

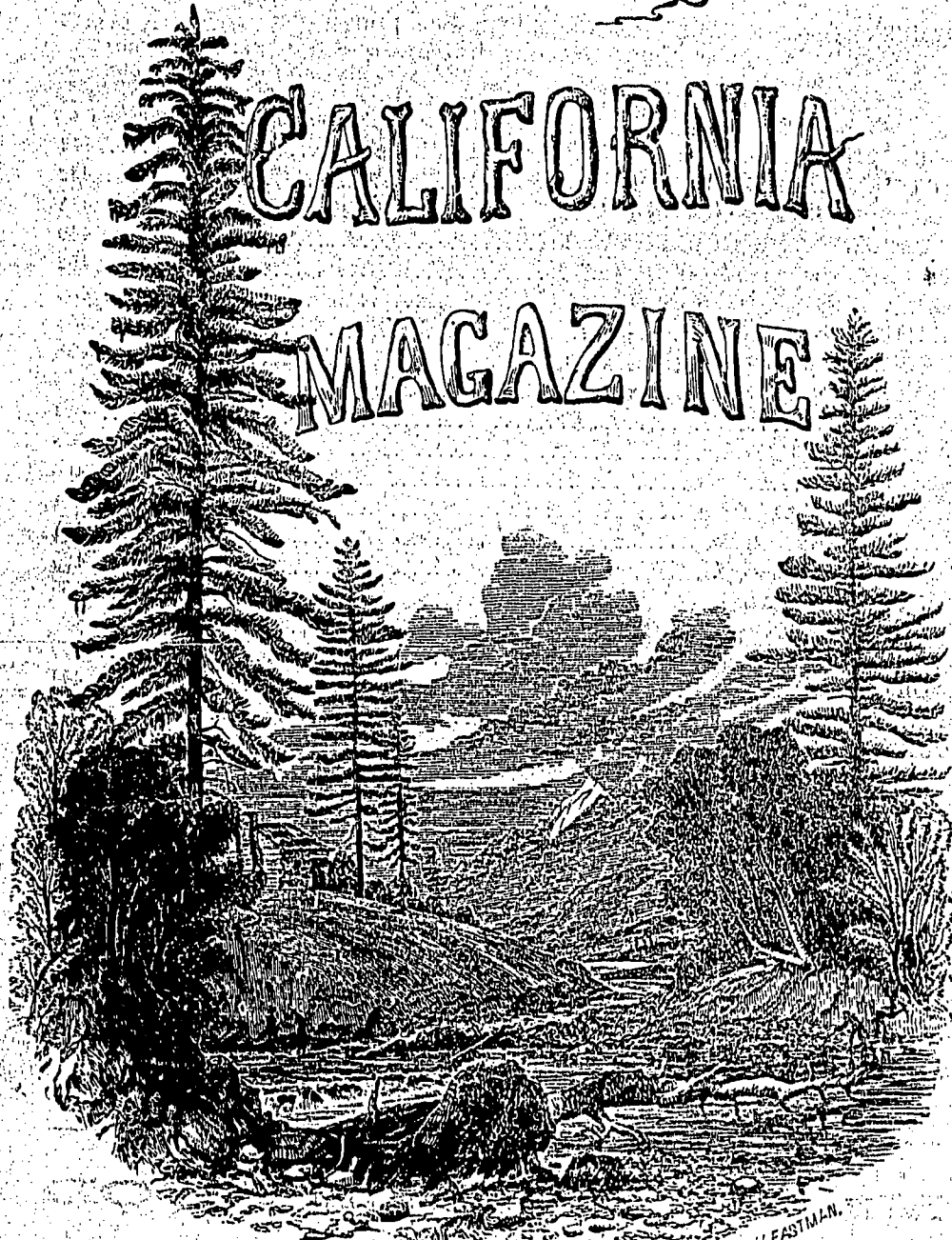
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CALIFORNIA

MAGAZINE



H. EASTMAN.

N° 22.... APRIL, 1858.



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CALIFORNIA

Vol. II.

MEMBER



GILBERT

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HUTCHINGS'

CALIFORNIA MAGAZINE.

Vol. II.

APRIL, 1858.

No. 10.

MEMBERS OF THE CALIFORNIA SENATE.



GILBERT A. GRANT

Is a son of Gilbert and Maria Grant, of Rockingham, county of Windham, Vermont, where he was born March 17, 1817. On his father's side he is descended from the Scotch, and on the mother's side from the Puritan settlers of New England. He studied law at Windsor, Vermont, in the office of the Hon. Asa Aiken—formerly one of the Justices of the Supreme Court of that State, and one of the most profound lawyers and accomplished scholars of New England—and was admitted to the bar in 1842. In 1849 he emigrated from the city of New York, then his place of residence, to California; arriving in San Francisco April 1st, of that year.

Mr. Grant has been twice married; first, to Helen St. John, daughter of his early patron and friend, Judge Aiken, of Windsor, who died in April, 1845; and last, to Sarah M., daughter of the late Aaron Beach, Esq., of Newark, New Jersey, who died at San Francisco, August 31, 1857.

Mr. Grant has always been a member of the Democratic party, until the Presidential election of 1856, when he espoused the Republican cause, and contributed every means in his power to the election of Col. Fremont to the Presidency.



JOSIAH JOHNSON

Was born in the village of Waterville, County of Oneida, State of New York, Dec. 23d, 1811, where he resided with his

parents until 1833, at which time he went to New York City. There he served as clerk in a foreign and domestic commission house, until 1837; he then succeeded his employers, carrying on the same business, with little intermission until 1849, when he started for California, and arrived in Sacramento City, Jan. 1st, 1850. From that time to the present he has been trading in merchandise, real estate, and agricultural products. In 1855, he was elected Supervisor for the County of Sacramento, on the Democratic ticket; occupying the position of chairman in that body, during the term for which he was elected. In 1856, he was elected on the same ticket, to represent the 9th Senatorial District, Sacramento County, in the State Senate, which place he now occupies. In 1857, he was chairman of the Finance Committee of the Senate, and by reappointment now holds the same position. Mr. Johnson has generally been successful in all his undertakings, and which is mainly attributable to his untiring industry. In 1837, he took upon himself the responsible duties of matrimony, and has now a flourishing family of seven sons—two have died, making nine altogether—each one of whom is engaged in some useful occupation,—Mr. J. being somewhat of a believer with Hesiod, that "the gods have placed labor before virtue." How much better would it be for every state, county and people under heaven, if the same course were followed.



