are all aware," said he "that we now number over a hundred men who are active members. Our spies, our passive friends and other confederates, who are scattered in almost every town and camp throughout the State, swell the number to three or four hundred. These confederates can only benefit us by information—by words. They cannot afford us any active assistance by reason of certain circumstances, the nature of which it is unnecessary to explain. I have money in abundance deposited in a safe place, and I intend to raise two

hundred additional fighting members from Sonora and Lower California, whom I shall arm and equip in the best and strongest manner, and then make a clean sweep of the southern counties. The Americans I will kill by wholesale, burn their ranchos and run off their property at one single swoop, so rapidly that they will not have time to collect an opposing force, before I will have finished the work and found refuge in the mountains of Sonora. When I do this I shall wind up my career. My *amigos*, we will then be revenged for our wrongs, and some little too for the wrongs of our poor country in the late war with the Yankee nation. We will then divide the substance and spend the rest of our days in peace."

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

On this same day he dispatched eight bands of ten men each, to different parts of the State, to the east and south, and to the extreme north, with express orders to use their best endeavors in collecting money and horses. Joaquin was accordingly left at the rendezvous with twenty-five men, who had nothing to do but to kill game and attend to their horses and clean their arms. Ten days having passed away since the departure of their comrades and the wounded having in the meantime recovered so as to be fit for duty, the Chief took Valenzuela and Three-Fingered Jack and started out for a little exercise; leaving Antonio and Guerro and the others to take care of the females, and to protect the encampment from wild animals which were continually prowling around the neighborhood in spite of all the slaughter committed among them by the knives and pistols of the band.

Upon arriving at Fiddletown, Joaquin met with the captain of one of his marauding parties, who handed him a well-filled bag of gold coin, and informed him that his men were very successfully operating in couples in the vicinity of Jackson; and that he himself had come to Fiddletown to look for a safe transient rendezvous. After a little further conversation, Murieta wished his subordinate the best of "good luck," and calling to Three-Fingered Jack, who was lounging in front of a Chinese tent and eyeing the inmates with a peculiarly anxious expression, he resumed his journey taking a trail leading to Indian Creek.

Some days afterwards on reaching Diamond Springs near Hangtown, he learned from one of

his confederates who kept a fandango house at the former place, that on the following morning, the Sacramento stage from Hangtown would take down a large amount of gold dust for shipment to the eastern States, and that there would be but a few passengers to protect it. During the first few months of his career, Murieta had occasionally robbed a stage going to or from Mokelumne Hill but had become disgusted with the smallness of the amounts so obtained and turned his attention to other and less troublesome modes of raising the "dust." The information which he had just received, however, was not to be despised, and he determined to get possession of the treasure at all hazards; for with such a snug sum as forty thousand dollars, he could proceed at once to Mexico, enlist the desired number of members, and accomplish immediately his darling plan of laying waste the southern counties. Drawing aside Valenzuela and Three-Fingered Jack, he acquainted them with his determination to attack the stage, and meeting with a hearty response, set out late in the evening to select, on the road, a place most favorable for such an undertaking. After riding at a slow pace nearly all night, they finally halted in a lonely spot, thickly covered with tall bushes and stunted oaks, and situated about half way between Mississippi Bar and the White Rock House. Directing his comrades to take a position behind a large clump of chapparel at some distance from the highway, on the left hand side, Joaquin then chose an equally secure place for himself at about the same distance from the road, on the right. Two hours of anxious suspense passed slowly away, and the first streak of dawn became visible in the east, and yet no stage appeared. Joaquin had been informed that it would start from Hangtown at one or two o'clock in the morning, and as it was now half past six, he began to doubt the truth of his confederates' statement. He rode over to Garcia and Valenzuela with a half formed resolution of traveling back to Diamond Springs, and run the chance of meeting the stage in some other locality; but finding the pair very patiently reclining in an easy attitude upon their saddles, and puffing away at their cigaritos, with an air of great comfort, he concluded to wait an hour longer. Fifteen minutes, however had scarcely glided by, when Three-Fingered Jack jerked out his six-shooter and exclaimed:

"There she comes!"

"Ha!—yes, I hear the wheels," said Joaquin, "and now a few quick words before she reaches us. I've been so gloomily dreaming of other matters, that I have not given you the necessary directions how to act."

"How to act," echoed Garcia, "why, Santa Maria! I know but one way—"

"Silence! Listen: you will both start as soon as you hear the signal, and attend to the inside while I stop the horses. Not a shot to be fired



Joaquin attacking the Hangtown Stage.

until I give the order—bear that in mind, Jack—you understand me, *amigos*?"

"Perfectly, Señor," replied Valenzuela, with a polite bow.

"So do I," growled Jack, "but I can't say I like the plan."

"Hist!—keep silent. Remember my orders;" and as the sound of the wheels became louder and louder, the chief rode speedily back to his hiding-place. Five minutes after the stage turned a bend in the road, and the four spirited horses came on at a brisk gallop, snuffing in with expanded nostrils, the cool and fresh air of morning. Another minute brought them directly opposite the bandits, when with a loud and sudden shout, Joaquín dashed up, and in a thundering voice, and with pointed pistol, commanded the driver to stop. At the same instant Valenzuela and Three-Fingered Jack appeared at the other side of the stage, the latter flourishing his formidable army revolver in such close proximity to the faces of the passengers, and ordering them with such terrible oaths and imprecations, to "hand over their money," that they were nearly frightened to death before they complied. The driver, at sight of Joaquín, pulled in upon the reins with all his strength, well knowing it to be worse than useless to make any attempt to escape from a man, upon every lineament of whose face was strongly marked a determination to "do or die." As soon as the driver had succeeded in reining up his impatient animals, Joaquín called to Valenzuela to exchange places, while he himself went to superintend the disbursement of the money.

"Now, gentlemen," said he, turning to the astonished and bewildered passengers, "pass out that box of treasure, and be very expeditious, too, for I have no time to lose—come! be quick!"

"Yes, caramba! be quick!" shouted Garcia, "pass it out, or I'll make a pepper-box of every man's head in the stage!"

"Why—why—why, Mr. Highwaymen—I mean Mex-exicans," gasped a plethoric Englishman on the back seat, who kept dodging from Three-Fingered Jack's pistol, as the latter persisted in keeping it within half an inch of his ear, "why, 'pon my soul, there's no box in 'ere, or I'd 'and it hout, you know."

"No, there aint any box, at all," added the others, each of them trying to screen himself behind his neighbor, to avoid the unpleasant nearness of the weapons.

"Driver," exclaimed Joaquín, in a furious tone, "where's the dust that you are carrying to Sacramento?"

"There aint any, sir; none at all, sir; there was some went down yesterday—a big iron box full—but there ain't any to-day."

"Well, we will satisfy ourselves on that point," returned the chief, pulling open the door, and directing Jack to do the same on the opposite side,

"if I find you have lied, your life will be the forfeit. Come, come out; every one of you."

The order was quickly obeyed, though two of them on the side of Three-Fingered Jack, showed a disposition to crowd themselves out at the other door, but were roughly grasped by their collars, and told to "make a short cut of it or they'd get a longer one than they wanted." Joaquín, now, for the first time, observed a female (one of his own countrywomen) on the front seat, who, as he entered the stage, threw aside the dark colored shawl in which she was enveloped, and handed him a small golden crucifix studded with jewels. He gazed upon it for a moment, and then returned it, conveying as he did so, a look full of meaning, and uttering a few scarcely audible words. After a complete overhauling of the seats without finding anything, he stepped out and examined the seat of the driver; but no treasure was there, and with a bitter curse upon his ill fortune, he ordered the travelers in again, and told the driver to go ahead.

Three-Fingered Jack, on hearing the order, and seeing the horses start off at a swift gallop, under the well plied whip of the anxious driver, suddenly faced about and fired two shots at the latter; both, however, went over his head, and the next moment Joaquín bounded towards his vicious subordinate, and with eyes flashing with anger, commanded him to sheath his weapon, or suffer instant death. Ill-humoredly and sullenly, the fellow complied, and the trio returned as quickly as possible to Diamond Springs, where Joaquín again sought his friend and confederate, and gave an account of the expedition; handing him, at the same time, one of the well-filled purses taken from the passengers. In the house of this man, the bandits remained concealed for about a week, when finding that the stage affair was no longer talked of, they brought forth their horses from their place of security in the rear, and at two o'clock in the morning, rode off in the direction of the Sonora Pass.

CHAPTER V.

Robbery and murder of five Frenchmen—Pursuit of the bandits by Americans—Murder of a number of Chinamen—Arrival at the mountain rendezvous—Rescue of the females from a grizzly by Three-Fingered Jack—Return of some of the marauding companies—The midnight revel—Arrival of Sevalio—His bloody adventures in the Northern Mines—The sudden alarm—Appearance of Americans—Capture of "Arkansaw."

Some time after leaving Diamond Springs, the chief and his comrades encamped on the north fork of the Stanislaus river, in a place which they believed far from any habitation; but were disagreeably surprised at day break next morning, to find that they had slept within a few rods of the camp of some Frenchmen. The latter appeared to be totally unaware of their dangerous situation, and

even when the bandits appeared before them and inquired as to the cause of their being in such a lonely place, they fearlessly replied that they were miners, and had come there to prospect.

"We are miners also," said Joaquín, "and would like to strike a good lead, if possible."

"Ah ha! 'tis very possible," returned one who seemed to be the leader, "dis is one fine place for ze gold; but you no have ze tools for work."

"Oh yes, we are well supplied with all that is necessary. But are you certain the diggings will pay?"

"Certaine! vat for three or five men shall work for notting, eh? Ha! ve have vat you call ze good diggeens—and ve have make one grand resolve for live all ze time in zis great republeek."

"You will not live as long as you imagine," said Joaquín, drawing his six-shooter; a movement which was instantly followed by his companions—"not half as long as you imagine, unless you hand out every particle of dust."

The four Frenchmen, on perceiving the threatening attitude of the Mexicans, dodged into their tent and instantly reappeared armed with single-barreled pistols; but before they could raise their hands they were shot down by Three-Fingered Jack and Valenzuela. The remaining victim then begged for his life; but after delivering up several pounds of gold, he was mercilessly killed like the rest, and the bandits proceeded to refresh themselves with the breakfast which had already been cooked by the Frenchmen. While discussing the merits of sundry highly-flavored dishes, the ingredients of which would have puzzled Prince Soyer himself to discern, they were suddenly interrupted by a loud shout, and on looking up observed a party of ten mounted Americans on the opposite bank, well armed with rifles and revolvers, and headed by the inveterate "Arkansaw."

"That Yankee again!" exclaimed Joaquín, springing to his feet, "quick! quick! to your horses!" and as they threw themselves into their saddles and went off at full speed, the balls from a half dozen rifles came whizzing through the bushes and around their heads with such unpleasant nearness as to bring forth loud and bitter curses upon the whole Yankee nation in general and "Arkansaw" in particular.

"Caramba!" shouted Three-Fingered Jack, "let's turn back and face them."

"What!—when they are three to one, and so much better armed!" said Murieta; "no, no; I know those rifles too well, and we may consider ourselves lucky indeed, if we escape beyond their deadly range."

"Hark! They have crossed the stream, and are now upon the trail!" said Valenzuela; and slightly spurring his noble animal, he reached the side of the chief, while Garcia still remained a few paces behind, growling with rage at the idea of fleeing instead of fighting.

They had nearly reached the summit of a mountain when they were met by two Chinamen, bearing mining tools upon their shoulders, and each armed with a large knife, somewhat resembling the Turkish scimeter. The bandits halted, and in full view of the pursuers, Three-fingered Jack, at a sign from Murieta, dismounted and severed the heads of the Celestials from their bodies with their own weapons, and then to complete the horrid work, and satisfy his own fiendish disposition, he seized the gory heads and threw them high into the air in the direction of the exasperated Americans. With a yell, and waving their knives in defiance, the three brigands rode on to the summit, where they sent forth a longer and more thrilling yell, and passed slowly down on the other side. About five miles further on, they came to a Chinese camp, and again the same murdering scene was enacted, though on a much larger scale, and out of sight of the enemy. From the latter victims, seven in number, Joaquín obtained thirty-five ounces of dust, a small portion of which he sprinkled upon a piece of black cloth, in forms of the letters composing his name. After a hard gallop of twenty additional miles, he crossed the river, and on the following day went through the Pass. The pursuing party had ridden furiously for twelve or fifteen miles after reaching the Chinese camp, and were then forced to give up the chase on account of their horses not having the mettle to compete with those of the brigands. Four more days were occupied in traveling over the rugged mountains to the west of the Pass, and on the morning of the fifth, Joaquín and his comrades arrived in the immediate vicinity of the rendezvous. Without giving the customary signal, they dismounted, and Three-fingered Jack took the animals down to the little lake to water them, while the chief and Valenzuela proceeded on to the camp. Stopping at the nearest tent, they perceived three of the band amusing themselves at cards, and so intent were they upon the game that they had not perceived the arrival of their officers.

"A few Yankees might easily win this game," exclaimed Joaquín in a rough, quick tone.

In an instant the startled players jumped to their feet and drew their weapons, but seeing friends, and not foes, before them, burst into laughter, and welcomed the returned chief with noisy delight.—"Why—carajo!—I thought *los Americanos* had come and taken possession of the camp," said one of the men.

"Which they could have done, it seems, with the utmost ease and convenience," said Joaquín, glancing around at the deserted rendezvous.—"Where are the rest of the men?" "They are hunting grizzlies." "And the *Senoritas*—where are they? Are *they* also hunting grizzlies?" No, Capitano; they are probably near at hand in one of the pleasant little groves or arbors which they have busied themselves in forming with their

taper fingers during your absence; or perhaps, and most likely too, at this hour, they are bathing in the cool waters of the brook beyond the ridge.

"Very well, I will go in search of them. Valenzuela, you will remain here, and should the men come in before I return, place some of them on guard at each available point; for that daring Yankee, with his *cuteness*, might track us to the very centre of our stronghold."

"Such a calamity, Senor, must be avoided, or rather prevented," replied Valenzuela, "especially on account of the females; and your orders shall be strictly obeyed. In case the men do not make their appearance within an hour, I will mount these three upon the western ridge, while I, myself, take the outer summit." With a nod of approval, Joaquin turned and walked leisurely down towards the hollow, stopping occasionally to view some snug little arbor of curiously-entwined evergreens, the skillful handiwork of the fair damsels, superintended by his own charming mistress. Following the trail which had been made by some of the band when they had nothing else to do, he soon reached the other side of the ridge, and was gaily stepping along on the winding course through the dense thickets of chapparal, when his ears were greeted with the sound of female voices, as though a dozen were all chatting at once, and with the highest degree of mirthful enjoyment. It now struck him that they were, in reality, bathing, and that their exuberance of spirits might be caused by a playful splashing of water over each other while in *dis-habille*; and he stopped to consider the probable consequences of a surprise. Suddenly a faint scream arose, in which he recognized the voice of his mistress, and which was immediately followed by others louder and more thrilling; and without losing another moment of time, he rushed through the narrow pathway and bounded into the presence of the affrighted beauties, just in time to see his three-fingered comrade plunging a knife into the body of a huge grizzly.

Three-Fingered Jack, after watering the horses, had gone further up the ravine to find a grassy bank where he could lie down a few moments to rest. While reclining beneath an overhanging rock, he had heard the gay voices of the *senoritas*. Notwithstanding his ferocious disposition, Garcia still retained in the inmost recesses of his stony heart, a fond, though perhaps faint, remembrance of a bewitching damsel whom he had wooed, but not won, at an early period of his life; and whose frown had made him what he was. The flush of youth which then overspread his features, had been replaced by a half sallow, half-bronzed complexion, and the eyes which then sparkled with honest pride and manly spirit, now glared with cruel and blood-thirsty desires. The once smooth cheek and clear, lofty brow, were now scarred and wrinkled, and furrowed with wicked thoughts and bloody deeds. Yet in his calmer moments, when

no one was near to gaze upon him, his stern features relaxed, and his eyes lost their fiendish expression, as he stole back in memory to those happy days of love and innocence, and thought of the girl who had so heartlessly trifled with him, but whom he still loved, and whose face and form, and even the sweet tones of her voice, he still secretly cherished.

As he lay reclining under the rocky roof, and recalling, one by one, the scenes, and hopes, and aspirations, which had formed the Elysium of his boyhood, his thoughts were suddenly disturbed by an increased merriment among the females at the brook. One of the voices louder and sweeter than the others, seemed to come from the long-lost idol of his heart. Never before had he heard a tone so much resembling that of his dearly-loved Espinella—and his heart—the heart which was blackened and congealed by unnumbered crimes—palpitated with anguish and remorse. Wishing to know who it was that possessed a voice so dear to him, he had risen and glided stealthily towards the brook, and on coming in view of the bathers, concealed himself behind a thicket, where he again heard the voice and recognized its owner as the mistress of Antonio. Soon after, as he was about to retrace his steps, he was startled in the same manner as Joaquin, by the screaming, and had darted in, in time to save the mistress of his chief from the deadly embrace of the grizzly. By holding his scaple at the mouth of the savage beast, Three-fingered Jack gave employment to its teeth, while he struck his knife furiously and repeatedly into the most vital parts; and had just made the last and fatal blow, when Joaquin appeared.

Clarina was about to follow some of her companions, who were hastening from the terrible scene, when she beheld her lover, and instantly flew to his arms. A few words from her pallid lips sufficed to explain the affair, when Murieta, without thinking to ask how he had happened to be so near, at so critical a moment, grasped the hand of his brave comrade, all bloody as it was, and pressed it with fervid gratitude.

"Garcia," said he, "you have preserved the life of my dear Clarina, and by so doing have made me your debtor forever. Henceforth I am your devoted friend."

For the first time in many a long year, a smile illuminated the coarse and rugged features of Three-fingered Jack, as he replied.

"To kill a bear is nothing; and if I have saved one of my own countrywomen from death, it was because I was thinking at the time of one of her own sex."

"Indeed!"

"Yes; now what would you say if I should tell you that my sudden appearance at the brook was caused by LOVE?"

And as he hissed the words through his teeth,



Death of an Intruder by "Three-Fingered Jack."

in anything but a loving manner, he turned away and disappeared through the chapparal.

"Garcia in love!" exclaimed Murieta. "Had he not rendered me this priceless service, I should be tempted to laugh him into ridicule with the whole band."