J. H. BAKER

Was born in Genesee county, New York, in the year 1823, and is a twin brother.

In 1834, at the age of eleven, he left his native State with his father, who was a farmer, for the (then) Territory of Michigan, where he resided until 1846; when he emigrated to Washington county, Wisconsin, and there engaged in mercantile pursuits. In 1849 he crossed the Plains to California, and followed mining until the spring of 1850, when he established a trading-post at what has since been known as Baker's Ranch, Placer county. In the summer of 1851 he visited the East. Returning across the Plains in 1851, at Fort Laramie he had the misfortune to lose an excellent wife. He still remains a widower. Since August, 1852, Mr. B. has been engaged in merchandising and stock trading. In politics he is a democrat; and was a candidate for the Assembly on the anti-Broderick ticket in 1854, but was defeated. In 1857 he was elected Senator from Placer county on the democratic ticket. He is now thirty-five years of age.



SAM B. BELL

Is a native of Orange County, in the State of New York. At an early age he was educated for the legal profession, and was admitted an attorney of the Supreme Court of that State. In 1845 he was married, and removed to Arkansas; and from thence to Kentucky, in 1846. In 1852 he was ordained a clergyman of the Presbyterian Church, and immediately hereafter was sent to California, by the American Home Missionary Society.

Arriving here he came pastor of at Oakland, with his family to the Senate and S. ticket.

CAM

Is a native of and is now educated and bred. In the spring plains to California Sacramento City. From this point Island, to follow of mining, which sufficient to starve, on the County. As a favorite way of Mathenas' profession remained in time he joined the U. S. in San Francisco, geles, for the ny to be on Board, in the In the fall of his permanent and was had 1855 he was for three years he was elected that city, and

Arriving here in February, 1853, he became pastor of the Presbyterian church at Oakland, where he has since resided with his family. In 1856 he was elected to the Senate from the counties of Alameda and Santa Clara, on the Republican ticket.



CAMERON E. THOM

Is a native of Culpepper County, Virginia, and is now twenty-nine years old. He was educated at the University of Virginia, and bred to the profession of the law. In the spring of 1849 he crossed the plains to California, and arrived in Sacramento City in the fall of the same year. From this point he repaired to Mormon Island, to follow the popular pastime (!) of mining, where, by good luck, he made sufficient to spend, go, and then almost starve, on Mathenas' Creek, in El Dorado County. As starving was not to him a favorite way of getting through life, he left Mathenas' Creek, and mining, to follow his profession in Sacramento City. Here he remained until April, 1854, at which time he received an appointment from the U. S. Land Commission, then sitting in San Francisco, to proceed to Los Angeles, for the purpose of taking testimony to be used as evidence before the Board, in the adjudication of land titles. In the fall of the same year he took up his permanent residence in Los Angeles, and was made District Attorney. In 1855 he was reelected to the same office for three years. In the spring of 1856 he was elected City Attorney in and for that city, and reelected to that office in

1857. At the last general election he was chosen Senator from the First District, composing the counties of Los Angeles, San Bernardino, and San Diego.

In 1852 Mr. Thom was united in marriage to Miss E. L. Beach, but was not privileged long to enjoy her pleasant society; for, although her delicate state of health was a principal reason for his removing to the salubrious climate of Los Angeles, she lingered but a short time, and then passed away—but not so her memory. Mr. Thom is still a widower.



ROMUALDO PACHECO

Is a native Californian. Was born at Santa Barbara, October, 1831. His father died the year that he was born. His mother's maiden name was Ramona Carrillo, of San Diego; and who, some years after the decease of Mr. Pacheco, was united in marriage to Capt. John Wilson, a Scotchman by birth, who arrived in California in 1827, and settled at San Luis Obispo, where he has since resided. Mr. R. Pacheco, the subject of this sketch, in common with each of the other step-children, was cared for and watched over by Capt. W., with all the solicitude and kindness of a father. At the age of six years he was sent to the Sandwich Islands to be educated, where he remained until 1843. After leaving school, he spent three years on a coasting vessel, as clerk; and on leaving the sea, he engaged in the business of farming. His entrance to public life was caused by his election to the Assembly, in 1853—then

in the twenty-second year of his age. After his return home at the expiration of his term of office, he was elected County Judge of San Luis Obispo County, which office he held until he was elected Senator, on the Independent ticket, from the counties of San Luis Obispo and Santa Barbara. He is at present "single" in his social relationship.

Marriano Pacheco, his brother, was a member of the Assembly in 1852.



ISAAC ALLEN

Was born at Orford, Grafton County, New Hampshire, in 1822. In his father's shop he learned to engrave on marble, at a very early age. When in his twenty-third year, he left his native State for Alabama, where he remained for about a year, working at his trade. At this time he returned home; but after a few months his yearnings for the sunny south induced him to go to Texas, taking with him a stock of marble to commence business on his own account. This however proved a failure, and he left Texas in disgust and returned to Alabama, where he formed a copartnership with his old employer, with whom he made sufficient money to pay off his old debts, and his passage to California. In June, 1850, he left Alabama for this State, by the Isthmus, in a sailing vessel; the captain of which, finding it quite as easy to sail wrong as it was to sail right, went considerably out of his course, and made the passage from New Orleans to Chagros, in the unprecedented

ed quick time! of thirty-two days. After the usual experiences of crossing the Isthmus, he embarked on a steamship for San Francisco, where he arrived Aug. 6th of the same year. From this city he went to Mormon Island and there engaged in mining; but falling sick and remaining so for several months, upon his recovery he abandoned mining, and formed a partnership with another to keep a hotel. In this business he made some little money, which he invested in buildings; but, as a fire swept those away, he considered that as a poor investment, no doubt. Next he engaged in lumbering, in Yuba County, but in this he fared but little better for a time, as a fire reduced his mill and business to a very low condition. Nothing daunted he recommenced his mill, and at the present time (although a member of a very wicked body! the Senate) his business is in a flourishing condition, in Yuba County, about thirty miles from Marysville.—He is as yet unmarried.

The public life of Mr. Allen commenced in 1855, when he was elected a Supervisor of Yuba County. In 1856, he was elected a member of the Senate, on the Democratic ticket, from the 15th Senatorial District, composed of the Counties of Yuba and Sutter.



JOHN CHILTON BURCH.

In 1826, the subject of this sketch was born. At eighteen years of age he began the study of law. In 1847 then just

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having attained his majority, he applied and was admitted to the bar, and during the same year was appointed to the office of military Secretary to John C. Edwards, then Governor of Missouri. In 1850, after three years of active labor in his professional and official capacity, he emigrated to California, and in the following year located in Trinity County, prior, however, to its organization. Immediately upon the organization of the County, he was elected Clerk, and held the office for two years. At the expiration of the term for which he was elected, he accepted the nomination from the Democratic party, and was elected District Attorney. Whilst yet the incumbent of this office, the same political party gave him the nomination, and placed his name upon the ticket for Representative. He was defeated by a small majority. At this election, which was held in 1854, the whole Democratic County Ticket was defeated, with the solitary exception of County Assessor. It is but just to say, that Mr. Burch was defeated in this contest, by a smaller majority than any of his brother partisans who were cotemporaneous aspirants for official honors in that election. At the next regular annual election, (November, 1855,) the democracy again gave him the nomination for Representative, and again he took the field, but this time with better success—he was elected by a triumphant vote, and on the 1st Monday in January, 1856, took his seat in the House of Representatives. During this session he was an active member of several important standing committees, and among which were the "Judiciary" and "Ways and Means."

Having faithfully discharged his legislative office, he returned to his constituency to receive their gratulations and subsequent support.

At the November election in 1857, Mr. Burch was again brought into the political arena. The democratic party gave him the nomination for the office of Sen-

ator; he accepted, and was elected by an overwhelming majority. He now occupies a seat in the Senate, and is a member of the Judiciary, Finance, Mining and Mining Interest Committees, as also chairman of the Committee on Swamps and Overflowed Lands.

On the evening of the 24th of December, 1857, Mr. Burch was married to Miss Martha L. Gordon, an estimable lady, resident of the City of Sacramento.



JOHN COULTER

Was born in Cumberland County, Pennsylvania, and is now in his fiftieth year. His father, in October, 1811, emigrated to Pickaway County, Ohio, where the subject of this sketch was reared, and where, and in Fairfield and Franklin Counties, of the same State, he was engaged in agricultural pursuits. In the spring of 1849 he crossed the plains to California, arriving on Feather River in November of the same year. Here he engaged in placer mining until May, 1851, which he abandoned at that time to enter into quartz mining, in Plumas County. In the fall of 1851 he returned to Ohio for his family; and, after spending the winter there, he recrossed the plains in the summer of 1852—unfortunately losing his wife shortly after their arrival here, and is still a widower. Mr. C. has been, and still is, following quartz mining in Plumas County. He was elected to the Senate on the Democratic ticket, last fall, from the fourteenth Senatorial district, which comprises the counties of Butte and Plumas.



EUGENE L. SULLIVAN

Was born in the City of New York, Dec. 21st, 1820, and educated to the profession of the law. Early in 1849, he emigrated to California by way of the Isthmus, and followed merchandising in San Francisco, during his early residence there; but since that time he has been engaged in the practice of his profession. He was never in public life until his election to the Senate, from San Francisco, in the fall of 1856, on the Republican ticket. Mr. Sullivan is a widower.



SAMUEL A. MERRITT

Was born in Staunton County, Virginia, Aug. 15, 1828. He graduated at Washington College, Lexington, Virginia, in June, 1847, and studied law until March, 1849; at which time he emigrated, by the Fort Smith route, to California, arriving in August of the same year. In September following, he commenced a series of gymnastic exercises with a pick

and shovel, on the Mokolumne River, at what is technically termed "mining"; but finding that his muscular development was greater, in proportion, than his buckskin purse, he concluded to abandon that spot for one more favorable to the latter, and removed to Mariposa County. Here he seems to have "halted between two opinions"; at first doubtful whether he should still pursue the physical, or try some mental employment, for the enlargement of his fortune. He determined in favor of the latter; consequently, he sought the county clerkship of Mariposa County, and obtained it, in April, 1850. In the following October, he was elected to the Assembly. In September, 1851, he was reelected to the same post; and, the same year, was admitted to the practice of his profession in the Supreme Court of this State. In November, 1856, he was elected Senator, from the Sixth Senatorial District, composed of the counties of Mariposa, Merced, Tulare, and Fresno. Whether he is rich or poor, "deponent saith not." In politics he is a Democrat. We regret to add, that although possessed of many excellent social qualities, as a true man and gentleman, and certainly *Merritt's* a wife, he is still a bachelor, aged 29.



WILLIAM HOLDEN

Is thirty-four years of age, a native of Kentucky, and single. Being educated to the law, in 1845 he was admitted an attorney and counselor at law, practicing his profession in Johnson County, Ky.,

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until October, 1849, when he started by the Santa Fe route to California, and arrived here in the spring of 1850. His first place of residence was on the Stanislaus River, where he engaged in mining and merchandising until 1853, when he engaged in farming on the same stream. In 1856 he was elected, on the Democratic ticket, to the Assembly; and in the fall of 1857 was elected on the same ticket to the State Senate, from the seventh Senatorial District, composed of the counties of Stanislaus and Tuolumne. He is chairman of the Committee on Public Lands.