"Perhaps there is some hidden meaning in his words," said Clarina, "which we cannot understand. He may have referred to something of the past: for you remember he said he had been *thinking* of one of my sex."

"Well, there is something very strange about it; but come, let us return to the camp; or shall we pay a visit to the arbor?"

"The arbor, Joaquin?"

"Yes, Clarina. Ah ha! you think I've not seen the charming little retreat, fashioned with your own hands; entwined with evergreens, festooned with wild mountain flowers, and the names of Clarina and Joaquin joined together in a wreath over the entrance. Oh, yes, I discovered it within twenty minutes after my return."

"Then I cannot give you an agreeable surprise, as I wished; but no matter, you haven't seen everything. Oh! Santa Maria! what's that?"

A sound, as of something dashing through the chapparel, was heard, and the next instant another grizzly, somewhat smaller than the first, bounded across the open space, within a few feet of the lovers, and entered the dense thicket beyond. A moment after a half dozen bandits appeared with knives and pistols in their hands, and led on by Manuel Guerro.

"Halt!" exclaimed the latter to his men, "here is our chief;" and as they gathered around Murieta with exclamations of welcome, their flushed and excited faces exhibited a mixture of joy and astonishment.

"You have made a speedy capture of our game," said Guerro, pointing to the carcass of the bear on the ground.

"Oh, no," returned Joaquin, "that is not yours; that animal was slain by Three-Fingered Jack."

"Caramba! then ours has escaped, and we may as well give up the hunt for to-day."

Twenty or thirty shots were now heard in the direction of the camp, and the whole party hastened thither, finding on their arrival, the remainder of the band, collected around the grizzly so lately pursued, and which had attempted to pass directly through the camp.

Towards evening, about fifty of their comrades who had been successfully operating in various portions of the State, appeared among them, accompanied by Valenzuela and the three men who were on guard at the passes. The captain of each party handed to the chief numerous buckskin bags containing gold dust and coin, amounting altogether, to nearly a thousand ounces; and while the men were relating to each other the various incidents and adventures they had met with since

their departure from the rendezvous, others were making preparations for a grand feast and fandango. In the centre of the encampment a fire was built, and the bear-meat, together with a large variety of provisions brought by the lately arrived parties, was soon emitting a most delicious and hunger-exciting flavor. Lively and spirited conversation and dancing was carried on for two or three hours longer, when supper was announced ready, and all seated themselves around the fire. With the voracious appetites exhibited on all sides, among the women as well as men, a very short time sufficed to clear the ground table of everything in the shape of edibles. Cigaritos and wines were then brought into service, and amid the curling and wreathing of smoke, and the jingling of silver cups, the witty jest and racy anecdote went round and round the circle in quick succession, till they were forced to discontinue it from very pain of laughter; especially on account of the females, who began to exhibit unmistakable symptoms of hysterical inclination.

Narratives were then called for, and different members of the band related some startling story of their criminal experience, or some less exciting one of love and courtship; and finally, when everything rich, rare and terrific in the memory of the company seemed to have been exhausted, Antonio was singled out to contribute his mite towards the entertainment.

"Well, *amigos*," said he, knocking the ashes off his cigarito, "it is impossible for me to relate any of my adventures at present, because my mind is filled with visions of grizzly bears; and to tell the truth, I dreamed this afternoon in a short nap, that one of the monsters had torn me limb from limb in a hand-to-paw encounter. However, if a song will do instead, I shall be happy to accommodate you, as it will perhaps relieve me from this foolish despondency."

"Yes, yes! give us the song!" exclaimed three score of voices, "What shall it be, then?—the 'Santa Anna castle'—or the 'Monte Sierra Serenade'—or the—"

"Give us 'our home is Mexico' said Valenzuela.

"Yes, yes—that's the best—let us have that;" echoed the others.

"Very well; but you must look out for the chorus. It is a good song, and was a favorite with the padre Jurata, but is worthless without a full chorus."

"*Bueno—paysano—proceed.*"

With sundry preliminary coughs, Antonio commenced and went through the following, to the air of "The maid of Monterey."

We're a brave guerilla band, and as free as light are we,
And take our tribute on the land wherever we may be;
Our homes are the Sierra's shade, 'mid the chapparel so wild;
No wealth have we to boast of, like the lordly pampered child.

CHORUS.

We roam from summer vales to hills of eternal snow;
Whate'er the change may be, our home is Mexico!
We roam from summer vales to hills of eternal snow;
Whate'er the change may be, our home is Mexico!

We levy tribute on the rich, and make them pay it down;
And good fare we receive from them of the litany and gown;
And when the fray and prayer is o'er, we seek a quiet vale,
As to God above, to the maid we love, we repeat th' exciting tale.

CHORUS.

We roam from summer, &c.

When the golden sun is shining from out the distant west,
And the humming-bird is seeking its downy pendant rest,
And the vesper bells are sounding on the mellow evening air,
Our hearts grow light with music and dancing with the fair.

CHORUS.

We roam the from summer vales, &c.

"Ah yes, Mexico is our home;" exclaimed Valenzuela, with a sigh, "and it is the only place on earth, with the exception of Spain and Italy, comrades, where a man can enjoy a life of ease and pleasure."

"Have you ever lived in Spain?" inquired Valenzuela.

"Have I, indeed! I was born in the very heart of Madrid,—in the very palace itself; but who my father was, I can't say. It was hinted, however, among the court dames and maids of honor, that he was no less a personage than the Duke of *Marrenna*, but whether it is true or not, I never could ascertain. The Duke himself, though, appeared to favor the supposition, and as soon as I was old enough, had me installed as a page."

"A page?"

"Yes, a household page; a kind of royal flunkie; but without any particular master or mistress and with nothing to do but to carry sweet scented *billet doux* back and forth between some noble courtier and his lady love."

"You must have been well rewarded for such important services," suggested Joaquin.

"Ah, yes; with many a broad piece of gold, or a sparkling jewel. But it was a dangerous business, comrades, for I was watched on all hands by the demon jealousy. One night I chanced to make a mistake in the delivery of two notes, and the consequence was, a meeting between a furious husband and a hair-brained lover, during which I received a sword-thrust in the shoulder, and was afterwards taken into the private service of the queen, in order to prevent a recurrence of such a mishap, by learning my business at the fountain-head of intrigue. Then I had much more to do than before, but my pay was larger, and the presents I received more valuable. I had chosen for my especial companion, a young fellow by the name of Lorenzo, who was in the service of the Queen's secretary, and who concealed under a mask of innocence and demureness, a spirit the most fiery

and untameable. One night while strolling in the palace garden, in a part seldom frequented by any but the kitchen servants, and awaiting the appearance of a person to whom I was to deliver a message from one of the maids of honor, I overheard two persons in earnest conversation. There was nothing unusual or surprising in that, for secret meetings, plottings and conspiracies made up the daily routine of life in that corrupt court; but when my curiosity led me to creep slyly up to the small circle of bushes, in the centre of which stood two figures conversing in Italian, I found that I had discovered something of great importance. In the dim starlight I discovered the form of Lorenzo, and at his side a person whom I knew did not belong to the household, and though his features were quite familiar to me, I could not recollect where and when I had previously seen him.

"About three hours afterwards, on retiring to the room which Lorenzo and myself occupied together, I took a seat in a little alcove, drew forth a cigarito, and while smoking, carelessly turned over the pages of a portfolio lying upon the table at my side. As I was about to close the book, the contents of which I had often seen before, my attention was arrested by a sketch of the very face I had seen that evening in the garden. Underneath the sketch were the words, *Carlotti, the Brigand.*"

"What! Giovanni Carlotti?" exclaimed Guerro.

"Yes; the grandson of him who had served under the famous chieftain, Massaroni. But, comrades, at some other time I will finish the story, for you know I am not in the right mood at present."

"Come, come, Antonio," said Joaquin, "take something to enliven you; fill up, *amigos*, and drink to the memory of the brave Massaroni!—to him who said,

This our maxim, wise and bold,
Naught for naught, and all for gold;
Banish every weaker feeling,
Let the bigot prate of crime,—
Time from all is daily stealing;
We but do as teaches Time."

With loud ejaculations of applause, the bandits drained their cups and called on Antonio to proceed.

"When I saw the sketch of Carlotti," he resumed, "I was not a little astonished. Stepping over to the bed of Lorenzo, I aroused him from a deep slumber. 'Where is the brigand chief,' said I in Italian.

"What did you say?" he gasped, jumping up and rubbing his eyes; "is it possible you speak the language of Italy?"

"Where is the brigand chief?" I repeated, "where is *Carlotti*, with whom you conversed this evening in the garden?"

"Where is he? I don't know; ah! I see how it is; I have been talking in my sleep."

"You forget," said I, "Carloti was with you a half hour after sunset. Perhaps you have also forgotten the four caskets of jewels. There, you perceive I know all, and I am the—"

"Diablo!" he muttered.

"Oh, no; you flatter me; but, as I was going to say, I am the last one in the world to interrupt the scheme, provided I receive a share of the booty."

In the course of the night I ascertained that Lorenzo was the son of a brigand, and that he had been placed in the palace by his father, who was known in Madrid as the Señor Don Valerio. That the object of the brigand was to obtain possession of three or four hundred thousand pesos worth of diamonds, and that the robbery was to be consummated the next evening. My reputed father, the Duke, had always appeared to entertain a favorable regard for the banditti, for he had furnished me profusely with such books as "The Robbers of the Sierra Madre," the "Masked Brigand of Monte Guadagnola," "Pedro of Naples," and "Rinaldo Rinaldini;" the last of which had excited my youthful imagination to an intense degree, and I dreamed of nothing but how to make myself as bold, as brave, and as successful as the great Rinaldo. This affair with Lorenzo seemed to open the way for me to the accomplishment of my ambitious hopes, and I eagerly joined with him in the robbery, and received for my share eight hundred golden ounces. I then became a member of the band, and enjoyed a most romantic mountain-life for about four years. One day, during the carnival at Rome, I met the Duke; he was disguised and so was I, in my brigand dress—but thinking perhaps, from my courtly air and manner, which I had studied in the palace of Isabella, and which, of course, I could assume at any time, that I was as noble as himself, he linked arms, and we traveled together over the city. Towards night, when going through the principal street, which was crowded to excess, I made known my real name and character. Instead of embracing me, as I thought he would, he being so great a lover of brigands he turned from me in scorn, and hurled the most taunting epithets upon me. I know not how it was, comrades, but my brain suddenly seemed in a blaze, and drawing my stiletto, I plunged it thrice into his breast with all the force of my arm, and left him dead upon the ground. Shortly after, I fled to Lisbon, where I remained two or three years, and then sailed for South America. At Rio Janeiro, I met with my old friend Lorenzo, whom I found engaged in the slave trade, and in possession of a handsome fortune. From him I received a present of five thousand dollars, and some introductory letters to influential señors in Mexico. A short residence in the latter country reduced me to my last dollar. Then came the war with the United States, and I joined the

band of Padre Jurata and remained with him till his death. Garcia and I then came to California, and—"

"Hark!—there's the signal!"

"Yes—another arrival," exclaimed Valenzuela, "and, if I mistake not, it is the signal of Sevalio. Do you hear, Margarita? Your lover will be in your arms or you in his, within ten minutes."

"Ah, I don't know; it may be so, and it may not," replied the senorita thus addressed, "you are better acquainted with his signal than I am."

A long shrill note from a silver whistle was sent forth by Murieta, and in a few moments more, Sevalio and two others advanced slowly towards the circle, leading their horses, and apparently suffering much from fatigue. The chief, with Antonio and Valenzuela sprang to meet them, while the rest of the band shouted a loud and joyful welcome, and quickly made room for them at the fire.

"What news, Sevalio?" asked Joaquin, as the three took the places allotted them.

"Wait, Capitano, wait; give us some wine, comrades—quick, we are nearly exhausted."

Five or six bottles were instantly placed in front of them, all of which were speedily drained to the last drop.

"Now," said Sevalio, as he passed his arm around the waist of his mistress, who had seated herself at his side, "Now, Capitano, I am ready to answer, but must say that the news is bad; and would, therefore, suggest it be withheld till the morrow, so that a gloom may not be cast around the festive ring."

"No, no; let us know the worst at once," returned the chief, "for were we to wait, we should suffer ten fold from suspense. Let us hear all about it. I see you have brought back with you, only two of your party; and you started with nine. The rest, then, have lost their lives; is it not so?"

"It is. They are dead and buried."

"What was the manner of their death?"

"Two were killed in battle, and the others—"

"Well, the others?—the other five?"

"Were hung! Strangled to death from the branches of trees. Comrades, more wine! let me drown the memory of that hateful scene. I feel the rope still around my neck!"

"Your neck?" exclaimed Joaquin.

"Yes; the noose was thrown over my head and they were leading me off to a tree, when I broke from them in spite of all their chasing and shooting, escaped to the chapparel where two of my men were waiting. Caramba! the Americanos are more savage than the Apaches, when they get excited, More wine! amigos—I begin to feel like myself again. Santa Cruz! these Americanos do nothing by halves. In everything they do, they try to outstrip all other nations—and when they hang a man, they hang him three times as high as any other

people in the world. But they couldn't hang me—ha! I was too quick for them; and I live to avenge my murdered comrades!"

"Where did this happen?" asked Guerro.

"On the north fork of the Rio de los Plumas, fifteen miles beyond Spanish Peak. There is a company of miners at work there, seventy-five or a hundred in number, and some of them the strongest and fiercest looking Americanos I ever saw in the State; and they are well armed too—Carajo! Every man with two or three revolvers, a bowie-knife and rifle."

"Well, now that you have told us how it ended, we would like to know how it commenced," said Antonio.

"Some days after leaving Red Bluffs," continued Sevalio, emptying his third bottle, "we reached Shasta, where we had the good fortune to find a mule-load of gold. We stopped the train two miles from town, unpacked the treasure and went back to Red Bluffs. Each of us had twelve pounds of gold stowed away on our persons, and were in great haste to return to the rendezvous for the losers were all miners, and we expected to be pursued. When we had finished our supper at Pedro's restaurant, and were about to start off again, Pedro informed us that we were watched, and would be likely to have our neck stretched on mere suspicion, unless we could manage to leave secretly. Well, we did manage it by moving off separately and in different directions, and by agreement met again at Oroville. We were pursued from there by a large party of Germans, Frenchmen and Americans; but they lost sight of us near Downieville, and then we, in turn, chased four Americans through to Honey Lake Valley, where we overtook them and gave them lead in exchange for gold. It was while returning from Honey Lake that we were attacked by the miners on Feather river. Two of my men were killed in the fight, and five of the enemy mortally wounded. The two who returned with me, escaped to the chapparel before I was seized; and after staying three days in the bush, without anything to eat or drink we ventured out and traveled towards the Pass. About ten miles from Downieville we buried our dust and stole three horses, and—here we are."

"Rather a gloomy account," said Joaquin, "but we must expect such things to happen occasionally. Come, comrades, keep the bottles moving, and let us enjoy life while we may."

"Yes, yes; I agree with you there, Capitano. Pass another bottle or two in this direction, Lopez mi amigo," said Sevalio, "for by all the saints! and Santa Margarite—I have not yet recovered my nerve. That gallop along the precipice near shook me to pieces."

"Along the precipice," exclaimed Antonio, "you must have lost the trail then."

"Not at all; I took the most dangerous route in order to escape the pursuers."

"Pursuers? Come, come, Sevalio, explain yourself."

"Why, didn't I tell you about it? They followed us through the Pass to Mono Lake, and into the mountains, and only left us, or rather we left them about five miles back."

"Indeed? This begins to look serious," said the chief, jumping to his feet. "If they were but five miles distant when you left them, what better guide could they want than the light of our camp fire?"

"Hark," said Valenzuela, "I think I hear the jingling of spurs on the rocky trail below."

"And I too, by the cross," exclaimed Murieta, jerking out his revolver. "Comrades, up, every one of you, and look to your arms. Antonio take thirty or forty men and mount the bluff to the left. The others will follow us to the right. Proceed silently, paysanos, for we must not let one of them return to boast of their fool-hardy conduct."

With noiseless steps the bandits followed their leaders to the bluffs on each side of the trail, where they were partly concealed by the nooks and crevices, and partly by the dark shadows of the overhanging rocks. The sound of approaching feet became more and more distinct, and a savage oath was heard now and then, as some of the besieging party stumbled or fell upon the rugged pathway. Nearer and nearer they came, and in a few minutes the tall and powerful form of "Arkansaw" appeared within twenty feet of Joaquin, followed by about forty other Americans fully armed.

"I'm darned if I like the looks of this here place," said Arkansaw, and hardly had the words escaped his lips, before the rocks blazed around him and the sharp reports of sixty or seventy pistols rang in his ears. His hat was shot from his head and twenty-five or thirty of his followers fell to the ground.

"Scale the rocks, boys," he yelled, "face them in their very teeth. It's our only chance."

They sprang to the rocks at the word, each man to the quarter which he chose, but alas! of what avail the futile attempt. They were met by another charge as deadly as the first, and fell back to the earth, gasping and groaning in death's agonies. Some of the bandits now went back to the camp, and shortly returned with torches; and as the light of the flaming brands flickered over the faces of the dead and dying, a scene the most sickening and appalling was presented to the victors, many of whom, and among them Joaquin himself hastened away to avoid the gaze of those glassy eyes, more fearful in death than life. Those who remained took possession of the money and arms of the ill-fated Americans, or busied themselves in extinguishing the last spark of life in the bodies of the dying, and foremost in this bloody work was the revengeful Sevalio, who seemed intent upon rivaling his more experienced comrade, Three-Fingered Jack. The latter watched

him with glaring eyes and a hideous smile, as he leaped from one to another, drawing his knife across their gurgling throats, or plunging it fiercely into their palpitating hearts.

"By the soul of Jurata," exclaimed Garcia, "you have deprived me this night of more than half my pleasure, Senor Sevalio. But it matters little, provided you do not become too formidable a rival, for then I should be forced to remove you;" and holding a blazing torch so that its light shone upon both their faces, he glanced at Sevalio, with a half pleased, half angry expression, and turned away to examine the features of the victims, as if searching for some particular person.

His comrades now returned to camp and he was left alone with the dead. With the torch in his left hand, and his blood-streaming knife tightly grasped in his right, he continued his search; and as he stooped down to observe them more closely the drops of burning pitch fell upon the ghastly faces and hissed and flickered for a moment as they ate into the still quivering flesh. While thus employed, he was suddenly startled by a rustling of the bushes above him, and the next moment Sevalio appeared and jumped down upon the trail.