S. F. HAMM

Was born near Charlottesville, Delaware County, Virginia, Aug. 25th, 1822. In 1843, he became a school teacher in Madison County, of the same State. In September, 1845, he removed to New Franklin, Howard County, Missouri, and there studied medicine with his brother, Dr. S. T. Hamm. In 1846 he entered the University of Lexington; and in May, 1848; graduated at the University of Pennsylvania in the City of Philadelphia; after which he practiced medicine with his brother, until 1850, when he started overland to California and located himself at Benicia, Solano County, where he resided until November, 1851. At that time he removed to Diamond Springs, El Dorado County, followed the practice of his profession, and there continues to reside.

Mr. Hamm has ever been a Democrat.

In 1855 he was nominated by the Democratic party for the Assembly, but shared the same defeat as his fellow candidates on the same ticket. In 1856 he was again nominated for the same position, and was elected by a large majority. During the sitting of the joint convention for the election of U. S. Senators, in 1857, he was a warm supporter of Dr. Gwin and John B. Weller.

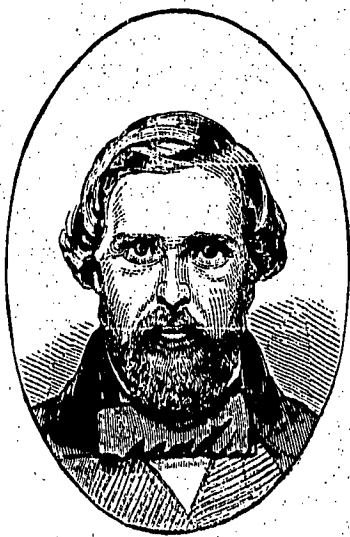
At the adjournment of the Legislature, he resumed the practice of his profession at Diamond Springs until his election to the Senate, in 1858, from the 18th Senatorial District, El Dorado County, on the Democratic ticket, by a very large majority. His term expires Jan., 1860.

The following table, from the State Register, will give the Senatorial Districts, and the Counties comprising the same:—

- 1st District—Los Angeles, San Bernardino and San Diego, elect one Senator.
- 2d District—San Luis Obispo and Santa Barbara, elect one Senator.
- 3d District—Monterey and Santa Cruz, elect one Senator.
- 4th District—Santa Clara and Alameda, elect one Senator.
- 5th District—San Francisco and San Mateo, elect four Senators.
- 6th District—Fresno, Mariposa, Merced and Tulare, elect one Senator.
- 7th District—Stanislaus and Tuolumne, elect two Senators.
- 8th District—Contra Costa and San Joaquin, elect one Senator.
- 9th District—Sacramento, elects two Senators.
- 10th District—Napa, Solano and Yolo, elect one Senator.
- 11th District—Marin, Mendocino and Sonoma, elect one Senator.
- 12th District—Klamath and Siskiyou, elect one Senator.
- 13th District—Colusa, Shasta and Tehama, elect one Senator.
- 14th District—Butte and Plumas, elect two Senators.
- 15th District—Sutter and Yuba, (two by Yuba and one by Yuba and Sutter jointly,) elect three Senators.
- 16th District—Nevada, elects two Senators.
- 17th District—Placer, elects two Senators.
- 18th District—El Dorado, elects four Senators.
- 19th District—Amador and Calaveras, elect two Senators.

20th District—Sierra, elects one Senator.
21st District—Humboldt and Trinity elect
one Senator. Total 35.

We are indebted to Mr. W. Dickman,
Daguerrean artist, J Street, Sacramento,
for Photographs of nearly all the mem-
bers of the Senate.



THOMAS FINDLEY,
STATE TREASURER.

[Unavoidably omitted, in the last number.]

THE ARMY OF THE SKY.

Arrayed in light along the heavenly fields,
Immortal legions move with stately tread—
Grace with their blazonry those crystal
courts,
And march, as by some conquering victor led.
Encamping never, the ethereal train
Guard those imperial walls of massive light;
Majestic moving through the shining sand,
They mould the shapeless shadows of our
night.

No wearied step, no faltering, lingering look,
Obstructs the endless circles of their way;
No sable plumes, no muffled martial strain,
No drooping banners drape declining day.
What unseen power propels those rolling
spheres?
What master hand arrayed that host sublime?

What is the mystic music of their march?
What metronome tells out the flight of time?

Are they the sleepless sentinels of bliss—
The outposts of that tributary world—
From whose bright walls, in ignominious
rout,

The flaming chivalry of hell was hurled?
Are they the embattled warriors of the sky,
And are the azure-tinted hues of even
The gorgeous ensigns of the glittering host,
That guard the matchless majesty of heaven?

We ask in vain—with voiceless eloquence
That starry pomp unanswering moves along
The dazzling avenue of that bright land,
With ages paved, and echoing with song.
But in the deepest silence of the night
We pause, and listen till we almost hear
The sweetly soothing symphonies that swell
In strains harmonious from each sister sphere.

Lord of those boundless realms, beneath
whose hand

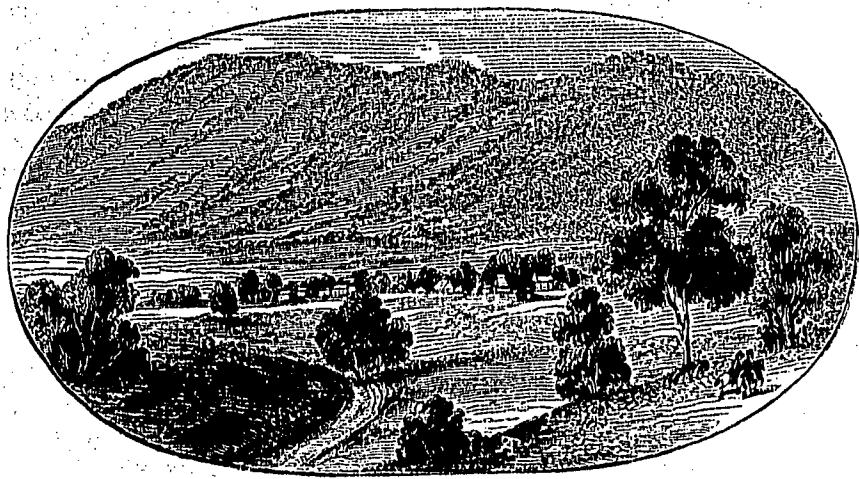
Each pulseless atom bounded into birth,
Whether it burns aloft, on starry heights,
Or dwells upon the dull, inferior earth.
While thus we strive with eager gaze to scan
The fathomless, immeasurable sea,
We only read the signals of thy reign,
And see prophetic fingers point to thee.

PORTIA.

FORT MILLER.

The military post, or station, of Fort
Miller, is beautifully located on the banks
of the San Joaquin, among the foot hills
of the Sierra Nevada. The place was
first used as a camping station by Lieut.
Maclean. Afterwards, in 1851, Lieut.
Moore, then in command of B and K
Companies of Infantry, built the greater
portion of those quarters for his men,
which are still used for that purpose.
He also commenced building elegant
adobe houses for the officers. This duty
was taken off his hands on the appoint-
ment of Capt. Jordan, a gentleman of
much intelligence and energy, as quarter-
master at the post, by whom they were
finished in a very complete and substan-
tial manner. Capt Jordan also built the

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FORT MILLER.

[From an Ambrotype by Bishop & McKown.]

hospital, which stands a little back from the other buildings, of the same materials, and equally substantial and appropriate. There formerly were five commissioned officers at the post (including the quarter-master and surgeon.) Now, there are only two, and the surgeon—Lieut. Livingston, the commanding officer, who also discharges the duties of quarter-master, Lieut. Kellogg, and W. F. Edgar, M. D. There are, however, a larger number of men than usual, the non-commissioned officers and privates amounting to eighty-seven, or eighty-eight. Still, through the vigilant and paternal care of the present young commanding officer and his assistant, a better discipline has never been maintained, or the wants and comforts of soldiers more kindly attended to. Fort Miller is a model station in that respect.

About two months ago, the previous company was increased to its present number by about thirty young recruits. It is astonishing with what accuracy they can now perform their exercise. It does one good to listen on a forenoon to the clear, distinct voice of the several officers as they put the men through their duty, and observe the prompt manner in which the different orders are obeyed.

About nine o'clock the stirring sounds

of martial music muster them before going to bed, cheering the toil-worn miner, who with ravished ears listens in the distance. As well as some of our own popular negro melodies, and some of the noblest German music, we can recognize in liberal measure our old Scotch favorites—including General Hay's March, the Lad wi' the White Cockade, the Highland Laddie, my Love sho's but a Lassie yet—the half-Scotch half-Irish air of the Girl I left behind me, and the eternal Yankee Doodle.

Before sunrise the same sounds rouse them from their slumbers, intermixed on this occasion with still sweeter airs. Now we can discover the plaintive notes of The Lass that made the bed to me, Logie o' Buchan, and The Bonny House o' Airley.

Some time ago the too-confiding privates were in the practice of wasting the greater portion of their pay in the purchase of spurious liquors, sold to them at more than double their value, under the specious names of brandy and whisky. By the good example of some of the more intelligent of the company, a considerable portion of this money is now expended for reading matter; and to this, among other reasons, we may naturally suppose that the present orderly condi-

tion of the men is in some measure to be attributed.

The buildings of the Fort stand at a distance from the river of about two hundred yards, on the left bank, (*descending*,) on a flat, or shelf, which at some previous time must have formed the bed of the river. Every stone is a rounded, water-worn pebble. The location is snugly beautiful. The little valley, which is well sprinkled with trees, forms a perfect amphitheatre among the hills, a narrow gap at one corner leaving just room enough for the river to get through, and a view from the Fort of the distant snow-clad Nevadas. About three-quarters of a mile down the river, the hills again contract in the same way at a place called "the Point of Rocks;" and though there the ground on the opposite bank has a more gradual ascent, the view is closed up by the surrounding hills at a very short distance.

The name of Fort Miller was given to the station out of compliment to Major Miller, an officer of much popularity in the earlier days of California. It is considered a very appropriate site, on account of the fort-like appearance of the precipitous bluff of the high table-land immediately behind the buildings.

The meteorological observations, as kept by the doctor's mate at the hospital, indicate an excess of summer heat and a deficiency of rain.

The village of Millerton, though not over a mile from the Fort, is mostly concealed from view by the Point of Rocks and the trees on the edge of the river. It is well supplied with goods of all kinds; has a highly respectable hotel, kept by McCray & Co., and a number of well-built houses.

W. T.

MEXICAN LAND-CLAIMS IN CALIFORNIA.

BY JOHN S. HITTELI.

The establishment of the American dominion in California, made it necessary that the titles to land, owned in the State,

under grants from Mexico, should be recognised and protected in accordance with the principles of American law. Protection was due to the land owners under the general principles of equity and the laws or nations, and had been expressly provided in the treaty of Guadalupe Hidalgo. It was necessary that the protection should be in accordance with the principles of American law, because the vast majority of the population soon came to be composed of Americans, who naturally introduced their own system of law,—the only system suited to their method of conducting business.