"Ha! it's you, is it? I thought it was a grizzly," said Garcia.

"Who are you looking for?" asked Sevalio with a grim smile.

"Somebody that I can't find, and if he has escaped this time I shall think he is the diablo himself."

"If you mean the leader of these Americans, he and one of his men are prisoners at the camp."

"Caramba! who has dared to make him a prisoner?"

"Murieta, and I am ordered by him to say that he wishes to see you immediately."

"Come along then; I am anxious to know what he wants, and also to see once more this brave Americano."

When they reached the camp they found the rest of the band seated around the fire, which had been replenished with fresh logs, and all making themselves merry at the expense of the enemy they had so easily conquered. The wine was again circulating freely, and every one seemed more inclined to noisy enjoyment than they were previous to the alarm. The two prisoners were stretched upon the ground, tied down with some of the red silk sashes of the bandits, and suffering in their suspense the pangs of a thousand deaths.

"Garcia, *mi amigo*," exclaimed Joaquin, as the former took a seat at the fire, "you and Sevalio must draw lots for the pleasure of killing one of those men."

"Which one? the leader?"

"No; the other. I wish to keep Arkansaw alive for some days."

"But he may escape," urged Three-Fingered Jack, "you had better let me finish him at once."

As he spoke he drew forth his knife and looked wistfully at his enemy.

"No, no," returned the chief, "I have my reasons for sparing him a while longer, and you must therefore wait."

"Oh, very well; I am satisfied. Sevalio then may take the other as soon as he pleases. I am not very blood-thirsty at present."

At that moment a half-stifled groan arose, and Sevalio was seen coolly cutting the throat of the doomed man.

"A very simple job," said the murderer, throwing himself down by the side of Garcia, and swallowing a cup of wine.

"Simple indeed," said Valenzuela, "yes very simple; but performed with a nerve equal to the best of his three fingered companion."

"Paysanos," exclaimed Antonio, "come, let us have a song; this is getting dull. Are you all asleep?"

No answer was returned, for the deep potations had at last conquered the fiery brain, and four-fifths of the banditti were wrapt in slumber. The rest of the company soon, fell back themselves, and were lulled into forgetfulness by a snoring chorus.

CHAPTER VI.

Departure from the Mono Lake mountains—Robbery of a party of miners—Three-Fingered Jack and the Chinaman—Arrival at the old rendezvous—The buried treasure—The stage driver—Pursuit of Joaquin by five Americans—the daring leap—The adventure on Walker's River—Murder of a miner on Rattlesnake Bar—Narrow escape of Joaquin at Mariposa.

It lacked but two hours of noon, when Murieta aroused his slumbering band and ordered them to strike their tents and prepare to leave the rendezvous. Though much surprised, none hesitated to obey, and before the sun reached the meridian the entire company were passing down through the gulch and wending their way towards the Sonora Pass.

"Arkansaw" was not with them. He had been secretly murdered about an hour before dawn, by Three-Fingered Jack, who could not allow so good an opportunity to pass, without wreaking his vengeance upon the man who had upon one occasion nearly conquered him in a personal encounter.

Joaquin said nothing about it, though he knew full well who to point to as the murderer. He was rather pleased than otherwise, for he had only reserved the valiant backwoods-man for a more horrible death; intending to make a target of him on the following day, for the whole band to shoot at.

On reaching the south fork of the Tuolumne river, the chief divided his party into companies of

twelve and fifteen, with directions to proceed in separate courses to the Aroyo Cantoova; and after placing the females under the care of Antonio and Guerro, he himself took fifteen picked men, and started southeasterly towards Coulterville.

On a trail that leads from Don Pedro's Bar to Snellings, he met three Frenchmen, two Germans, and two Americans, walking and driving mules before them, packed with provisions, blankets, and mining utensils. Having so large a party with him, he had no difficulty in stopping the travelers and detaining them as long as he wished. While his men stood around with pistols cocked, Joaquin dismounted, and walking up to one of the Frenchmen who was armed with a revolver which he was afraid to use, took him by the collar, and jerking him around two or three times, ordered him to come out with his dust. The Frenchman handed over a well-filled purse, and while doing so, his companions made a show to draw their pistols and defend their pockets. The robbers were too quick for them, and three of the unfortunate miners were shot down at once. Brandishing his glittering blade in the faces of the survivors, Joaquin threatened to cut every one of their wind-pipes if they hesitated another minute in handing out all the money they had about them. A small canvas bag was immediately taken from one of the rolls of blankets and given to him, with the assurance that it contained the entire fortune of the party, amounting to four thousand dollars. Murieta then growled out a curse or two, and told them to "travel on." Three-fingered Jack insisted on "finishing" the company, but the chief overruled him. Had they stripped the mules and made a thorough examination of the packs of provisions, they would have found six additional bags, containing altogether twenty-five thousand dollars in dust.

Riding forward after this transaction they crossed the Merced river at Snellings, and took an easterly course in order to pay a visit to Mariposa.

About two miles from Mount Ophir they came upon a Chinaman with a long tail, carrying a large bundle suspended at each end of a pole laid across his shoulders, walking leisurely along with his head bent to the ground. Looking up and seeing a number of armed men before him, his eyes rolled in sudden fear, and he ducked his half-shaved head in unmistakable homage and respect to the revolvers and bowie-knives which met his vision. No one harmed him, and he shuffled on vastly gratified and relieved. He had passed only a few minutes when he was heard howling and screaming in the most harrowing manner; and, looking back, they discovered the horrified celestial, with his tail flying before the wind, running towards them at the top of his speed, with arms wildly sawing the air, while the ground clattered under his wooden shoes; and just behind him, with blazing eyes, and his "extensive" broad-bladed knife in his right hand, appeared Three-fingered Jack, who had stopped at

a spring, and was tying his horse to a bush at the moment that the Chinaman came up. It was too good an opportunity to be lost, and he darted like a wild hyena at the astounded Oriental, who instantly dropped his bundles, and applied himself to his heels with the utmost vigor. Joaquin bowed himself upon the saddle in a convulsion of laughter at the ridiculous appearance of the Chinaman, but speedily confronted Garcia, and told him to stop. Chang Wo fell upon his knees in deepest adoration of his preserver. Joaquin bade him go on his way, and laughingly reprimanded Jack for wanting to kill so pitiful a looking creature.

"Well," said Jack, "I can't help it; for some how or other, I like to let out the blood of a Chinaman. It is so easy to kill them, that it makes it a kind of luxury to cut their throats."

A few hours later they reached Mariposa; the bandits separating, and entering the town one or two at a time, so as not to excite suspicion. Having plenty of money, they found pleasure enough to detain them a week; during which time they surfeited themselves with high living, lounging from gambling table to restaurant, and from restaurant to fandango. At the end of the week they left the town, crossed the Mariposa river, the Chowchilla and the Fresno. Ten or twelve miles to the south of Coarse-Gold Gulch, they robbed and murdered four Russian miners, and the bloody work was witnessed by a number of Indians, who, as soon as the bandits departed, stripped the bodies of every vestige of clothing, and being afterwards seen with the articles upon them, were suspected of being the murderers, and many of them hunted and killed by the friends of the victims. After the commission of this deed, Murieta and his men forded the San Joaquin about twenty-five miles above Fort Miller, and stopped two or three days at an Indian village to recruit. They then started off again, and traveling leisurely, found themselves on the morning of the third day, at the Aroyo Cantoova, and surrounded by their comrades, who had already pitched their tents. Once more all was gaiety and animation at the old rendezvous, and it needed only the droves of spirited animals galloping over the plain, to make the scene perfect. Joaquin determined now to remain here, feeling quite secure on account of the death of his principal enemy, "Arkansaw;" believing with good reason, that the disappearance of the last party of pursuers, would deter their friends and others from making any further attempt at a capture.

Everything around the place of encampment having been arranged in good order, the bandits enjoyed a resting spell of fifteen days; at the end of which time, the chief sent them out in companies, to scour the country for horses and money, and to obtain such information as might be of benefit to the band in the future. When these companies departed from the rendezvous, Joaquin

was left with only a half dozen men, among whom were Antonio, Sevalio and Guerro.

A month glided pleasantly away, the chief and his comrades having nothing to do but to eat, sleep and smoke, make love and hunt game. All these things they were now tired of, and the rainy season having commenced, they were seized with the "blues." As they were all collected together, with their senioritas, on a wet afternoon, in Murieta's tent, the chief referred to the first engagement with "Arkansaw," as a fit subject for conversation on so gloomy a day, and it was discussed at great length, and the bravery exhibited on that occasion by the American and Three-Fingered Jack, highly praised. Finding themselves in a mood favorable to tales of horror and bloodshed, many were related by Sevalio and others, and Guerro then recounted another of his adventures while serving under Padre Jurata.

"One night," said he, "the robber-priest and myself, and a dozen others were encamped by a small lake up in the mountains near to Cerro Gordo, which had recently been the battle ground of the American and Mexican forces, some American horses which had escaped riderless from the scene of slaughter, had wandered into the hills and fallen into our hands, and we expected that a party of Yankees would certainly get on their track and follow them up. We wanted Jurata to put out the fires, but he said no, he wanted the Americans to come on, and if the light was extinguished they would not be able to find him. He ordered more fuel to be put on, and the highly combustible pine-knots sent up a blaze that lit the woods for miles around. We had sat up about two hours after supper, when we heard the approach of horsemen, the steel-shod hoofs ringing clearly against the rocky trail which led to our encampment. A moment after perfect silence reigned, and we looked and listened in vain for the approaching party. Jurata suddenly sprung up after a few moments and exclaimed:

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

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

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

We sought shelter instantaneously in the rocks, and stood at bay. On they came with their revolvers cocked, and shivered the rocks around us with their bullets. We returned the fire with our own six-shooters, which, thanks to the American smugglers along the coast, we were amply supplied

with, and heard many an ominous groan at each report. But they were so much superior to us in number that they shot at least four times to our once, and I saw that we must inevitably be overpowered. Five of my companions who survived the shots at the fire, lay around me mortally wounded, and there were only Jurata, myself and one other left. We rushed from our temporary shelter, in which we would soon have been completely hemmed and at the mercy of our enemies, and swinging down a precipice thirty feet high, by some oak branches which overhung it, hid ourselves noiselessly at the base. To and fro, above our heads we distinctly heard the hurrying footsteps of our pursuers. Finally one of them exclaimed—

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

Whereupon a dozen long-legged, brawny fellows came dangling over us. They had scarcely struck the ground before three of them bit the dust, and another instant had not elapsed before another discharge of our revolvers brought down two more, at which crisis others of the attacking party had come around below the bluffs, and before we had time to take breath commenced firing. The splinters of the rocks and the bark of the trees flew around us as if we had been made the mark of congregated lightnings, and we were fain to get away from there with convenient dispatch. We set our teeth together and passed within ten feet of their guns, bounding like wild bucks. We made our escape, severely wounded, however, and dragged our aching limbs over the mountains to our rendezvous, where we found protection and medicine for our wounds in the midst of our brother guerrillas, who had remained at home."

"Did the Americans, then, get possession of the horses?" asked Antonio.

"Yes, and more too; caramba! They found a haversack which Jurata had dropped, and which was half full of golden ornaments belonging to the church."

"To the church?"

"Certainly; images of solid gold, stars, suns, crosses, etc., all of the purest metal. All these things the padre had taken from a priest who was conveying them to some secret place in Jalapa, for security."

"The padre was a brave man to rob the church," said Joaquin, "but being a priest himself, I suppose he considered his own right to such property, equal to that of any other of the cloth."

"Of course; and as to bravery, he was indisputably brave, but exceeding cautious and cunning, springing upon his prey at an unsuspected moment, and executing his purposes with the greatest possible secrecy as well as precision. He was a deep calculator, a wily schemer, and could wear the appearance of an honest man with the same

grace and ease that he would show in throwing around his commanding figure the magnificent cloak in which he prided. In disposition, he was revengeful; tenacious in his memory of a wrong; sly and secret in his windings as a serpent, and, with less nobility than the rattlesnake, he gave no warning before he struck. Yet, as I have said before, he was brave, and never flinched in the presence of danger. His extreme caution, united with a strong will and the courage to do, made him an exceedingly formidable man."

"Well, he may have been a good man," said Sevalio, peevishly, "but what's he good for now? Pass the flask this way, Guerro; just look at the rain how it rolls down the side of the tent. Such weather is enough to make me cut my heart out."

"What for—to wash it!"

"Tush! Murieta; you can well afford to be merry. Cloud and sunshine are all the same to you, while you have Clarina at your side."

"Well," said the chief, "you are equally favored. You have Margarita to console you."

"Ah, yes; but she has her two former lovers to think of—"

"Silence, fool!" cried his mistress, in a gay tone as she refilled his cup with the sparkling wine, "silence, or I shall think of a fourth."

"Caramba! my love; I was a fool for not waiting to be the fourth myself; but never mind, I'm going to leave you to-morrow."

"What, so soon? Why not to-day?"

"And shall return in about a week."

"Oh, indeed! I thought you meant to run away. Don't you think you had better let some of the Americans hang you, so that I can have another lover?"

"Perhaps they will hang me, if they catch me with the treasure."

"Treasure? What treasure, my dear?"

"Oh, only a few pounds of gold dust which I buried a short time ago near Hangtown. Go away, now; you can't fool me with your kisses. I'm not going to bring you any more jewelry."

"Ah, yes, my love, do; you know I adore you, Sevalio; and you will bring me the gold chain you promised, for my watch—I know you will, because you know how much I love you;" and as she clasped him around the neck, her glossy ringlets showered down upon his breast, and her eyes gazed into his with the tenderest affection.

"There, my dear, don't; 'pon my soul you'll smother me. Yes, yes, I'll buy the chain for you, and another ring, too—only don't."

"I knew all the time you would, for you are a dear good man, and so different from those hateful, detestable wretches, Gonzalez and Cordoza; come, drink some more wine."

The whole company became affected with this scene between the experienced Margarita and her lover, and dejection and despondency gave way to cheerfulness and uncontrolled merriment.

The next morning, Joaquin and Sevalio started off for the northern part of the State; the former to spy out some favorable place for future depredations, and the latter to unearth the gold which he and his two comrades had hidden after their escape from the miners of Feather river. After making short stoppages at Mariposa, Sonora, Murphy's, Mokelumne Hill, Jackson, Drytown, Ragtown and Fiddletown, they finally arrived at Hangtown.

Having partaken of a good supper at a restaurant, Sevalio mounted and rode off, leaving Joaquin surrounded by a bevy of bright-eyed Chilean damsels, in a fandango house. After going through a number of "setts," Murieta took a seat between two of the fascinating beauties, and commenced a spirited conversation upon various stimulating subjects. Their loud talking and louder laughter attracted attention from all parts of the room, and the careless bandit suddenly observed that he was being closely scrutinized by some Americans who stood near the door. One of them he immediately recognized as the driver of the stage which he had overhauled near the White Rock House; and from the astonishment picture upon the face of the driver himself, it was evident that the recognition was mutual. Without exhibiting the least fear or anxiety, Joaquin coolly arose from his seat, and bidding a friendly farewell to the senioritas drew his cloak around him and walked out.

"Look here, sir," said a voice at his elbow, just as he reached the sidewalk, "I wish to see you!" Throwing himself hastily upon his horse which stood in front of the restaurant next door, he exclaimed, mimicking the speaker in voice—

"Well, now you see me, and now you don't!" and touching the animal with his spur, went flying down the road.

After a ride of about fifteen miles he reached the Junction House, where he put up his horse and remained all night; feeling quite sure that no attempt would be made to follow him before morning. At early dawn he galloped off towards Taylor's rancho, intending to make a half circle in his course, and arrive at Fiddletown in time to meet Sevalio. A slight fall of snow had covered the ground during the night, but Joaquin thought nothing of it, and traveled on in high spirits, thinking of the consternation that must certainly have been created among the people of Hangtown on being informed of the visit of the bandit chief.

He had scarcely passed the ranch, when he heard the clattering of hoofs behind him, and looking around, perceived a number of horsemen coming at a furious rate. The first glance was sufficient, and giving the rein to his noble charger he bounded forward with increased speed. Shouting and yelling like so many wild Indians, the pursuers urged on their horses with whip and spur, and leaned over with their heads almost upon the necks of their animals in their anxiety to overtake the no-

torious outlaw. Instead of keeping the course he had intended, Joaquin turned off to the southwest, and dashed on towards the mountains, well knowing that the Americans could not capture him in an up and down hill chase. The slippery condition of the ground, rendered such a course anything but pleasant, and his horse came several times to his knees while going up hill, and as often slipped back upon his haunches while going down. At the foot of the hill which he was now descending, there was a rocky chasm, wide and deep, through which rushed a turbulent stream emptying into the American river. This was indeed a fearful and most dangerous place for a horseman to attempt to cross, and Murieta for a moment hesitated; but seeing the pursuers at the top of the hill within a few hundred yards of him, he continued on. In another moment the terrible leap was made, and the high spirited animal, staggering for an instant upon the slippery bank opposite, again dashed off upon the more even ground. The leader of the pursuing party in attempting to follow, fell with his horse into the water; when his followers immediately reined up, and after firing twenty or thirty shots at the flying bandit, without effect, gave up the chase.

Keeping a straight course over the mountains and valleys, Joaquin soon after went through Carson's Pass, and on the fourth day arrived at an emigrant camp on Walker's river. Around the camp, women were cooking and men were playing cards; and mules, horses and oxen were scattered here and there, feeding upon the fresh green grass or standing beside the large covered wagon as they had been accustomed to do, from day to day, while traveling over the plains.

"High game! and darn my buttons if we ain't out anyhow," exclaimed one of the players, throwing down his last trump.

"Well, consarn the keards," said another "I'm outer luck to-day. Hello! here comes the old man."

"Jones, it's your night to stand guard, I reckon," said the leader of the train. "We needn't be scared of the Injins, for we're out of their range; they don't come around these parts much at this season of the year. Bill, you and Joe go and hobble old Brindle, and stake out the roan colt; for the mustang is wild yet, and this bottom looks like the Musquito creek, where he was foaled, and he may take a likeness to stray. Mary, what's you and Bill Harvey perring about? Tend getting supper ready."

"Why, daddy," exclaimed the old man's better-half, "Bill Harvey's getting right pert lately after Moll, and putting darn queer notions into her head. She can't do anything nowadays, unless Bill is somewhere about to watch her. Bill, I reckon you'd better took to Jim Simmon's darter, that's behind us in old Ike's train."