But there was a question of much difficulty as to how this protection should be furnished. The Mexican titles were lacking in many of the conditions necessary to a perfect title under the American laws. The land systems of the two countries were constructed on entirely different principles and with different objects. The Mexican system was a good one for the purposes to be attained by it; it was suited to the wants of the natives of California. They were stock-growers;—their only occupation, and wealth and staple food was furnished by their herds. They owned immense numbers of horses and horned cattle, and to furnish them with pasture, each rancho required a large tract of land, which might be used by his own stock, exclusively. The public land in California was very extensive; it was worth nothing; there was little demand for it; no evils had been experienced, none were feared from the accumulation of great tracts, in the hands of a few owners; every grant was supposed to be a benefit to the State, by furnishing a home to a new citizen; and so, large grants were made without stint, on nearly every application. If the applicant could show that the land was public property, and unoccupied, he could obtain from 10,000 to 50,000 acres without expense, on condition that he would make the ranch his home, build a house on it, and place several hundred

head of horned cattle upon it. These grants were usually made without any accurate description of the land; there never had been any government survey of any portion of the territory; there were no surveyors in the country to locate the boundaries; neither would the applicants have been willing in most cases to pay for surveys; nor was there any apparent need for them, land being very cheap and quarrels about boundaries very rare. Sometimes the land granted was described with certain fixed natural boundaries. In other cases, the grant might be described as lying in a narrow valley, between two ranges of mountains, and extending from a tree, rock, or clump of willows, up or down the valley far enough to include three, six, or ten square leagues. The most common form of grant was for a certain number of square leagues, lying in a much larger district, bounded by well known land-marks. Thus the famous Mariposa grant of Fremont is for ten square leagues—44,386 acres, equivalent to a tract about nine miles square—in the district bounded by the San Joaquin river on the west, the Sierra Nevada mountains on the east, the Merced river on the north, and the Chowchillas on the south; which district includes nearly 100 square leagues. Under such a grant, the Mexican law allowed the grantee to select any place within the larger limits, and make it his home.

The grants made were not carefully registered. The law prescribed that the petitions for land should all be preserved, and a record of them kept, and that a registry should be made of all the lands granted; but the affairs of the Governor's office were loosely conducted; and in many cases where the claimants have been in possession for twenty years, and have an undoubted title, there is nothing in the archives or records of the former government to show for it. In many respects the California governor had been very careless about granting lands. Some

times they would grant the same lands to several persons; and there was one instance wherein Gov. Micheltorena ordered that every person in the Northern District of California, who had petitioned for land before a certain date, and whose petition had not been acted upon, should be the owner of the land asked for; provided the nearest Alcalde should certify that it belonged to the public domain. In these cases no title to the grantees was ever made by the Governor.

I have thus briefly mentioned the main peculiarities of the Mexican system of disposing of the public land in California, as distinguished from the American system. The Mexican government made no survey of the land; granted it away in immense tracts, without any fixed boundaries, leaving the grantee a wide discretion in regard to location, and keeping no careful registry of the grants.

When the great immigration of '49 filled the land with Americans, it became necessary to provide for the recognition and protection of the good Mexican titles by the American Courts. But how was this to be done? By the ordinary State Courts? The judges would not be sufficiently able, and would be ignorant of the laws under which the grants had been made; and the juries would be composed of Americans whose interests would lead them to do injustice to the large land-owners. Besides, the law-makers and judges elected by a deeply interested populace could not be depended upon to do justice under such circumstances.

Or should the protection be rendered by the appointment of a commission, instructed to make a summary examination of all claims, declare all those valid which had been in possession previous to the conquest, and of which some record might be found in the archives; leaving the other claims to be tried in the U. S. Courts? This was the policy which should have been pursued.

But that plan was not to prevail. Mr. Gwin's bill "to ascertain and settle the private land claims in the State of California," became a law, on the 30th of March, 1851. This act provides for the appointment of a special Judicial Committee, (to be composed of three judges) before which all claimants to land, in the State, under Mexican titles, should bring suit against the Federal Government, within two years after the date of the act, under penalty of forfeiting their land. It provided further, that a law agent should be appointed, who should "superintend the interests of the United States in every case." It provided further, that appeals might be taken in those land cases, from the judgments of the Commission to the U. S. District Court, and from the latter, to the Supreme Court of the United States. It provided further, that in the trial of these cases, the Commission and the courts should "be governed by the treaty of Guadalupe Hidalgo, the law of nations, the laws, usages and customs of the country from which the claim is derived, the principles of equity, and the decisions of the Supreme Court of the United States."

This act provided that the owners of land should sue the Government or lose their land. But why be subjected to so severe a condition? The land owners had committed no offence, that they should be threatened with spoliation. It was not their fault that the Mexican land system differed from the American. The introduction of a new system by the Government did not justify the invalidation of titles, which had been good before, and the subjection of the owners to tedious and expensive litigation. When the American Government took California, it was in honor bound to leave the titles to property as secure as they were at the time of the transfer, and express provision to this effect was made in the treaty. Let us imagine that California were to be again transferred to some other power,

whose land system is far more complex and strict than our own, and that all our present titles should be declared incomplete and insecure, and that every land owner should be taxed to one-fourth of the value of his land to pay for defending his title before a foreign and hostile Court, and, if successful, should not get his title until six or eight years after the commencement of the litigation;—would we not exclaim against it as extremely unjust? But what is the difference between that supposed case and the actual one under consideration? There is no difference between the principles involved in the two cases; each supposes a great wrong—such a wrong as has been committed by the Federal Government of the United States upon holders of land in California under Mexican grants.

The Land Commission was opened in this city, January 1st, 1852, and in the ensuing fourteen months, 812 suits were brought, and these were all decided previous to the 3d of March, 1855, at which time the Commission dissolved.

It was severe hardship for owners of land under grants from Mexico, that they should be required to sue the government of the United States, (which ought to have protected—not persecuted them,) or lose their land; but this hardship was rendered much more severe by the peculiar circumstances under which the suits had to be tried. The trials were to be had in San Francisco at a time when the expenses of traveling and of living in San Francisco were very great, and the fees of lawyers enormous. The prosecution of the suits required a study of the laws of Mexico, in regard to the disposition of the public lands, and this study had, of course, to be paid for by the clients. In many cases the claimants had to come to San Francisco from remote parts of the State; having three hundred miles to travel, bringing their witnesses with them at their own expense. The witnesses were nearly all native Californians, and it was

necessary to employ interpreters at high prices.