"Oh, shaw," replied Bill. Look here, mamme, I

reckon I know what's what. Jim Simmon's darter Sal is a good gal enough; but she's no more account to Mary than a calf is to old Brindle. Sal can't mend clothes, she can't make bread, ride a hoss, or shoot a rifle like Mary can. I'll bet my rifle agin a jack-knife, I can whip any man that come from Texas, this year, that says she can; dog-on my skin, if I don't."

"Yes, yer dreadful bold when there's nothing to be afeard on," returned the old lady, "but a yaller-skin or Greaser would run a hull regiment jest like you."

"Come now, mother," said Mary, "do let Bill alone; he's sorter snarly now. I've been pester-ing him most to death all day, and I reckon its hard enough for one of the family to pester Bill at a time. Daddy, reckon we'd better have sassafras tea to-night; the boys are all tuckered out, and drinking saline water makes them awful thirsty. Shall we have long sweetening or short sweetening?"

"Long sweetening," replied the 'missus; "Bill, jest let Mary alone, I tell yer; what on airth do yer want to be a kissin her for all the time?"

"Bill Harvey," said the old man, trying to pull off a tight boot, "why don't you and the boys go and tend to them cattle? I reckon by this time you'll find 'em way down the bottom. Knox, you go along with the boys too. Take along your rifles; you mout jump up some game."

"Daddy, Gale is right pert to-night," said Harvey, shouldering his rifle. "He's socked himself down on that old saddle reading the bible again. I swar I believe he'll take to preaching methodism as he used to, when we git to California; dog-on my skin if I don't. Mammy, too, is cross as Satan. Them old buckskin breeches she's mending must be tough as a bull's hide to git a needle through."

"But you ain't cross, are you, honey," he added, patting Mary on the cheek.

"Clear out, Bill, or I'll—"

"You bet, I'm going. Come, boys."

"Well, now, law sakes! I'm glad they're gone," exclaimed Mrs. Gale. "Daddy, how long do you reckon it will take us to git to the diggins?"

"Nigh on to two weeks," he replied, "for when we reach the settlements, I reckon we'd better stop and recruit the cattle, for they're powerfully tuckered out; and a few days' delay, I take on, would'n't injure any of us. Mamme, I thought we would done better to take the new route; but the Lord seemed willing it should be otherwise; and as we are all well and safe, we needn't complain; for it was all for the best."

"Yes, thank goodness; for this trip has been powerful weakening. Saline water and the hot sun pulls a mortal down powerful fast, I reckon."

"Shall I git supper ready?" asked Mary.

"No! I reckon you'd better wait till the boys come back."

"Then I wish they'd hurry. Bill Harvey is the slowest mortal in the world. He's the slowest and laziest critter in the train; I b'lieve he'd court me till doomsday, unless I pop the question. Oh, Lord! who's that?"

"A Mexican, sure's I live!" said Mrs. Gale, as Joaquin rode into the camp: "wonder what under the heavens he wants."

"I am looking for some of my countrymen," said Murieta, addressing the old man, "and thought they might be encamped somewhere on this river. Have you seen any Mexicans around here to-day?"

"Nary one," replied Gale, "what are they doing out here?"

"Hunting for some horses that I lost from my rancho, about a month ago."

"Well, I haven't seen nary horses nor men, and I don't think you'll find 'em hereabouts; leastways to-night; so I reckon you'd better camp here till morning. Supper 'll be ready now mighty quick."

Joaquin thankfully accepted the invitation, and when Harvey and his companions returned, he introduced himself as the owner of an extensive ranch near Silver Lake.

During supper, one of the men (Dick Jones) seemed to regard him with some suspicion; but Joaquin seemed not to notice it, thinking it was caused by a prejudicial feeling against Mexicans, and endeavored by cheerfulness and good humor to dispel any unfavorable impression which the company might entertain of him on account of his nationality.

About two hours afterwards, when all were sitting around the fire, smoking and talking, Jones suddenly turned to wards Murieta and looking him full in the face, exclaimed:

"It strikes me somehow, Mr. Stranger, that there aint no ranch anywhere near the Silver Lake."

"Why do you think so?" asked Joaquin.

"Cause why? why, you see, I've been in this section afore. I've been all around that 'ere lake, and all around the diggin's from one end of the State to the other. What's more, I know you and you ought to know me."

"I have no recollection of seeing you before," replied the bandit.

"P'raps not; but I can tell you this much; I sold you a cabin near Shaw's Flat, a long spell ago, and my partner was murdered soon afterwards and you was mighty close suspected."

"Indeed!—but—"

"Oh, never mind; never mind: it's all right—I aint a going to tell nobody that I've seen Joaquin—so dont be alarmed."

"Well, I see that you know me; but as to being alarmed, I think you are also aware that fear forms no part of my nature."

"What's all this rigmorle about?" demanded

Harvey, glancing from one to the other, "I'd like mighty well to know what you're talking about."

"So would I," said Joe, "for darn me if it aint all Greek to me. Who the thunderation is Walker or Walk-in, as you call him."

"Why, this is him," returned Jones, nodding his head at their guest, "this is Joaquin himself."

"But what is he?—what's he been a doing?"

"Oh, go along; you don't know nothing; you oughter been in Ca iforny long ago; near heard of the great sanguinary robber."

"Nary robber;" echoed the others.

"Well, this is the man; that's all I've got to say;" and Jones commenced to refill his pipe, while Joe and Harvey surveyed in astonishment the bandit chief, who coolly returned the gaze, and with a smile acknowledged the compliment paid him by Jones.

"Now who'd a thunk it," said Harvey, "but you don't mean to say as how this here feller ever robbed or killed anybody."

"Well, that's somethin' I aint sure about; but I reckon there's considerable talk about it in the diggin's, and I heard there were thousands of dollars offered for his head."

"That's a heap of money, I calculate; wonder if its offered yet?"

"Reckon 'tis," said Jones, sending forth a volume of smoke, and casting an enquiring glance at the questioner.

"He ought to be mighty careful, then, about traveling alone, seems to me," said Harvey, for he runs a smart chance of being picked up, kinder sudden."

The conversation was here interrupted by the old man, who came up to the fire and advised the boys to turn in and sleep, as they (himself and the old woman) had reckoned on starting early in the morning.

"We've been a talking it over," said he, "and we've concluded to move on to the settlements afore we take a resting spell, so we wont have to tire ourselves out afterwards."

The advice was favorably received, and wishing Murieta a good night: they retired to one of the covered wagons, while the bandit himself drew his serape closer around him and prepared for a few hours sleep at the side of the fire. Scarcely an hour had elapsed, however, when he was aroused from the slumber into which he had fallen, by somebody fumbling at his belt as if trying to relieve him of his weapons; and with the rapid return of consciousness, which belongs to men accustomed to danger, he arose like lightning to his feet, and drawing his pistol, fired at the retreating figure of the emigrant, who had thus foolishly endeavored to make him a prisoner, and who fell, severely wounded in the side. Joaquin then sprang to his horse, mounted and dashed off; and though followed by the contents of three double-barreled shot guns, escaped without a scratch.

Thinking the men might take a notion to pursue him, he continued riding all night at an easy pace, and soon after day-break, discovered in the distance, what he supposed to be an Indian camp. On reaching the place, however, he found himself in the presence of Three-Fingered Jack and Valenzuela, who were as much surprised as himself at the unexpected meeting, and after a partial explanation on both sides, a breakfast of coffee, venison and tortillas was prepared by Jack for the wearied chief.

"Well comrades," said Joaquin, after satisfying his hunger, and while leisurely drinking a cup of coffee, "I am ready to be amused with an account of your exploits and adventures since leaving the rendezvous; and I am inclined to think that something extra must have happened to cause you to stray so far from the course upon which you were sent. Am I right?"

"Caramba! yes, Capitano, replied Jack, "and Valenzuela will tell you about it, while I roast this piece of deer meat; for though we both broke our fast before you came up, the flavor of the coffee has renewed my appetite."

"The story is not an agreeable one," said Valenzuela, "but it may as well be told now as any other time. After leaving the Aroyo, I went with my party to Weaverville, doing nothing of consequence on the route, and only meeting with a few hundreds of dollars in the hands of Chinamen."

"I wish I had a few of them here now," interrupted Jack.

"What? dollars?" asked the chief.

"No; Chinamen," and as he growled the reply he made a lunge with his bowie-knife at the chunk of venison, knocking it off the roasting-fork into the fire.

"At a short distance from Weaverville," continued Valenzuela, "we camped in a cañon, and remained there four or five days, sallying out at early morn or late at night in search of travelers. Finding that neighborhood rather dull, we journeyed off to the east of Shasta peak, a region inhabited only by Indians and wild beasts; and there we kept ourselves for three long weeks, occasionally going into the valleys to steal horses, of which we were determined to obtain a good supply. We induced the Indians to aid us in the work, and so well did they render their assistance, that the rancheros of that region loaded the very air with their curses of the 'naked devils' who tormented them so intolerably. These poor Indians had suffered for many a murder committed by us when we were hidden in the desolate region to the west of the mount; but they appeared not to remember the previous visit of our band, and were ready to run off any number of animals for us, in consideration of an old knife or blanket, or any other worthless articles. After we had collected about two hundred head of horses, I sent them down to the

Cantoova rendezvous, in charge of fifteen men, while I remained behind, in company with Lopez, Pedro, Castillo, Rafael and Garcia. While traveling back towards Weaverville, where we intended stopping a short time, we were pursued by a party of rancheros, who had tracked their stolen property to the vicinity of our hiding place, and were on their return home, when they caught sight of us and gave chase. After a hard run of a score of miles, they managed to hem us in between a perpendicular wall of bluffs and a deep river, so that there was no escape for us but to swim the stream, which swept by in a mad and foaming torrent. As we leaped into the water, they fired upon us, and Lopez, Pedro and Rafael were killed. Jack and myself were successful in swimming across. In the midst of the firing, Castillo, who had lagged behind, dashed down the banks mounted upon his fine black horse, and firing his revolver as he went, plunged into the stream. His horse struck boldly with him for the opposite shore, and he had gained the middle of the current, a distance of a hundred yards from the pursuers, before any effectual shot at him was made. I watched him after I had reached the shore, and entertained strong hopes of his escape; but my hopes were suddenly destroyed. A lank Missourian, apparently the best marksman in the crowd, dismounted from his horse, drew his rifle to his shoulder, while the others looked anxiously on, and taking a long 'head,' fired. Castillo leaned forward a moment, and the next instant floated from the saddle and sunk, while his fine charger breasted the waves and ascended the bank with a snorting nostril and a dripping mane. The rancheros then, seemingly satisfied with the slaughter they had committed, rode off along the river, and Jack and I proceeded along towards our destination. We tarried but two days at Weaverville, being compelled to depart suddenly on account of a scrape which Garcia got into in one of the dance-houses. It was a foolish and careless proceeding on his part, and he acted more like a fiend with a legion of imps to back him, than a human being with only a solitary companion.

"Jack is a dangerous man to travel with," said Joaquin, with a smile, "and it requires great firmness and determination to hold him in check."

"In check, eh?" exclaimed Jack, "why, what would you have me do? What do I carry a knife for, and what is a knife made for? We have enemies who are always trying to capture us; and who wouldn't like any better fun than to see us dangling by our necks to the stout branches of a tree; and these enemies—these Americanos—it is my duty to kill off whenever we come in contact; eh, Capitano?"

"Yes; but how is it with Chinamen? We can apprehend no danger from them, and yet they form the majority of your victims."

"Well, I only practice upon them, so as to give

the others as brief a time as possible, for painful reflection."

"Nonsense; you are utterly destitute of one merciful trait of humanity. You delight in murder for its own diabolical sake, and gloat over the agonies of your victims. You would sacrifice policy, the safety and interests of the band for the mere gratification of this murderous propensity, and—but no matter; you're a useful member, Garcia, and I merely talk to you thus, because you too often unnecessarily endanger your own life."

"As to this dance-house affair," said Valenzuela, "we were drinking at the bar, near which stood four Americans conversing about horse-thieves. One of them having expressed a belief that Joaquin and his gang were in the neighborhood, and that for the pleasure of hanging them, he would give his head for a foot-ball, Garcia stepped up to the speaker and exclaimed—

"Perhaps you'd give your head for a pistol-ball!"

"Who are you?" demanded the miner.

"If you can count," returned Jack, holding up his mutilated hand, "there's my answer."

"What! Three-Fingered Jack?"

"Yes, Three-Fingered Jack;" and drawing his knife, stabbed the miner to the heart. A rush was instantly made for the door by the terrified dancers and spectators, during which the other Americans and ourselves commenced firing. After discharging the contents of my six-shooter, and receiving a ball in my left shoulder, I retreated, and mounting my horse, fled down the Shasta road, followed closely by Jack, who assured me that he had killed another of the men. We passed through Shasta at full speed, and never stopped till we reached Tehama, where we rested a few minutes; then crossed the Sacramento river, and camped about twenty miles from the mouth of Mill Creek. The next morning we again started, and shaping our course nearly east, came through Beckworth's Pass. On reaching this spot, we found this old tent, and some other convenient article, left here probably by some of the Yankee emigrants, and we resolved to rest awhile previous to going through to the rendezvous."

On the following morning the three bandits continued their journey towards the Aroyo Cantoova, going through the Sonora gap, and passing along down the south fork of the Tuolumne. Dismounting at Rattlesnake Bar, they entered a house and requested supper. The occupants, an old man with his son and daughter, were surprised at the appearance of three well-dressed Mexicans, armed to the teeth, but said nothing, and the supper was soon got in readiness by the brisk young lady—as fresh and rosy a creature as ever one had the happiness to see—and the travelers partook of it most freely. Murieta, who, notwithstanding his fierce look, was quite gentlemanly in his manners, con-

versing with her agreeably, as she politely waited upon them. The old man looked rather suspiciously at the voracious eaters, from under his spectacles, but kept his thoughts to himself. As soon as they had finished, Valenzuela stepped up to where the young man was sitting, and cocking a pistol between his eyes, asked him if he had any objection to having the house robbed—if so, to name it. The old man here exclaimed—

"Oh, Lord! I knowed it—I seed the cloven foot a sticken out all the time," and continued to cry out with such vehemence that they were forced to put a gag in his mouth. The young lady saved them the trouble of using that precaution in her case, by fainting. The young man not relishing a cocked pistol in his face, with a man carelessly fingering the trigger, very readily gave his consent to have the house searched. Every drawer was ransacked and every trunk broken open, and having obtained a few hundred dollars, the robbers left.

At a late hour in the night, another house was entered, and the two terrified inmates were dragged out of their beds, and securely bound hand and foot, besides being gagged, before they awoke sufficiently to know whether it was a dream or a reality. All the money and valuables that could be found were taken, and among other things, a silver watch, the chain of which Valenzuela very coolly put over his neck.

"Go to that hombre," said he to Three-Fingered Jack, "and take the gag out of his mouth; he looks as if he were choking to death in the effort to say something."

As soon as the gag was removed, he begged Valenzuela to give him back the watch, as it was a present from a dear friend, and contained a precious lock of hair.

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

At this moment another man entered the room, apparently just returned from a 'prospecting' tour; but on seeing the bandits turned to go out. Thinking he would alarm all the miners in the neighborhood, Joaquin seized him, and while all three were engaged in securing him, he contrived to get one of Jack's three fingers between his teeth, which so aroused the demon in the breast of Jack, that he at once plunged his knife into the man's throat, killing him instantly.

Such terror possessed that neighborhood for some time afterwards, that a traveler, no matter how peaceable his intentions, could no more get a chance to stay all night on that part of the river, than he could fly. A young fellow from the mountain his way down to Stockton, happening to be belated in that vicinity, called one night at every house in every direction, and was refused admittance, or hospitality, with an obstinacy that astonished him. The doors were barred on his ap-

proach, as if he had been a bearer of pestilence, and to his loud halloas and earnest solicitations for shelter from the night air, he received the response that they had "no accommodation for travelers," and he began to believe that indeed they *did* have but little accommodation, sure enough! It was drizzling rain, the hour was waxing late, it was dark, and there were many deep and miry sloughs, which it was dangerous to pass unless in broad daylight. Directed, at each refusal of 'accommodation,' to go to another house, 'just across the slough,' or 'just beyant the pint,' the poor fellow wandered around nearly all night, narrowly escaping being drowned a dozen times, and finally towards morning, leaving his horse tied on the bank of the river, and crossing to the other side in a canoe, he succeeded, after fighting a pitched battle with a gang of fierce dogs, in reaching an old shanty, whose occupant, a bachelor, consented, to his great surprise, to let him stay. It seems the young man was dark-skinned, and unfortunately not a very amiable looking fellow at the best, and he was accordingly taken for Joaquin, or some one of his band traveling around as a spy.

On arrival of the trio at Mariposa, Joaquin, apprehending a similar difficulty to that which occurred in Weaverville, was afraid to remain in town with Three-Fingered Jack, and therefore ordered him to continue on to the rendezvous with Valenzuela; while he, himself, remained at the house of a confederate, who was known by the name of Juan Berryessa.

This man had occasionally furnished members of the band with valuable information, and had occasionally loaned them money and horses; for all which he had been well repaid by Murieta, who looked upon him as a true and faithful friend. But Berryessa secretly hated Joaquin, and had long sought an opportunity to deliver him into the hands of his enemies; and as the present seemed a most favorable time, he set himself at work to accomplish his treacherous object. On the third or fourth night after the departure of Valenzuela and Three-Fingered Jack, the bandit chief was lounging in one of the fandango-houses, expecting to meet some of his comrades, when he accidentally discovered that his revolver was not in its sheath; and thinking he had left it upon his bed, he went back immediately to get it. Stopping first at the stable in the rear of the house to see that his horse had a sufficiency of feed, he entered the back door and stepped into the little room which adjoined the kitchen, and which Berryessa had set apart for the accommodation of his guest. While hunting around in the dark for the candle and matches, he overheard two persons conversing in the front room, and recognized one of the voices as that of an American. Of this, however, he would have taken no notice, had he not heard his own name distinctly pronounced by both the men,

and in a tone that appeared far from friendly. The idea of his friend conspiring against him, was something too absurd for belief, yet he had a curiosity to know *why* his name had been mentioned, and considered himself justified in playing the eavesdropper. He therefore walked noiselessly through the kitchen, and placed his ear against the wooden partition.