Meanwhile the claimant could not dispose of his land, on account of the cloud there was on his title: neither could he have it surveyed by the U. S. Surveyor so as to give notice to the public where his land really lay. As he could not give a secure title, nor, in most cases, tell where his boundaries were, the Americans were not disposed to buy the land. Many squatters were, no doubt, glad of a pretext under which they might take other people's land and use without paying rent; but the circumstances were often such that they were justified in refusing to buy. The number of settlers or squatters became large; they formed a decided majority of the voters in several of the counties; their political influence was great; politicians bowed down before them; all political parties courted them; and most of the U. S. Land Agents, and District Attorneys, appointed under the influence of the California Congressmen, became the representatives of the settler interest, and failed to represent the true interest of the United States. Every device known to the law was resorted to to defeat the claimant, or delay the confirmation of his grant, as though it were the interest of the Federal Government to defeat every claimant, or to postpone his success as long as possible.

Eight hundred and twelve important suits, to be tried according to the principles of strange laws, and on evidence given in a strange tongue, and where the testimony, in many of the cases, covered hundreds of pages of manuscript, were not to be disposed of in any brief period. In fact, the Commission did not clear its docket until more than three years after its organization. This delay, which would have been disastrous in any country, was doubly so in California. During the greater portion of this time, the titles to most of the good farming land in the settled districts of the State, were de-

clared to be unsettled. The delay was an encouragement to dishonest, and often a justification of honest squatters. They wanted to cultivate the ground; they could not learn whether the land they wished to occupy, was public or private property; they knew the question would not be decided soon, and therefore they might know, if dishonest, that they might make a profit by seizing land which they were morally certain would be, and should be, confirmed to the claimant; and if honest, they could not be expected to pay for property, to which, in many cases, the title was one in which they could place no confidence. The consequence of the system was, that a large portion of the most valuable farming land in the State was occupied by squatters. This occupation contributed greatly to injure the value of the property. The land owner could not sell his land, nor use it, and yet he was compelled to pay taxes. His ranch brought serious evils upon him. It was the seat of a multitude of squatters, who—as a necessary consequence of antagonistic pecuniary interest,—were his bitter enemies. Cases we know, where they fenced in his best land; laid their claims between his house and his garden; threatened to shoot him if he should trespass on their inclosure; killed his cattle if they broke through the sham fences; cut down his valuable shade and fruit trees, and sold them for fire-wood; made no permanent improvements, and acted generally as though they were determined to make all the immediate profit possible, out of the ranch. Such things were not rare; they are familiar to every person who knows the general course of events during the last five years in Sonoma, Napa, Solano, Contra Costa, Santa Clara, Santa Cruz and Monterey Counties. Blood was not unfrequently spilled in consequence of the feuds between the land holders and the squatters; the victims in nearly every case, belonging to the former class.

After the Federal Government had

committed the error of compelling every Californian land owner to bring suit for his own land, which he had held in indisputable ownership under the Mexican dominion, and even before the independence of Mexico and Spain,—and after the Government stubbornly contested every case before a tribunal whose learning, ability, and honesty, was and is, universally admitted,—after all this, it is strange that those persons, whose claims were confirmed, and who had been in possession of their land before the American conquest, and in cases where there was no suspicion of fraud, were not allowed to take their own property once for all. But no; Uncle Sam told all the Californians who had gained their suits, that they should not take their land till they had sued him again; he would appeal every case; the claimant must make another fight for his property, or be despoiled.

Here, then, was the whole work to be gone over again in the Federal District Courts, of which there are two in the State; and in each district there are about four hundred claims, to be tried by a judge, much of whose time is occupied with the trial of admiralty cases. The land suits must all be defended, or attended to, by the United States District Attorney, much of whose time is occupied with criminal cases, and civil business in which the Federal Government is interested. The result is delay upon delay.

The first case was submitted to Judge Hoffman about July, 1853; and now, after the lapse of nearly five years, there are still about one hundred and twenty cases in both districts undecided. Of all this number, only twenty-two have been rejected; and in almost every case where a decree of confirmation was entered in the Land Commission, the judgment has been affirmed in the District Court. The judges of both District Courts are men and lawyers of fair fame, and, so far as I am informed, are not accused, by any

person worthy of regard, of having rendered dishonest decisions. It would seem that after a second confirmation, the General Government would in common decency permit such claimants as had possession of their lands in 1846, and could show some kind of title from Mexico, to take the land as of perfect title: but no; in every case where the judgment was against the claimant, an appeal was taken to the United States Supreme Court. It is true that not all the cases were forced to trial; the Government, after having had the cases placed on the docket, and having forced the claimants to prepare for trial, dismissed the appeals in some four hundred cases. But two hundred claims are now before the court of last resort, and the one hundred and twenty undecided must also go there, or most of them. The United States Supreme Court has decided about fifteen of the appealed claims within four years, and if they should make the same speed in the future, we may expect that their docket will be cleared of Californian land cases in seventy-five years, or thereabouts. The Government appeals from every decision of the District Court in favor of the claimant, but makes no provision to have the suit brought to a hearing in the Supreme Court. In appealed cases it is the recognized duty of the appealing party to pay for sending up the papers, so that the higher court can take some action in the matter. But the American Government violates this plain rule of right, and law, and custom, and tells the claimant that he must pay this expense out of his own pocket, or wait for an indefinite time before his title can be settled; and no provision is made that he shall be repaid, even when he advances the money.

Such legislation as should make all land titles insecure—declare all landed property confiscated, unless the owner should sue the Government and gain the suit, and should appeal to two higher

courts, and tribunal—should be of them for or fifteen y upon any p double sov While his Governmen been unabl seen the ‘pear, land and he ca shall be fi will not be was in 185

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courts, and again gain the suit in each tribunal—and provide that all titles should be unsettled for four years, most of them for six years, and many for ten or fifteen years, would fall very severely upon any people; but it has fallen with double severity upon the Californian. While his title has been denied by the Government, and he has consequently been unable to sell at a fair price, he has seen the "flush times" gradually disappear, land has rapidly fallen in price, and he can foresee that when his title shall be finally confirmed, his property will not be worth one fourth of what it was in 1851 and 1852.