"Yes; it will," said Berryessa, "it will gratify my revengeful nature; for he has mortally offended me at different times, both here and in Mexico. Besides, I am in want of money. My losses at monte have compelled me to sell my rancho for one-half its value, and—but what is the reward?"

"Well, I don't know," replied the other, "but I reckon it's five or ten thousand dollars altogether."

"Give me one thousand to-morrow morning, and you shall have him!"

"But are you sure he's the *right man*? If you are, I can raise the money quick enough; it will be a paying business; but are you *sure*?"

"Why shouldn't I be? I have *known* him long enough."

"Where is he now—you say he's some miles from here; but where?"

"Caramba! do you take me for a fool?"

"I could take you for an *accomplice*—for a member of the band—and have you lynched."

"Could you, indeed; you have no proof that I ever spoke to him."

"Well, well; I don't want to quarrel with you. If you agree to deliver him into our hands this very night—"

Stop what do you mean by *our hands*?"

"Why, you don't suppose I can take him *alone*, do you? No, no; I've heard too much of him for that. There'll be three of us; and from *one* of my partners I am to get the amount you ask for."

"Oh—very well; I understand; and so the matter is arranged and settled, and you are to pay me the money as soon as you take him, whether he is taken dead or alive."

"Yes; if you are serious."

"I am as serious as ever I was in my life; but for my ill luck at the monte-table I should have asked three times as much; as it is, I am willing to accept a hard bargain."

"Where and when can we find him?"

"Here, in this house, within two hours—provided you hand me the gold at once."

"All right; I will get it in less than ten minutes; and before morning Joaquin's career will be finished. Wait till I return."

The American then departed, closing the door after him, and the next moment Murieta burst into the room, his eyes glistening and his breast heaving with rage, and drawing his bowie-knife, grasped the astounded Berryessa by the throat.

"Silence!" he hissed through his closed teeth as the doomed man attempted to speak, "you have uttered your last word on earth!"

"So you would betray me," he hurriedly added after an instant's pause, and taking a firmer grip, while the wretch gasped for breath, "betray me for money and *revenge*! Revenge for what? Have I not always been your best friend? You wanted money, and would sell me for a few golden ounces—making the purchaser believe *revenge* to be the principal object. Who now, of all my band, can I trust? Those who like yourself, have ever appeared the most devoted, may at any time give me into the hands of the enemy, to be hung to the limb of a tree! But you, Berryessa, you are the very last man whom I would have supposed capable of such cowardly baseness. Berryessa, you must die!"

As he plunged the knife into the heart of the traitor, the door opened and Joaquin found himself face to face with the American, who started back on beholding the terrible scene, and dropping the bag of money which he carried in his hand, drew his pistol.

"Who are you?" he exclaimed.

"I am the man whom you have bought with that gold," said Murieta, pointing at the bag.

"Then you are Joaquin! surrender or you're a dead man."

"It is but a choice of deaths; remember, should your pistol miss fire, I have my knife."

"I would rather take you alive; you may as well give yourself up, for there's no chance to escape. My two partners will soon be here, expecting to witness the payment of this money to the man you have just murdered."

"You should say *justly* murdered."

"Well, well; it don't matter; drop that steel or I fire!"

"Fate is against me," said Joaquin, "and my course is run. Here, take this, and I only ask you to see that I am hung by law, and not by a mob."

"I'll do that much for you with pleasure," returned the other, advancing to take the knife.

Watching his opportunity, as the American held out his hand for the weapon, the wily bandit, with a sudden and vigorous blow, felled him to the floor, and before he could rise, leaped upon him like a panther, and stabbed him in the back. Seizing the revolver from the relaxed fingers of his prostrate foe, he darted out of the room at the very moment the other men entered. Without waiting to saddle his horse, he mounted and went off at a brisk gallop, but had scarcely placed a mile between him and the town, before the people were thoroughly aroused, and horsemen were dashing out in search of him in every direction. Their efforts to overtake him proved unavailing, for none of their animals could match the speed of the powerful charger upon which he rode, and which had

many a time before carried him beyond the range of danger. Having taken the mountain course, Joaquin was two weeks in reaching the rendezvous, where he found nearly all of his men again collected, and about four hundred horses which they had stolen from various portions of the State. After explaining the cause of his prolonged absence, he retired to his tent with Clarina, who insisted upon furnishing him with a full account of all that had occurred in the camp since he left. Among other things, he was informed that "Texas Jack," one of his San Luis Obispo confederates, had made his appearance some days previously in company with two other men, who, though entire strangers to the band, were said by Texas to be good and true friends and "sympathizers." They had started on a prospecting tour after horses, and had unwittingly strayed into the rendezvous. A majority of the band had felt disposed to put the intruders out of the way at once by killing them, believing them to be spies; but some who had seen Texas a number of times in the lower country, credited his story, and by hard pleading, induced their comrades to spare the lives of all three until Joaquin returned. On hearing this, Murieta immediately sent Antonio to bring in the prisoners. They had been placed under a strong guard, in a tent at the southeast corner of the Cantoova, in order to keep them safely, and at the same time prevent their mixing with the band, and learning secrets which might, in case of their liberation, prove troublesome.

CHAPTER VII.

Murder of Texas Jack's Partners—Joaquin and the Ferryman—Robbery and Murder on the Stockton Slough—Arrival of Joaquin at San Francisco—The Dance House—The Den of Thieves—The murder in the tent—The Policeman and his friend—Arrest of a Countess Murieta—Murder near San Jose—Murder at Santiago.

Texas Jack was one of the hardest cases that ever left the "Lone Star" Republic. At the time of the battle of San Jacinto (1836) he was twelve years of age. When his father, who belonged to the redoubtable "Rangers," set out to meet the enemy, Jack desired to accompany him, but was refused permission; and to prove that he could fight as well as any other man, he secretly waylaid a friendly Indian, cut off his head and handed it to his father on the latter's return from the field of victory.

"Now, look-a-here, youngster," said the old man, while Jack stood in the door-way to be ready for a retreat if necessary, "look-a-here; you kinder think you've done something mighty big; you've gone and killed a red-skin. But you can't come up to the fightin' pint yet, caze you see each man of us at San Jacinto killed ten of the enemy."

Whar do you think you'd a been with your one-horse fightin'. Go away, child; I'm mighty apt to get riled jest now, for I've got a bowie-knife shindy to come off atween me and Andy Griffin this artemoon.

"Well," retorted the boy, "that'll be a one-horse fight, won't it?"

The next instant the head of the Indian came flying through the door-way into the kitchen, grazing Jack's left ear, and falling plump into a pot of boiling soup which hung in the fire-place; spattering the scalding grease over the face and hands of the black cook, (an unlikely negro boy, fifty years old,) who dropped the corn he was husking, and with an exclamation of

"Gor-a-mighty! what's dat?" felt of his own woolly head to make sure of its being on his shoulders, then rolled his eyes around the room, and darted out into the corn-field.

Texas Jack was in San Francisco in June, 1851, in company with "Indian Fred," from Louisiana; Bill Flanders, a fugitive from Maryland, and a Mexican known as "Monte," or "Montezuma." They had with them a lot of mules and horses which they had stolen from the San Joaquin and San Joé valleys, and after placing them in a yard on Mission street, near First, went into a bar room adjoining the old police station. Several policemen boarded in the house, and one of them by the name of McCarty, was lying sick up stairs. Hearing the voice of Indian Fred, the officer called him up to his bedside and advised him to leave the city immediately, as there were three indictments pending against him for grand larceny, and one in an adjoining county for murder. Having informed Texas of the state of affairs, Fred departed for Stockton in company with his two other associates, and on the same day one of the best horses was sold to the keeper of the house, and the remainder taken by Jack to the plaza and disposed of at public sale. Shortly after, the animal which the landlord had purchased was sent by him to a ranch about fifteen miles distant, on the Santa Clara road, and Texas went there and stole it and rode it to San Luis Obispo Mission. At that place he became acquainted with Murieta and some of his band, at a house of bad repute kept by Victor Le Nariss, between the Mission and the place of landing on the coast.

Having upon one occasion rendered Joaquin a service, by giving information regarding some men who were in pursuit of him, Texas was presented by him with a splendid horse, which rivaled in strength, speed and instinct, the famous "Black Bess" of Dick Turpin. While traveling from place to place in search of plunder, Jack always camped out at night, sleeping with his head between the fore legs of his horse. One night whilst thus reposing, near the San Antonio creek, he was aroused by having his hair pulled by the animal's

teeth; and jumping up, observed three or four men, either Indians or Mexicans, slyly advancing towards him with the intention, undoubtedly, of robbing and murdering him. As he quickly mounted and dashed off, a number of bullets whistled around his ears; and on reaching San Benito, and throwing himself upon the grass at the side of an adobe house, the horse sat down like a dog, upon his haunches, and snorted as if delighted at their mutual escape. Texas was finally arrested for robbery, and sent to San Quentin, where he remained till 1857.

When Joaquin had Texas Jack and his companions brought before him, he apologized for their detention, and gave them permission to depart immediately; but many of the band objected to their release and fearing they might be killed on the road, he sent Valenzuela, Three-Fingered Jack and two others, to escort them as far as half-way to the San Joaquin river. They had gone scarcely five miles, when Three-Fingered Jack bounded forward to the side of one of the Americans and shot him through the head. Texas and his surviving partner on seeing this, instantly drove their spurs into their animals, and went off at a flying pace, closely followed by the blood-thirsty fiend; and Texas was the only one destined to escape; the other not being so well mounted was soon overtaken, and in spite of a most determined resistance, was hacked to death by the knife of the pursuer. The latter finding himself unable to get nearer to Texas than fifty yards, finally halted at that distance, and discharging three loads of his revolver at him, roared out—

"Success to you, old fellow, you *deserve* to escape!" and galloped back to his comrades, who had halted upon his firing the first shot, and were too astonished to say or do anything in defence of the prisoners.

"You have done a foolish thing;" said Valenzuela, "but I presume you received orders from the Chief."

"Orders!" exclaimed Garcia, "no; no other orders than you yourself received."

"What?—and you have killed these two men on your own responsibility?"

"Yes; caramba! and I would have served the third the same way, if I had caught him; but he flung dirt into my face faster than I ever saw it fly from a horse's heels before."

"What was your object in committing this unnecessary slaughter?"

"Unnecessary? What! to deprive Americans of life! You'd better return to Mexico and become a holy padre. Does not your heart sicken at the spilling of blood? Suppose these hombres had escaped; what then?"

"Well, what then?"

"They would have betrayed us."

"You seem not to remember that *one* has escaped; and perhaps have made an enemy of him,

who, I have reason to believe, has always been our friend. He will think you have acted under the orders of Joaquin."

"Let him think as he pleases;" growled the murderer, "I care no more for *him* than for *you*!"

On their return to the rendezvous, nothing was said of the bloody affair, each one fearing the anger of the chief: for each had made himself accessory to the murder by not attempting to prevent it.

A week after this, it being the month of March, 1853, the bold and accomplished bandit was ready to enter upon a series of the bloodiest scenes that ever were enacted in the same space of time, in any age or country. Three of the richest counties of the State, El Dorado, Calaveras and Tuolumne, he chose as the theatre of his operations, and never was a region so scourged and desolated. Detached parties, numbering four, five or a dozen men, were scattered over the face of the whole country, and so diverse were their operations, so numerous and swift, that to give a minute account of them, is impossible. It may be distinctly set down, however, in the outset, that though many villainous deeds which transpired in the short period about to be sketched, were mysterious and unaccountable, many murders committed in parts remote from each other; robberies here, thefts there, and destruction, lightning-footed, treading everywhere, invisible in its approach, and revealed only in the death-trail which it left behind, yet all this mighty and seemingly chaotic scene, had its birth in the dramatic brain of Joaquin—an author who acted out his own tragedies. Divergent as were the innumerable lines of action, yet they were all concentrated upon one point, and directed to one purpose, that which existed in the breast of Joaquin.

There was not a town of any importance in that whole region, in which he had not a spy, one or more, located; not one in which he had not his agents or secret friends. He lacked not for harboring places in which to conceal his wounded men and stolen animals; and mention might be made of numerous ranches, owned by wealthy and respectable men (as the world goes) which afforded him refuge and assistance when needed, but as they have since changed hands, they will not be named. Robbing once in a while as they went along, Murieta and eight of his men arrived late one night at a ferry on Tuolumne river, and finding the boat locked to the shore so that they could not exercise the privilege of crossing themselves, which was their usual custom, they rode up to the ferryman's house, and very nearly beat the door down before they could arouse him. He came out at last with a terrified look, and asked what they wanted.

"We want to cross the river," replied Joaquin; "and before doing so, we wish to obtain from you

the loan of what spare cash you may have about you. We have the best evidence of the urgency of our request," cocking his pistol and presenting it close to the fellow's head.

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

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

"Come," said Three-Fingered Jack, who was one of the company, bursting a cap at his head, "you have got more; out with it;" and was cocking his pistol for another trial, when Joaquin very fiercely told him to know his place. Turning to the trembling ferryman, he said—

"Is this all you have got?"

"Precisely all sir; but you are welcome to it."

"I shall not take it," said the chief with a flush of pride; "you are a poor man, and you never injured me. Put us over the river and I will pay you for your trouble."

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

The party arrived in the neighborhood of Stockton without further adventure, after two days' travel, and camped on the plain under an oak grove, about three miles from that place.

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

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

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

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

"I don't believe he has any," said a third; and they became so much interested in their conjectures about the young man that it is very doubtful if they paid much attention to the very prosy minister who was then acting as the "bright and shining light" amidst the surrounding darkness.

The youthful cavalier, after attracting uncommon attention, by riding over the city, finally

stopped at the side of a house, upon which were posted several notices, and one headed—

"\$5,000 Reward for Joaquin, Dead or Alive," and stating that the citizens of San Joaquin county offered that amount for the apprehension or the killing of that noted robber. Seeing this, the Mexican dismounted, and taking out his pencil, wrote something underneath, and leisurely rode out of town. No less than a dozen persons, stimulated by curiosity, went to the paper to see what was written, when they read the following in pencil:

"I will give \$10,000.—JOAQUIN."

Numerous were the exclamations of astonishment at this discovery, and nothing else was talked of for a week, among the ladies at least, who got hold of the fact almost before it was discovered, and insisted each to the other that they had remarked that the young man had a peculiarly wild and terrible look, and they had suspected very strongly, though they had never mentioned it to any one, that it was none other than the noted personage whom it proved to be.

Joaquin appeared on this occasion in his real features. He frequently went afterwards, however, into that city completely disguised, and learned many things important for him to hear. Ascertaining one evening that a schooner would go down the slough in a few hours, bound for San Francisco, on board of which were two miners from Campo Seco, in Calaveras county, with heavy bags of gold dust, who designed to take their departure for the States, he took three of his men, who were lounging around town, with him, and jumping into a skiff shot down the slough, and tying up his boat in a bend of the water, hid in the tules and patiently waited for the schooner to come along. The mosquitoes bit him most unmercifully, and he was almost tempted to abandon the enterprise on their account, but the prospect of so good a haul, was, on reflection, not to be resisted. He cursed himself for not bringing some matches with which he might have kindled a fire, and sought the protection of its smoke; but perseverance is always rewarded, if the object desired lies in the bounds of possibility, and waiting like a martyr, for three mortal hours, in those tules, which are a perfect "mosquito kingdom," where gallinippers reign as the aristocracy, he at last saw the white-sheeted schooner stealing along in the crooks and turns of the crook-dead stream in the whole world, so narrow and completely hid in its windings by the tall flags which overspread the plains for many miles to the right and left, that the white sail looked like a ghost gliding along over the waving grass. As the vessel came opposite, Joaquin and his companions shoved their boat out into the stream, and tying it to the schooner's side, leaped on board of her and commenced firing without saying a word. They shot

down the two young men who managed the vessel before they had time to use their double-barreled shot guns, which they always carried for the purpose of shooting water fowl in the slough and up the San Joaquin river, and rushing aft, attacked the two miners, who had risen at the report of the pistols, and were standing with their revolvers drawn and cocked, ready for action. They and the robbers fired simultaneously. Two of Joaquin's men fell dead on the deck, and the miners fell at the same time. Their wallets were soon stripped from them by Joaquin and his surviving companion, and finding some matches, they set fire to the vessel and left her to burn down. Ere daylight there was no trace of murder on the slough, but a dark hulk which was barely visible on the water's edge. By this operation Joaquin realized twelve thousand dollars in dust.

On the following day, after sending Three-Fingered Jack and four others back to the rendezvous, he took Valenzuela with him and departed for Sacramento; and having stopped there about a week, took passage for San Francisco, where they arrived at eleven o'clock at night. Walking forward amid the darkness till they came to a house in Pacific street, near Dupont, they knocked for admittance, and after waiting at least a quarter of an hour, during which they had many times repeated the knocking, the door was slyly opened, and a voice roughly asked—

"Who's there?"

"Friends, Señor Blanco," said Murieta, "and good friends, too."

"Ha! I know you, paysanos; come in, come in; I have been expecting you for some days past."

"Indeed! how is that?" said Valenzuela, as he and the chief entered the house, the door of which was immediately barred and bolted, "are you a magician, that you can foretell future events?"

"Or, have you received a visit from the spirit of Monte Diablo?" added Joaquin.

"No, no; nothing of the kind; I gained the information from one of the band. Come this way, and I will show you the man himself, though I don't think he will recognize you, for he's been beastly drunk for the last forty-eight hours; and a savage customer he is too. When I first heard your knock I thought it might be an enemy, and so I tried to rouse the fellow, and that's what made me so long in opening the door."

"But who is this comrade of ours?"

"Come and see," replied Blanco, "here, here we are—look out for these two steps—so; here's the door—it's so long since you were here last, that you've forgotten the ways of the casa. It was burned down once, but I built it again without any alteration."

"Now, there's the *hombre*," he added as they stepped into the room.

"Where?"

"There; on the bed; and so full of *aguadiente* that he hasn't strength enough to snore."

Joaquin took the lamp from the table and approached the sleeper.

"What! Garcia?" he exclaimed, starting back with surprise.

"Yes; he said you ordered him off to the rendezvous, but he chanced to have a larger sum of money than usual, in his pocket, and so turned around and come down to have a little recreation."

"Well, let's see if we can't rouse him," said Valenzuela, and forthwith proceeded to administer numerous pinchings and shakings, all of which, however, instead of having the desired effect, only produced from Three-Fingered Jack sundry long-drawn exclamations, such as "ca-ra-jo!" and "car-am-ba!"

Knowing that he could not thoroughly control Garcia's movements so long as he was separated from the rest of the band, and fearing to be drawn into some difficulty by his carelessness, Joaquin resolved to avoid him, if possible, during his sojourn in the city; and for this purpose purchased a tent, and placed it on the hill in the rear of the "Fremont Hotel."

Night after night Joaquin and Valenzuela issued from their hiding place and visited the "Bella Union," "Diana," "El Dorado" and other gambling saloons; losing and winning piles of golden coin, with a grace and calmness that elicited the admiration of the by-standers, and even of the bankers themselves, who were the most frigid of men. On all the tables, except those used by the faro players, were heaps of yellow *oro*, in five, ten, twenty and fifty-dollar coins, walled in by stacks of silver pesos, and surrounded by "specimens" and bags of dust; making the heart of avarice ache, and infecting even those not very greedy of lucre with a touch of mammon. Refreshments were offered to all comers free of cost. Wines were freely poured out and cigars presented; and the "good old-fashioned hospitality" was never displayed in these degenerate days so bountifully as at these gilded saloons.

Strolling into the Bella Union one night the two bandits were about to seat themselves at the side

*NOTE.—The Fremont Hotel, one of the oldest landmarks of San Francisco, is still to be seen on Battery street, near the corner of Vallejo. It is now occupied as a mechanic's boarding house, and presents a much more cheerful appearance than it did some years ago. In grading the street the embankment has been removed and the house lowered some twelve feet. Up to about a year ago it appeared much the same as in the engraving. It now resembles one of the old English mansions. The ground upon which the bandits pitched their tent (in the rear of the house) still remains.

of a faro table, when their attention was drawn to a monte table, around which was collected an unusually large crowd. On approaching the scene of excitement, they observed Three-Fingered Jack sitting at one end of the table with five or six thousand dollars in gold in front of him, about one half of which he had just raked in; and the dealer was calmly shuffling the cards preparatory to another "lay out." At length a king and a deuce were thrown upon the baize, and Jack placed his entire treasure in the care of the former; but the deuce turned up, and the piles of glittering gold were slowly and carefully set up in rows by the lucky banker, upon whose stolid features not a shade of exultation was visible. Three-Fingered Jack having called for and drank a glass of brandy, arose and walked out; and his comrades, who had remained unnoticed by him, lounged around the room for another hour or more, making a bet here and there, and a loss everywhere, and then turned their steps towards a Mexican dance-house in Jackson street, wherein a select number of their own countrymen and women were congregated and shuffling through the mazy dance and hazy atmosphere, enlivened by the tamborine and fiddle.

Leaving his companion to shift for himself, Joaquin commenced an innocent flirtation with a youthful señorita, who was beauty personified—accomplished—lovely as a seraph—with eyes of the blackest jet, of course, and—but never mind the description. Gay conversation, an interchange of sentiments, together with wine, music, etc., brought about an attachment, and the robber chief for a while forgot the existence of his adorable Clarina, who was perhaps pining away in loneliness at the rendezvous.

The history of this intellectual, sentimental and transcendental specimen of fascinating loveliness, was somewhat romantic. She was called Isabella, but whether a real or a feigned name was not known. She had taken the vows of a nun from the purest and most sincere motives, but after being two years in the convent, she found it impossible to fulfill her vows. Having made her escape from the convent, she returned to her father's house; but found no rest under the paternal roof. Her parents upbraided her, and were proceeding to have her returned to the convent, when she pretended to go to her chamber for repose, she escaped by the window, and as she fled through the garden, she met a handsome young Englishman to whom she told her story. He took her under his protection, without the least hesitation and they lived together, in a retired part of the country several weeks. This young man was of a warm temperament, and was so smitten by her charms that they upset his reason, and he went raving mad. He imagined that she was some great princess whose love he had sought in vain, and under this strange belief, he one day threw himself from



Scene in the vicinity of Joaquin's Tent, San Francisco. (Showing the Fremont Hotel, Cunningham's Wharf, etc., at the base of Telegraph Hill.)

a cliff into a bed of rocks on the sea-shore and was killed. She took possession of his mangled body and his effects, found out his friends, and delivered them into their hands.

She mourned long and bitterly for the loss of lover; but her passionate nature again prevailed, and she accepted the offers of a native count, who was soon after killed in a quarrel.

Believing that a fatality attended her in her own land, and learning that spies had been placed upon her actions by her relatives, she went to Brazil, and from thence, shortly afterwards, took passage for San Francisco. Such was Isabella, the Mexican maid, whose fervid passions were kindled by the manly graces of Murieta.

It was two o'clock in the morning when he and Valenzuela left the dance-house to return to their tent. Having lost considerable money at gambling, and Joaquin having just presented Isabella with five slugs, they found they had only one hundred dollars left between them; and this being but a paltry amount for the pockets of men who had, within a week's time, expended more than twelve thousand dollars, Valenzuela proposed a trip to the Mission of San Jose, where they had a wealthy confederate who would not be averse to lending a few thousands at good interest. To this Joaquin objected for various reasons which he did not care to mention, and preferred a return to Sacramento, where they had left their horses in charge of a man named Padrillo. In passing a small wooden tenement on their way to the hill, their ears were saluted with the most violent oaths and denunciations, intermixed with coarse jokes and occasional bursts of laughter. Having passed the place a number of times before, without hearing the least noise proceeding from it, curiosity induced them to stop and listen.

"Surely that is Garcia's voice," whispered Joaquin, as a loud and fierce imprecation rose above the din, invoking an unlimited amount of evil on the head of some other reveler.

On looking through a crack where the boards had shrunk or warped, the bandits were favored with a scene almost beyond the power of description. The close atmosphere of the room was laden with the fumes of rum and whisky, and the odor of tobacco smoke. Around a half dozen tables were seated groups of men, who to judge from their countenances were of the most depraved and vicious character, and capable of doing the most desperate deeds. Each table was supplied with cards, and each man with a dirty looking tin cup, which he occasionally replenished with the poisonous liquor contained in the keg standing in a corner of the room. There was a small wood fire upon the hearth, casting a dull red glare upon the features of the crowd, and seeming to burn in opposition to the candle, which was stuck on the end of a piece of wire suspended from the ceiling, and which glimmered like a distant light seen

through a fog. At the table nearest the fire place sat four daring-looking ruffians, one of whom was Three-Fingered Jack, his blood-shot eyes glaring with demoniac fury, and his dark and swollen features wearing a most supernatural appearance as the lurid flames threw their dancing and flickering shadows upon them. His companions were Pedro Sanchez, Juan Borida, and Joaquin Blanco; all three of them belonging to Murieta's band, and employed as spies; Sanchez in the neighborhood of Sonora and Columbia, Borilda at Stockton, and the other at the Mission of San Luis Obispo. The remainder of the company was composed of English, Irish and American, all of whom appeared to have been drinking deeply, and were still sipping the destroying fluid as if determined to keep up the excitement till pay break. Notwithstanding the riotous noise made by these young men, the listeners could distinctly hear the sounds uttered by Three-Fingered Jack, and Joaquin was not a little surprised at their import.

"You have already had more than your share," exclaimed Garcia, "and not another peso will you get. The whole amount was only six thousand dollars, and each of you received a thousand. Caramba! did you expect me to make an even division; when all you had to do was point out the man and I had all the trouble to kill him. No, no, so that's settled; and now, after this, I shall work alone."

At this moment one of the ruffians at the other side of the room, arose and came towards the fire, and after gazing at Three-Fingered Jack, with a half surprised, half stupid look, staggered back to his table, and whispered something to his companions. The intelligence thus communicated was apparently important, for no less than six out of the eight sitting around the table, immediately started to their feet and went out. Murieta and his partner followed them in the darkness, and saw them enter a tent not over fifty feet distant from that which they themselves occupied. Suspecting the cause of the sudden departure to be in some manner connected with Three-Fingered Jack they crept stealthily up to the rear of the tent and placed their ears to the canvass; at the same time drawing their revolvers to be ready in case of discovery or attack.

"Did you see him? did you take a good look at him?" asked one of the men inside.

"Aye, aye—yes, we did," replied the others, "but do you think it's same man?"

"I don't think, but I know it; for I've seen him many a time in the mountains, and it's nobody but Three-Fingered Jack, one of the principal members of Joaquin's gang. And what's more, I believe Joaquin is in town himself, for they never keep far away from each other. At all events the other three fellows sitting at the table there with Jack must belong to the band too."

"Then, I say, my covies," exclaimed another,

"that's how we didn't get our game last night, d'ye see?"

"What do you mean, Dumps, explain yourself."

"Why, that covey as we marked out some time ago, the one as had so much cash, you know. This fingered Jack, as you call him, has got a hold of him and done us out of the tin, d'ye see."

"Yes, that's the way of it; and that's where they raised the wind. But I don't think they've got much left, if they've got any, for I saw them shaking out and losing the scads by hundreds on the monte tables in the Arcade. The infernal Mexican loafers. Why don't they stay in the mountains where they belong, and give white men a chance to live."

"So I say," growled another; "yes, blast 'em, why don't they? Here we've been running around these five days and nights, without making more than grub money."

"Not werry much more, that's a fact," said Dumps.

"No; but I tell you what we'll do; we can blow on 'em, and blow 'em away, and raise the wind too, all at once."

"How? all of a sudden, like?"

"No, no, Grippy; not that way at all; you're too fond of doing sudden things with that knife of yours. Besides, you know, you'd never succeed in it with them fellows; they know how to use the steel better than any of us. What I propose, is this; to put the police on their track, and if that don't drive 'em out, then we'll scatter around and hunt up Joaquin. There's a big reward offered for him, and when we catch him—"

"Oh, ah—when we catches 'im—vry then—vell, vot then?"

"Shut up, Dodger; will you? or else lay down—you're too drunk to talk; as I was saying, when we take Joaquin, —"

"Pr'aps I is, but if I is, I knows how to 'andle a knife."

"And I'll know how to handle you, pretty soon, if you don't keep still—what?—oh! I'm cut, I'm stabbed!"

In an instant the rest of the gang seemed to be scuffling with the assassin, and the two bandits hastened away towards the bottom of the hill. A few steps below the Fremont Hotel they were met by two escaped convicts from Botany Bay, who had just left the drinking house to join their companions, and were considerably intoxicated.

"What's that lark about in our crib, up there," demanded one stepping in front of Joaquin.

"I don't know," replied the latter.

"You lie! you do know; you've just come from there," cried the other.

The words had scarcely died away, when the man fell forward upon the ground, badly wounded in the breast by a bowie knife in the hands of Murieta. The other then fled up the hill, followed by

a shot from Valenzuela, but escaped unharmed. They were shortly afterwards confronted by a policeman, who inquired what that shooting was about; when Joaquin drew the rim of the hat over his face, and flinging his cloak a little back from his shoulder, dropped his arm carelessly towards the butt of his pistol. Seeing another man hastily advancing, and thinking him a policeman too, he replied in a very polite tone:

"The shooting, sir, was an accident; my friend was returning his pistol to its sheath, when the trigger caught upoh the end of his belt."

"What's the muss?" asked the second man on coming up.

"Oh, nothing," replied the first, "only I heard a shot fired, and thought somebody was being murdered."

Turning again to Joaquin, he added:

"You say your friend was putting the pistol back into the sheath when it went off. What was he doing with it out?"

"He was carrying it in his hand, sir; at this late hour of the night there is danger in traveling the streets, there are so many thieves about; and he wanted to be ready in case of emergency."

"Why didn't he keep the weapon out then?"

"Why, sir—I—because I laughed at his fears, and told him there was nothing to apprehend."

"Didn't you just now say that there is danger in traveling the streets? I think I'll have to apprehend you as a suspicious character."

"Excuse me, sir, I meant that he should wait till danger appeared."

"What do you think, Charley—hadn't I better arrest them? There's so many fellows prowling around now—and there's a good breeze to-night for a big fire, and this part of the town would be just the place to start it. Better lock them up."

"No, I wouldn't; let them go—they're all right. Go ahead, boys;—no, hold on a minute; Ned, do you want to ask any more questions? You can talk and reason like a Tombs lawyer starving for a fee."

"Dry up, I only talk common sense."

"Of course you do; but we'll have to run you for Judge, next election, any how. You know whoever our party runs is bound to go in lemons."

"Yes, and to get pretty well squeezed too, before he comes out."

"Before he comes out with the cash?"

"Oh, dry? You're worse than Billy Mulligan. Here! you accidental shooters, clear out and go to bed. Come along, Charley, let's toddle back to Niles' and take a snifter."

Having wished the gentlemen a good night, Murieta walked away with his comrade in the direction of the shanty.

"If that man had insisted on taking us to the calaboose, I would have shot him dead on the spot," said Joaquin,

"And I was quite as ready for the other one, and only waited for the signal from you," returned Valenzuela.

On reaching the door of the house, the sounds which came from the interior were proof enough that the revelry was still continued, and as Joaquin looked through the crack again, he perceived Three-Fingered Jack occupying the same seat, but so overcome with his potations as to be scarcely able to hold up his head. Telling Valenzuela to keep watch outside, the chief entered the room and stepping quickly up to the table, laid his hand upon the shoulder of his rebellious subordinate, who started at the touch and half drew his revolver.

"Ah! Murieta?"

"Yes; come! I want you to leave the city at daylight."

"For what reason? What's the matter?"

"Why the police are after us; and in a few minutes more, they will be here looking for you."

"Caramba! this is news which I don't relish," muttered Garcia jerking out his knife; "how many do they number?"

"More than we can cope with, for a thousand citizens would aid them in capturing us. Come."

"Well, as you like;" and he left the place followed by his three companions; and the whole party, including Valenzuela, proceeded to the house of Blanco, where they remained till daylight. Joaquin then sent Blanco, (the namesake of the one who kept the house) to San Luis Obispo, and Borilda and Sanchez to their respective places, Stockton and Sonora. Three-Fingered Jack was ordered to take the San Jose road and travel back to the rendezvous with as little loss of time as possible. On the afternoon of the same day, Joaquin and Valenzuela took passage for Sacramento, where they took their horses and rode on to Stockton to meet Borilda and give him certain directions concerning other members of the band who might pass through there on their way to the Aroyo Cantooya.

Three or four days after their departure from San Francisco, there was a rumor about town that the notorious bandit Joaquin had been arrested and was in custody in the city jail. This originated in the fact that an insane Mexican, who claimed identity with the brigand in question, and borrowed the terrors of his name, had been placed in confinement. Many curious individuals paid a visit to the city prison for the purpose of catching a glimpse of the lion supposed to be caged within its walls. They went away with a strengthened faith in Joaquin's ability to take care of his precious person.

During the sojourn of the robber chief in the "Slough City," (now the "City of Wind-mills,") he learned that Three-Fingered Jack had stolen a splendid horse, saddle and bridle and larieta from

a Mexican, a few miles from the Mission Dolores, and on arriving at Alviso had killed a Chinaman to get possession of his blankets. Shortly after a man named James Walsh was robbed and murdered by him near the Mission of San Jose. He had dragged his victim about half a mile with the larieta around his neck, and then robbed him of \$350, a gold watch and a revolver. Two Mexican rancheros were arrested on suspicion near the scene of the murder, and another one afterwards in San Francisco, but there was not sufficient even of circumstantial evidence to hold them.

About a week previous to this affair, one of the band named Rafael Quintaro, stabbed a man at Santiago, near Columbia, the knife penetrating the stomach, cutting a terrible gash and producing instant death. It was a cold-blooded transactions, there being no previous quarrel or misunderstanding and the murdered man was a respectable and inoffensive citizen. The energetic constable, John Leary, went in pursuit, but failed to come up with the murderer as he had taken to the mountains. On the second or third day following, Quintara came from his hiding place and killed and robbed a man named Samuel Slater. He shot him through the back, then entered the house and carried off some gold specimens, two revolvers and a quantity of provisions. Some men went from a neighboring saw mill to his house to grind some tools, when they found the body lying in a by path, and presenting a horrid sight, being half devoured by coyotes.

CHAPTER VIII.

Murieta in the Court House at Stockton—Visit to San Juan—Murieta at San Luis Obispo—Departure of the females for Sonora—Robbery of a miner at Jackson—Abduction of a young girl by Valenzuela—Numerous murders and robberies—Capt. Love's Rangers; their names—Death of three of the bandits—Capture and death of Murieta and Three-Fingered Jack—Fate of two of the prisoners—Exhibition of the bandit's head—Certificates of identity—Subsequent sale of the head for debt—Murder of a man near Angel's Camp, etc., etc.

Having ravaged the country for several long, and, to the people, distressing weeks, and having lost some of the bravest and most useful members of his band, and having aroused his enemies so that they met him on every trail, and surprised him at almost every encampment; having, besides this, collected by his plunders a large amount of money, Joaquin concluded to abandon Calaveras, (whither he had gone after resting awhile at the rendezvous,) and try his luck upon the citizens of Mariposa. Of course that county suffered—but it is not necessary to recount anything like the entire series of his fearful deeds, in that devoted region, as it would only be a repetition of the bloody and harrowing scenes which have already suffi-

ciently marked these pages. His guardian friend seemed never to desert him, and the numerous incidents of the extraordinary success which attended him, almost leads us to adopt the old Cherokee superstition, that there are some men who bear charmed lives, and whom nothing can kill but a silver bullet. Notwithstanding the most diligent pursuit had been made after the robbers, yet during the whole time they had been busily engaged in murder and plunder. They left a broad and bloody trail wherever they went, and committed their outrages at times in the very sight of pursuers. Frequently were the piercing cries of murder heard just ahead, and hastening to the spot, citizens were found weltering in their blood, while the audacious bandits were seen riding off with no great evidence of fear at being overtaken. The banditti were divided, the greater portion of the time, into small companies of five or six, and Joaquin was seldom seen with more than four of his followers. Valenzuela and Three-Fingered Jack were his constant attendants. Guerro was in the field; Sevalio was active, and Antonio was far from idle. The latter was scouring the neighborhood between Putah and Cache Creeks, by stealing horses; and though repeatedly pursued, he as often escaped by the fleetness of the noble animal which he rode, and which was the same one formerly owned by Texas Jack.

Some days previous to leaving Stockton, Murieta was standing in the doorway of a one-roomed house on Hunter street, (occupied by Isabella, who had traced her quondam lover to that locality,) when Valenzuela stepped up and informed him that Texas Jack had just been taken before the County Judge to be sentenced for grand larceny. Wishing to see his old friend, Joaquin went over to the court room and took his seat very composedly among the spectators; and while the sentence of five years was being pronounced, the condemned man threw a glance around the room and perceived the bandit chief. A sign of recognition passed between them, and caused the heart of Texas Jack to beat strongly with hopes of escaping his doom. But as Joaquin had only three of his comrades in town, he could render no assistance. He afterwards remarked to an American at French Camp, that if he had had a dozen of the band with him, he would have rescued the prisoner from the hands of the officers on the way to the boat.

A strange discovery was made about five months afterwards, on a ranch formerly owned by Texas Jack. A man and a horse were found in a large hole on the rancho, the man being still on the horse, and spurs remaining on his boots. The man had apparently been murdered, as the mark of a deep gash was visible on his skull, and was dead for a good while, being in a state of decay. Several skulls and human bones, probably the remains

of other victims, were discovered in other places on the rancho, which is situated in the valley, near the Stanislaus, some distance this side of Inslip's Ferry.

One evening, as Joaquin was reclining in the tent of a confederate, within three miles of the town of Mariposa, he heard that two of his men had been hung at San Juan for horse stealing. They were pursued and caught hiding in the bushes between Gilroy's and the Pajaro, and after being securely bound with stout ropes, were carried into town, tried before Judge McMahon and committed to jail. The inhabitants, who had suffered much from their depredations, gathered in large numbers, took the prisoners from the officers, and hung them on a gallows which had been erected for that purpose. On receipt of this intelligence, Joaquin immediately sprang into the saddle, and accompanied by his four comrades, proceeded at once to Monterey county and encamped on the San Benito river, a short distance from San Juan. Keeping closely concealed in the day time, the bandits sallied out at night, each one by himself, and stole a number of fine animals from the neighboring ranches. On the third night of their encampment, Joaquin took Three-Fingered Jack with him and rode into town. It was after one o'clock, and most of the people had retired to rest; but finding a restaurant still open, and being in want of some refreshment, they entered and called for a bottle of wine and some crackers. The proprietor having furnished the articles, glanced somewhat suspiciously at the travelers, and then resumed his seat at the table, to watch the progress of a game of cards between two men who appeared to be favorite customers.

"Come, now," said one of the players, who had just dealt; "come—what do you do?"

"Well, hold on a minute—let's see; you're five, and I'm six."

"Yes; I'm five and you're six."

"Well, there! Have you got anything bigger than that?"

"What? a seven-spot! No; if 'twas a one-spot I couldn't beat it, 'cause I've nary trump; you take desperate chances, seems to me—but anyhow, you're out. More whiskey, bar-keep."

"Brandy and sugar for me," said the other. "What's that you say?—talk about desperate chances! Why, I *always* take desperate chances; always *do*, always *did*, and always *will*; it's the only way to *get* even, and *keep* even."

"I'd like mighty well to play you one game for fifty dollars."

"Can't do it—ain't got the scads."

"Ain't? Well, I'll tell you how to *raise* 'em, quick enough."

"Tell ahead, then; if it's anything *honest*, I'm in."

"You say you always take the desperate

chances, and always *will*. Well, then, there's a heavy reward offered for *Joaquin*. Go and *take* him—he's the most *desperate-chance* customer that I know of."

Murieta exchanged glances with Garcia, and seeing the latter grasp the hilt of his bowie-knife, told him in a low voice to keep quiet.

"Well, I don't know about that," said the winner, sipping his brandy, "I don't think he'd be hard to take, if he wasn't surrounded all the time by some of his men; and 'cording to all reports, he's always got that Three-Fingered Jack with him, and I'd sooner tackle a dozen common men than him; he's a *trump* card."

"Then he's just the man for you to *dial* with; you're such a good *hand* at turning trumps."

"Ah ha! but he's a *Jack*, you know; besides, he'd want to *cut* every time, and might 'come within an *ace* of playing the *deuce* with my *heart* strings; as the *Queen* of Spain said when the *King* sent her a cask of diamonds on a *tray*."

"Rather a heavy gift!—must have sent it on a dray."

"What?"

"A cask of diamonds."

"Casket, I think I said; but cask or casket or basket, I wouldn't bet a *spade*-full of California dirt against it, on a double-*shuffle* rough-and-tumble tussle between me and Three-Fingered Jack. It would be a losing *game*, and losing ground too."

"Well, you'd be gaining ground in the long run—if you should run away."

"Yes; six feet by two. So the only way to get rid of these robbers, is for the people to *club* together and drive the whole *pack* out of the State. As for catching Joaquin, it can't be done as long as he goes around with his right-bower and heavy face-cards; but if he'd only go it alone, it would suit me exactly, for I'd *euchre* him in less than no time."

"Pshaw! I don't think you'd have the courage. You're a good card sharp—that I acknowledge; but—"

"But what? Can't I keep a hotel?"

"Oh, yes; keep it open at night, when the landlord wants to shut up and go to bed; but what I was going to say, is this: You're good enough in a bar-room fight, or in a muss with any man around town; but I think if you should meet Joaquin alone, you'd *weaken*, if only on account of what you've *heard* of him."

"Git! What do you 'spose I carry this *revolver* for? Do you think I'm afraid to *use* it? Why, I'd haul it out just in *this* way, and I'd—"

"Let Joaquin take it just in *this* way!" exclaimed the bandit, (who had glided slyly up to his side,) snatching the pistol from his grasp, and presenting it, together with his own six-shooter, at the heads of the astonished and terrified gamblers.

"Come," added Joaquin, "if you have got any

money, hand it out, and be quick too, or I'll give you a brace of bullets."

"There's all I've got," said one, laying a small sum in silver upon the table.

"And there's the last scad in *my* pocket," said the *smart* gambler, throwing down a dollar, and pretending to recover his courage, by raising his half-emptied glass to his lips.

With a sudden sweep of the pistol in his right hand, Murieta shattered the glass to atoms, and at the same instant a shot was fired by the barkeeper, who had, all this time, been searching for his revolver behind the bar. The ball went through Joaquin's serape, which hung over his shoulder, and lodged in a keg of Holland gin on a shelf, causing the liquor to escape in a continuous stream. Three-Fingered Jack had received special orders from the chief to remain inactive; but on seeing the belligerent movement of the barkeeper, he sprang upon him, and would have slaughtered him on the spot with his huge bowie-knife, had not Joaquin quickly interfered, and commanded him to desist. The report of the pistol having aroused some of the people, and their voices and footsteps becoming each moment louder and louder, the bandits deemed it advisable to make a hasty retreat; Joaquin telling the men as he went out, that he would in future keep a watchful eye upon their actions.

On the succeeding day they left the camp, taking with them the horses they had stolen, and proceeded to Aroyo Cantoova. Here the greater portion of the band were found assembled, many of them having lately returned from marauding expeditions, and now awaiting further commands from Murieta. Preparations were immediately made for the grand finale of his career in California. His correspondence was large with many wealthy and influential Mexicans in the State, and he had received assurances of their earnest co-operation in the movement which he contemplated, and which was scarcely dreamed of by the inhabitants, most of whom merely looked upon him as a petty leader of a gang of ignorant and cowardly cut-throats. After sending Antonio to Mexico with remittances of money, and with instructions to arm and equip his followers and adherents there, who stood in waiting, he then dispatched Guerro to the different harboring ranches in California, to collect all the horses which had been left upon them from time to time, and to send back to the rendezvous all members of the band whom he might meet on the journey. Having some business of importance to transact at San Luis Obispo, Joaquin, on the same day, departed for that place unattended by a single companion. The "important business" was an interview with the senorita whom he accidentally met while robbing the Hangtown stage, some months before. She was the sister of his former mistress, Carmela, and had married a wealthy ranch owner in Guadalajara, Mexico. At

her husband's death, she had placed an old and esteemed padre in charge of her ranch, and had come to California to stimulate the robber chief in his desire for vengeance, and to urge him on in his bloody warfare against the Americans. With much dissatisfaction, she now heard him express a determination to leave the State in a very short time, but finding it impossible to dissuade him from his purpose, she took his advice, and on the following morning started on her return to Mexico.

About a week after this, Murieta concluded to place the females beyond the reach of danger, and accordingly ordered twenty of his best men, headed by the brave Sevalio, and all armed to the teeth, to escort them to the province of Sonora, and directed them to keep along the shore of the gulf, to the Missions of St. Catharine and San Pedro, thence to San Francisco Borgia or to the Mission of Santa Gertrude, through a barren mountainous country, with which Sevalio and others of the parties were well acquainted. Joaquin, himself, accompanied them a short distance on the road, and after an affectionate leave-taking with his mistress, embraced the rest of the señoritas (a proceeding to which the fair travelers made not the slightest objection) and returned to the now lonely and cheerless rendezvous.

Believing it better to await the arrival of the new members from Lower California and Sonora, before collecting together the balance of his present force, he countermanded the order to Guerro, and sent others of the band out to harass the people with thefts and murders. With a company of six he then went off to Calaveras, committing numerous robberies on the route, and upon reaching the vicinity of Jackson, entered the cabin of a miner named Jewell, while the latter was at work near by, and robbed it of \$300 in cash, a Colt's revolver, etc. His inseparable companions, Three-Fingered Jack and Valenzuela, were among those who accompanied him on this expedition, and the sanguinary Garcia was never more thoroughly in his element than during the sojourn of the party in Calaveras and the adjoining counties.

They had been very successful in the upper portion of Calaveras for about three weeks, and had collected from the inhabitants a large amount of money, when Joaquin changed the scene of his adventures by traveling further south to some equally favorable locality. Previous to starting, he was joined by fifteen of his men who had been to the Coast Range about the neighborhood of Thom's Creek, in Colusi county, where they had plundered the rancheros of a number of splendid horses and had sent them on to the rendezvous in charge of four others of the gang. With this reinforcement, Joaquin went to the head waters of the Stanislaus river, between whose forks the rich valleys, covered with horses, afforded a fine thea-

tre for his operations. There they selected an old abandoned tunnel in which to hide themselves, and ventured out only at night to commit their murders and robberies. The miserable Chinamen were mostly the sufferers, and they lay along the highways like so many sheep with their throats cut by the wolves. It was a politic stroke in the bandits to kill Chinamen in preference to any other people, for no one cared for so alien a class, and they were left to shift for themselves.

One moonlight night, while Murieta, Three-Fingered Jack and three others were absent in search of victims, Valenzuela issued from the tunnel with three men, and getting out their horses from the corral of a friendly ranchero near by—who was kind enough to take care of them, no doubt from very disinterested motives—they started up a rather lonesome road which led along a branch of the south fork of the river. Coming in sight of a neat looking frame house, Valenzuela, bent upon an adventure, dismounted, as did also his followers, and hitching their horses on the roadside, walked stealthily up to the house. The owner, who was absent at the time, was known to be largely interested in several quartz mills, and was supposed to possess countless thousands of thousands of golden coins. Thinking he might obtain a considerable amount of cash or dust, which would afford an agreeable surprise to the chief on his return, Valenzuela noiselessly pried open a side window, and entering the house with his companions, proceeded at once to institute a search for the coveted treasure. Aided by the rays of the moon, they were busily engaged in overhauling sundry closets and lockers in the lower part of the house, when a door was suddenly opened and an old woman appeared with a lighted candle in her hand, and accompanied by a young girl of seventeen years. On perceiving the robbers they uttered an exclamation of astonishment, and attempted to retreat; but were instantly seized and dragged to the furthest corner of the room, where they were ordered to remain immovable and silent on pain of instant death. Having ransacked every nook and corner of the premises without finding more than twenty dollars, the idea of abducting the girl and forcing a ransom from her wealthy father, occurred to Valenzuela, who recollected hearing of similar affairs among the banditti of Spain and Italy; and feeling somewhat romantic on this occasion, he resolved to carry out and realize the idea with as little delay as possible. He therefore seized the terrified beauty, who uttered a piercing scream and struggled to disengage herself from his grasp; while her mother, clinging to the robber's arm, with tears flooding the wrinkled channels of her face, beseeched him in trembling accents, to spare her only child.

"If you speak another word, I'll kill you," said one of the men, rudely pushing aside the old woman, who fell speechless at his feet.

Aroused at this brutal conduct, which ill accorded with his notions of gallantry, Valenzuela instantly shot the scoundrel through the heart.

"Now, my pretty señorita, you can come with me," he said, turning to the captive.

But, on seeing her mother fall, the maiden's eyes had closed in a swoon, and a death-like paleness had overspread her features.

"It makes no difference," he added, turning to the others, "she will soon recover; let us return to our rendezvous."

"I don't feel very anxious about leaving just now," replied one of the cut-throats, looking as black as a thunder-cloud, "after what you have done to Francisco there," laying his hand on his pistol at the same time.

"Ah, indeed!" exclaimed Valenzuela, drawing his revolver, "then you are as contemptible a villain as he is." The both fired at once; the subordinate fell dead, and Valenzuela was grazed on his right cheek with a piece of hot lead, which made him blush, if his own rascality did not.

"Caramba! the miserable fools," said he; "some men have no humanity at all."

Securing the rounded wrists of his lovely, drooping captive with his handkerchief, he proceeded with his surviving companion to the spot where the horses were hitched, and mounted into his saddle with his precious booty before him. On reaching the entrance of the tunnel, he got down with the now weeping maiden, who begged him to release her, with so much sweetness in her voice, and with so beautiful an agony expressive in her whole enchanting form, that Valenzuela almost repented of what he had done. "It will never do," he thought, "to let her go, for then I should have nothing to show for my night's work, and could not well account to the band for the missing members."

"You shall not be hurt," said he, turning mildly towards her, "I intent to keep you here only a short time, until I get a ransom for you from your father, who will no doubt pay as soon as you send him word by one of our number."

He then led her, half dead with terror, to the extreme end of the tunnel, where sat his fierce-looking comrades in a poorly lighted apartment.

The bandits, much interested, gathered around him, and listened very attentively while he related the facts as they occurred, and in the end applauded him for the just punishment inflicted upon Francisco and the other, both of whom had often exhibited a quarrelsome and domineering disposition, and but few of the assembled company had been their friends.

"As for this handsome girl," concluded Valenzuela, "we may as well keep her for a ransom, or one of us may marry her, just as we see fit."

Three or four nights after the abduction, Murieta returned. Glancing hastily around the room and

beholding the captive reclining mournfully upon her couch, he started, and with a sudden fierceness which caused every man in his presence to quail, turned to his lieutenant and said—

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

Valenzuela begged him to listen patiently, and related every circumstance connected with the girl's capture, adding that he could not find it in his heart to treat her with anything but the profoundest respect, and had already contemplated restoring her to her home.

"If it was any other man but [you]," continued the chief in a tempest of anger, and convulsively clutching his pistol handle, "I would kill him on the spot. I would shoot him like a dog. But, for the essential service you have rendered to our organization, I spare you."

"I would have carried her back yesterday!" said Valenzuela, "but was confused and tormented with doubt, and resolved to await your return."

"It is well that it is so," said Joaquin, in a calmer tone. "You never knew me to do a deed like this. I have higher purposes in view than to torture innocent females. I have read of robbers who carried off tender and delicate maidens and afterwards extorted a ransom for them, or deliberately destroyed them; but I am no such robber, and never will be. Valenzuela, I ought to kill you, but since you have acted with some honor and manhood in the rascally matter, we will say no more about it. Get you in readiness, and we will, you and I alone, return this girl to her mother. I would not, at this time, be annoyed by such a frivolous affair as this, for all the woman in the world."

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

"Yes, señorita, I am a man. I was once as noble a man as ever breathed, and if I am not so now, it is because men would not allow me to be as I wished. You shall return to your mother if I die in bringing it about;" and as he uttered these last words he glanced around upon his companions to see if there was a dissenting shade upon any of their faces; but each man wore a calm and satisfied expression.

On this same night, at ten o'clock, in one of the rooms of the house sat the disconsolate mother, whose withering life was alone sustained by the

hope of again seeing her daughter. Near her was a young man about twenty years of age, who was comforting her with assurances which did not quiet his own heart, for he had ridden day and night over one-half of the county, making inquiries in every quarter, but not a trace could he find of the lost one or her abductor. His face was pale and thin with anxiety, and his voice had something hollow in it, as though the vampire of despair was sucking at his heart's blood. He began to believe that she who was to have become his bride, and whom he so fondly adored, was lost to him forever, and doomed to a fate he could not contemplate without a shuddering chill. After soothing the feeble brain of the old woman with what he knew to be the merest illusions, he had subsided into silence, and was eating his heart in bitter regret, when a sudden tap was heard on the door, and in a moment leaped into the room the very object of his thoughts. The meeting was such as might be expected; and no attempt at a description will be made, of the rapture, astonishment, bewilderment of joy of the lover, and the scarce audible syllables and far more expressive tears of the mother. The fair girl rapidly recounted her story, and dwelt with such heroic enthusiasm on the heroic conduct of Joaquin, that her lover almost became jealous of the young robber. She made him swear that he would never injure *that man*, whatever he might do to others.

"I will not touch Joaquin," he replied, "if he lets me alone, but as for that other scoundrel, Valenzuela, I will kill him the first time I lay my eyes on him."

Joaquin at this moment entered, and stood before the young man. Valenzuela very prudently remained on the outside, after hearing the observation which had just been made.

"I have done you a favor, sir," said Joaquin, "and I now want you to keep this matter a profound secret. Never breathe my name out of this house. I may be in this county for some time, but you and yours shall not be troubled. But if you betray me, I will scatter to the winds all that you have and all that you love."

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

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

The other drew his revolver half out, but she touched his arm, and with a glance of reproach, said to him—"Fie, fie, you forget yourself. You would not harm the man who has restored me to your arms? Why, would you make me despise you? I care not if he were a robber a thousand times, he is a noble man, shake hands with him,"

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

Sternly the young men looked at each other for a second, and then with a half-friendly, half-defiant smile they parted; and Joaquin and Valenzuela rode off, the one somewhat reconciled to his subordinate, since the issue had been good, and the other delighted beyond all bounds at the happy turn which things had taken. The charming girl and her lover were shortly after married, and while Joaquin lived they kept their secret; for which (either for their marriage or their silence) none can blame them.

Having stopped in the county fifteen days longer, Murieta journeyed onward to the Mariposa and Merced rivers, and after robbing extensively in that region, sent all but six of the gang to the Aroyo Cantoova. With these six men, who were the same he had started with from the rendezvous, he proceeded to the rancho of a Mexican near to San Jose, killing on his way a Frenchman who kept a public garden, and remained there a brief period, in concealment. The *major domo* of this rancho, Francisco Sicarro, was secretly connected with his band, and this accounts for his staying there.

The extreme caution with which the wily leader was bringing his plans to a focus, is aptly exhibited in the following comparatively little incident:

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

So burdensome were the tributes levied upon the citizens of the whole State by the robbers, and so ceaselessly did they commit their depredations, that it became a fit subject for legislative action. A petition numerously signed, was presented to the Legislature, praying that body to authorize Captain Harry Love to organize a company of mounted rangers, in order to capture, drive out of the country, or exterminate the desperate bands of highwaymen, who placed in continual jeopardy both life and property. A bill to this effect was passed, and signed by the Governor on the 17th of May, 1853, and a company was organized by Harry Love on the 28th of the same month. The pay was set down at one hundred and fifty dollars a month per man, and the legal existence of the company limited to three months, while the number of men was not to exceed twenty. Notwithstanding the small amount of wages allowed, each member was required to furnish his own horse, provisions and equipments, at his individual ex-

DEATH OF JOAQUIN.



pense. Without hesitation, Love immediately took the command of twenty choice men, whom he selected for their well-known courage, and all of whom had seen service either in Mexico or Texas, and led them forth to meet as formidable a man as ever figured in the arena of crime. The company was composed of the following members:

Capt. P. E. Conner,	lieut. George A. Nuttall,
C. F. Bloodworth,	" Lafayette Black,
G. W. Evans,	" Dr. D. S. Hollister,
Capt. Wm. Burns,	" Hon. P. T. Herbert,
John Nuttall, com'sary	John S. White,
Wm. S. Henderson,	" Willis Prescott,
C. V. McGowan,	James M. Norton,
Robert Masters,	Coho Young,
Maj. W. H. Harvey,	E. B. Van Dorn,
Col. McLane,	Dr. S. K. Piggott,

This brave, but small band of mounted rangers were looked upon by the anxious eyes of the community, from whose midst they started, as almost certainly destined to destruction. But they forgot that a leader was now in the field, and armed with the authority of the State, whose experience was a part of the stormiest histories of the frontier settlements, the civil commotions of Texas and the Mexican war, whose soul was as rugged and severe as the discipline through which it had passed, and whose brain was as strong and clear in the midst of dangers, as that of the daring robber against whom he was sent.

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

On the 3d of June, Pedro Sanchez, who was with Three-Fingered Jack in San Francisco about three months before, was killed at Martinez, a place not far from Columbia, by a Spaniard named Albino Teba. They quarrelled about the division of a sum of money which had been stolen, when Sanchez became excited by the obstinacy of the other, and advanced upon him with a knife. Teba jumped back, and drawing his revolver, fired four balls, one of which took effect in a vital part and Sanchez fell dead. By a strange coincidence, Borilda on the same day was executed at Stockton for the murder of a man named Janes. Borilda had been charged by Joaquin with a commission to kill a Mexican who had offended, and in attempting the deed, killed Janes, who was standing at the time in the same room, close to the intended victim. Borilda confessed to the murder of three men, and to the perpetration of numerous lesser crimes; and a day or two previous to execution, attempted to shoot himself by seizing a pistol from a table within reach. Joaquin Blanco, the third companion of Three-Fingered Jack during that visit, was killed near Stockton, in the fol-

lowing year, by another Mexican, named Eugenio Casar.

On the evening of the 9th of June, four of the bandits, having with them about forty head of horses, arrived at the rancho of Andres Ibarra, about twenty miles from San Luis Rey, and without provocation fired upon the family, wounding one person in the leg. They then tied three men who were living at the rancho, and after plundering the house of money and other valuables, started for San Marco, where they killed two bullocks. The following day they were pursued by a party from San Diego, until dark, when being unable to follow the trail, the pursuit was abandoned. Messages were sent to various Indian tribes, directing them to capture the marauders. It was supposed the robbers had gone into the mountains to dry their beef. A few days afterwards eight horses were stolen from Santa Margarita, one of which was found tied out between Ibarra's and San Marco.

Being pursued on all sides by men of the most determined character, with whom he had no desire to come in contact on account of the probability of a defeat, which would destroy his cherished hopes and brilliant plans, he resolved to retire to some lonely spot beyond the range of civilization, and there remain concealed until the arrival of the expected force from Sonora.

In the early part of July, Joaquin passed through the ranch of Don Andres Pico, at San Fernando, in Los Angeles county, from which he carried off fifty horses. He next went to the San Francisco ranch, in the same county, where he was met by a vaquero, who charged him with having stolen Don Andres' horses and warned him he would be pursued. Joaquin thereupon turned over forty-three of the animals to the vaquero, with directions to return them to San Fernando, stating that he had need of the other seven. He then passed on into Santa Barbara county, and from there crossed the highest ridge of the Coast Range to Santa Ynez; and from that place he had no difficulty in getting over into Tulare Valley.

Having received information through some secret agency, that Joaquin was lurking in the wilds of that valley, Capt. Love proceeded thither with twelve of his company, the others having previously been sent to prosecute the search in other directions. On reaching the Tulare plains just at daylight, he saw a smoke rising at some distance on his left, and wishing to allow no circumstance, however trivial, to pass unnoticed, at a time requiring his utmost vigilance, he turned from the trail and rode towards it. He saw nothing more than some loose horses, until within five hundred yards from the spot from which the smoke proceeded, when, rising a mound, he discovered in a little hollow, the bandit chief and his six comrades scattered around a small fire. One of them, who was

engaged in cooking, caught sight of the approaching party, when they were about a hundred yards off, and giving the alarm, each man sprang to his horse. Dashing down in hot haste, the Rangers pursued them, and a running fire was kept up until Joaquin and Three-Fingered Jack were killed, and two more taken prisoners.

The bold chieftain was fast escaping danger on his swift and powerful steed, and a few more vigorous bounds would have carried him beyond the reach of gun-shot, when Capt. Love, finding that he could not hit the rider, aimed at the horse, and sent a ball obliquely into his side. The noble animal sunk a moment, but rose again, still vigorous, though bleeding, and after bounding forward about fifty yards more, a sudden gush of blood came from his mouth and nostrils, and he fell dead upon the ground. Joaquin now ran on a short distance on foot, but seeing Capt. Love and another, close upon him, he turned and fired his two remaining shots. Several balls were at the same time discharged into his body by the pursuers, and when the third ball struck him, feeling that his time had come, he requested them not to shoot any more; adding, "you have taken me by surprise; but I die content—I am sufficiently avenged;" and turning pale as his life-blood ebbed away, stood still a few moments and then sank slowly down upon his right arm, and surrendered to death.

Three-Fingered Jack, who was pursued by two or three others, rode a mile and a half before he fell, pierced with eleven balls. He went over the ground with almost lightning speed, and at times gained considerably on his pursuers, whose horses occasionally stumbled in the gopher holes and soft soil of the plain. When overtaken, he would wheel with glaring eyes, and with a whoop of defiance, discharge his six-shooter; but although a good shot, out of five trials, he missed every time. Circumstances were against him, but he was determined never to be taken alive, and would listen to no proposal to surrender; running on as long as his strength sustained him, and fighting till he fell, dying with his hand on his pistol, which he had emptied of every load but one.

Shortly after the commencement of the chase, three of the bandits not before discovered (and who, it afterwards appeared, had heard of the intended attack of the rangers, and had come to warn their chief,) galloped out into the plain from a point a little below Joaquin's camp fire, where they had probably made an encampment the night before, and dismounted in full view of the rangers, who approached them on three sides. They stood still until within reach of pistol-shot, when they suddenly sprang into their saddles, and firing their revolvers at the approaching rangers, rode off. The rangers returned the fire with effect, wounding two of the men and one of the horses. Their animals being remarkably swift, they distanced their pursuers and reached the foot of the mountains with-

out further injury. But just at this point one of the wounded men grew so faint that he fell back in the flight, and a comrade falling back also, to assist him, thus gave the rangers an opportunity to come within gun-shot. As he galloped off with his wounded companion to rejoin the others ahead, a skillful marksman leveled a rifle at his retreating figure and sent a ball into his back that made him reel upon his horse, and thus added one more to the wounded list, which now comprised the whole party. They succeeded in escaping, but one of them fell from his horse during the following night and died in a solitary place among the mountains. The pursuit being ended on all parts of the field, the Rangers returned to the point from which they had started; when they ascertained that one more of the robbers had been killed and two taken prisoners.

After the bloody encounter, Captain Love gathered up the spoils, consisting of several animals (restored afterwards to their owners,) six splendid Mexican saddles and bridles, six Colt's revolvers, a number of spurs and broadcloth cloaks, and a pair of holster pistols.

While the Rangers were returning, one of the prisoners suddenly broke away from his captors, and plunging into a deep slough near by, bravely drowned himself. The other was taken to Mariposa county jail, and there confined until the company were ready to disband, when he was transferred to Martinez. While there, he made a confession implicating a large number of his countrymen in the villainies which had been perpetrated, and was about to make additional disclosures, still more important—with the view of making the value of the information weigh against his execution—when he was forestalled in a mysterious manner. At the hour of midnight the jail was broken open by an armed mob of Mexicans, and the prisoner taken out and hung. The mob was undoubtedly composed of some of the active members of the band, and certain rancheros and other passive confederates, who took that means to prevent the damning revelations which the prisoner would certainly have made.

The object of the rangers now, was, to obtain the rewards which had been offered all over the country for the capture or death of the dreaded villain, and which they had so well earned by the hardships and dangers they underwent in pursuing him into his mountain fastnesses, in the midst of his desperate gang, and the gallantry they displayed in the conflict in which he expiated his terrible deeds by an awful death.

It was important to prove to the satisfaction of the public, that the famous and bloody bandit was actually killed, else the fact would be eternally doubted, and many unworthy suspicions would attach to Capt. Love. He accordingly acted as he would not otherwise have done; and caused the head of the renowned Murieta to be cut off,

and to be hurried away with the utmost expedition to the nearest place, one hundred and fifty miles, at which any alcohol could be obtained in which to preserve it.

On the 14th of August, Messrs. Black and Nuttall arrived in San Francisco from Stockton, bringing with them the head of the renowned bandit, whose countless deeds of blood have earned for him a name unparalleled in the history of crime. The astonishing celerity of his movements and the number of his confederates, spreading murder and rapine over a vast extent of territory, gave rise to so many reports of his presence, at the same time, in different parts of the country, sometimes far distant from each other, that many persons regarded him as a creature of the imagination—a myth—to whom the evil deeds of many real malefactors have been erroneously attributed. Even

after his capture, rumors came of his being in the southern counties, carrying on his usual system of wholesale butchery and robbery. Messrs. Black and Nuttall brought with them affidavits and certificates from persons who knew him well, which left no doubt of the identity of the horrid evidence of his death.

The head was then placed on exhibition, in order to give the public an opportunity to see and judge for themselves; and the following advertisement informed them where the horrid trophy could be found.

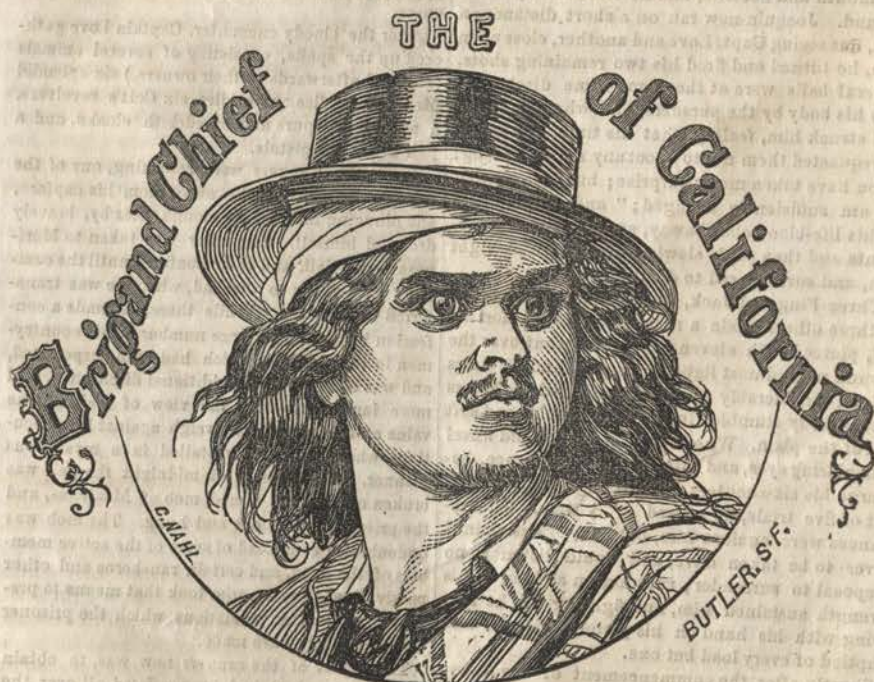
JOAQUIN'S HEAD

IS TO BE SEEN

AT KING'S!

Corner Halleck and Sansome streets, opposite the American Theatre.

Admission One Dollar.



The following were among the many affidavits, certificates, etc., proving the identity of the head:

STATE OF CALIFORNIA, }
County of San Francisco. } SS.

Ignacio Lisarrago, of Sonora, being duly sworn, says: That he has seen the alleged head of Joaquin, now in the possession of Messrs. Nuttall and Black, two of Capt. Love's Rangers, on exhibition at the saloon of John King, Sansome street. That deponent was well acquainted with Joaquin Murieta, and that the head exhibited as above, is and was the veritable head of Joaquin Murieta, the celebrated bandit.

(Signed,)

IGNACIO LISARRAGO.

Sworn to before me, this 17th day of August, A. D. 1853.
CHARLES D. CARTER,
Notary Public.

STATE OF CALIFORNIA, }
County of San Joaquin. } SS.

On this, the 11th day of August, 1853, personally came before me, A. C. Baine, a Justice of the Peace for said county, the Rev. Father Dominic Blaive, who makes oath, in due form of law, that he was acquainted with the notorious robber, Joaquin; that he has just examined the captive's head, now in the possession of Capt. Conner, of Harry Love's Rangers, and that he verily believes the said head

to be that of the individual Joaquin Murieta, so known by him two years ago, as before stated.

D. BLAIVE.

Sworn to and subscribed before me, the day aforesaid.
A. C. BAINE, J. P.

The head, which for a long time retained a very natural appearance, was identified in every part of the State, wherever it was exhibited. The hand of Three-Fingered Jack was shown in another glass case at the same time, and some superstitious persons were not a little terrified on observing that the nails of the hand had grown nearly an inch since it was cut off.

After a thorough identification, the Governor of the State, Col. John Bigler, caused to be paid to Capt. Love the sum of one thousand dollars, which in his official capacity he had offered for the bandit, dead or alive. And subsequently on the 15th of May, 1854, the Legislature of California, considering that his truly valuable services, in ridding the country of so great a terror, were not sufficiently rewarded, passed an act granting him an additional sum of five thousand dollars.

Thus briefly and truthfully, have been sketched the crimes and exploits of the most daring robber that ever existed. During his short and bloody career, he displayed qualities of mind and heart, which marked him as an extraordinary man; and the truly wonderful success which attended him in all his undertakings, is without a parallel in the criminal calendar of the world.

Although the death of Joaquin was a severe blow to the robbers, and eventually caused their disbandment, they still continued their depredations in small parties and without any leaders; and for some time carried on their robberies and murders with such untiring determination of purpose, as to cause serious doubts of the decapitation of the real Joaquin.

A young man by the name of Mark T. Howe, aged about twenty-two years, left his cabin on the 10th of August to find a horse, and visit a neighboring camp. His partners, thinking he had gone, no suspicion was excited until the 14th, when the person he was going to visit came to see him. His friends then became alarmed and instituted a search, when his body was found about three-quarters of a mile from his cabin, just back of Albany Flat, between Angel's Camp and Carson's Creek. He had been shot in the head and then lassoed; and the body had been dragged by the neck about fifty feet and secreted in the chapparel bushes, after being robbed of three or four hundred dollars.

Another man was found murdered soon after, below Robinson's Ferry on the Stanislaus river. Some of the bandits had been seen around there

just previous, and had gone north to San Antonio. These bandits were Sevalio and five others, who were committing depredations along by San Antonio, El Dorado and the Mountain Ranch.

At San Andreas, on the 15th of August, a Mexican, who had for a long time lent constant aid to the Americans in detecting horse thieves, received caution that the band of Murieta intended to have his life for betraying them to the Americans, and distinctly described one of the gang who was deputed to assassinate him, and advised him to be on his guard. Accordingly on the day mentioned as the intended victim was quietly amusing himself with a game of cards, the assassin and robber entered the room, and was observed to have his hand upon his pistol. This was instantly perceived by the Mexican, who dropped his cards saying, "I cannot play any more," and went into another room. Procuring a long knife, he went directly up to the bandit, challenged him with his intention, and before he could use his pistol, plunged his knife through and through him. The Mexican then delivered himself up to Judge Taliaferro, who, on hearing satisfactory evidence to substantiate the above discharged him.

Some time in 1854, the head of the bandit was sold by Deputy Sheriff Harrison, under an attachment for debts contracted by the person in whose charge it had been placed for exhibition.

It was offered at public sale, and while the bids were being made, an Irishman, with considerable indignation exclaimed:

"Oh! bad luck to you for selling your fellow man's head. Sure and you'll never have any good luck as long as you live!"

The bids at this point had run up to \$63, and the salesman, struck somewhat aback by the remark just made, suddenly brought down the hammer at that price.

Harrison subsequently committed suicide; and the purchaser, a gunsmith known as "Natchez" was accidentally killed some time afterwards, by leaving a loaded pistol in a show case.

In writing the history of this notorious robber, facts have been given, and though perhaps colored, they are nevertheless facts, which thousands who are now residents of the State, are cognizant of, and in reading, have no doubt had many events brought vividly to their minds which transpired in the localities where they were in the years '51, '52, and '53. But little doubt exists in the writer's mind that many persons who are mentioned in the advertisements headed "Information Wanted," and emanating, perhaps, from a mother enquiring for her son, or a wife for her husband, have been the victims of the bandit Joaquin.

A. KOHLER,

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HAND ORGANS and TOYS without end.**

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SAN FRANCISCO.**

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**HALL'S SARSAPARILLA,
Yellow Dock and Iodide of Potass,
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