The proclamation by the Government that there were no perfect land titles in the State, and the notoriety of the fact that every claim was to be closely contested, encouraged squatting upon the land in dispute. The State Government favored the squatters, and passed laws to protect them; providing that if the claim were confirmed to the Mexican grantee, he should sell the land, or buy the improvements; the value of the land and the improvements to be appraised by a jury, so constituted that it would do great injustice to the Mexican claimant, who would have to sell at one half of the value of his land, or buy at twice the value of the improvements.

It is not possible to obtain any accurate knowledge of the extent of the pecuniary losses to which the claimants have been subjected, by the injustice of the Federal Government, in thus rendering their titles insecure, and forcing them to go to law. I am informed by an intelligent gentleman from Los Angeles, that it is commonly estimated there that two fifths of the land has gone to pay the fees of the lawyers employed to prosecute the claims; and I suppose it may safely be said, that on an average the holders of Mexican grants paid away not less than one-fourth of their land in defending their titles. More than one in ten of the victorious claimants

have been ruined by the costliness of the litigation; and of those whose claims have been finally dismissed, a considerable portion have been lost to the claimants merely because they were unable to pay for the costly litigation necessary to defend their rights.

Only two pleas have been made to extenuate or justify the stubborn opposition made by the agents of the Government to the recognition of the Californian land holders. These pleas are, *first*, that many of the claims are fraudulent; and, *secondly*, that the Californians claim too much land.

It is not true that *many* of the claims are fraudulent. The Land Commission did not reject one claim, and the District Courts have rejected only two, on the ground of fraud. There may be twenty-five fraudulent claims in all; I believe not more. There may be many claims which would not have been valid under the Mexican law; but these are not fraudulent, and have been, or will be rejected. But even if there were a hundred, that would be no reason why the Government should attempt to rob the holders of land under titles undoubtedly good in equity and under the Mexican law. A distinction might be made between the two classes, of the suspicious and the undoubtedly good claims. But the Federal Government made no distinction. The Peralta grant, which was made in the last century, and has been in constant possession ever since, under a perfect title according to the Mexican law, was subjected to the same litigation and vexatious delay, and was given over to the tender mercies of the squatters in the same manner with the most questionable title in all the land.

The other plea is still worse. It may be that the welfare of the people requires the land to be equally divided among them; but shall that justify the Government in robbing—directly by violence, or indirectly by litigation—the owners of

large tracts? If it be wrong for me to rob my neighbor of his dollars, is it right for Uncle Sam to rob Peralta, or any other Californian, of his land? And let it be remembered that temporary dispossession is morally as wrong as entire and final spoliation. I admit that it were far better for the country that the Mexican grant-holders should not own so much land; I admit that it were better, looking at the question abstractly, that the settlers should own all the land they claim; I admit that the settlers are more active and industrious, and contribute vastly more, in proportion to their means, to the development and wealth of the State, than do the native holders of the large grants; but all this has nothing to do with the main question.

The question now naturally arises, whether, a great wrong having been done, there is no remedy? Are not the sufferers entitled to an indemnity from Congress? In justice they are; but there would be so many difficulties in the way of ascertaining the damage, and of apportioning the indemnifying fund among the losers, that probably any committee appointed by Congress to investigate the matter, would report against any indemnification.

The law prohibiting the official survey of Spanish claims previous to confirmation, has been productive of great evils to settlers and claimants. In most cases it is now too late to remedy these evils; in a few cases, perhaps, considerable benefits would be conferred by changing the law, and permitting all claimants to have United States surveys made of their ranches, so that the surveys, being recorded, may serve as notice of what land is not claimed. And if the grant holder be unwilling to pay for the survey of his land before final confirmation, the Government should pay in every case where there are many settlers, in justice to the latter. It would have been well if the law of 1851 had provided for the early survey of all the claims in possession at

the time of the conquest, and had prohibited the maintenance of any ejection suit until the recording of an official survey. Under the present law, the holder of a confirmed floating grant, to be located within certain boundaries, may eject settlers from any place within those boundaries, though they contain ten times the amount of land called for by the grant.

Not only has the system adopted by the Federal Government, in regard to Mexican grants, been most injurious and unjust to the claimants, but it has also been very injurious to the country at large. It has deprived the people in the most populous agricultural districts, of permanent titles; has prevented the erection of fine houses, valuable improvements, permanent homes; has contributed to make the population unsettled; to keep families from coming to the country; and, in fine, has been one of the chief causes of the present unsound condition of the social and business relations of California.

SING ME THAT SONG AGAIN.

A friend, when dying, said "Sing me that hymn—'Sweet fields beyond the flood.'"

Sing me that song again—

The song my mother sung!

Sing it, as round my bed ye stand,

With free, unwavering tongue.

Sing, as my spirit flies,

Up to her home with God!

Oh! sing that heavenly song to me—

"Sweet fields beyond the flood!"

My mother sung that song,

When faint in death she lay;

My gentle sister breathed it then,

And passed from earth away.

And ere my spirit flies

Up to her last abode,

Sing ye that blessed song to me—

"Sweet fields beyond the flood."

G. T. S.

A TALE

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A TALE OF THE GREAT CAÑON.

A THRILLING INCIDENT.

BY THE "OLD MOUNTAINEER."

The North Fork of Feather River rises in the great chain of mountains dividing our State from that nest of consummate ungodliness, the Salt Lake or Colorado Basin. The waters pass out of the mountains by a south-west course, into a very extensive valley-like country, covered with the finest grasses in the world, and capable of sustaining, almost for the entire year, one half of the stock of the State. Many fine ranchos have been selected by hardy, energetic men, within the past year or two; and extensive improvements are constantly being made. The water, after sluggishly finding its way through this flat—known as the "Big Meadows"—forms a fine stream, as it again enters the mountains, near Knight's Rancho. From this point, or immediately below, the character of the whole country is abruptly changed; and the river, from being a sluggish, unrippled stream, meandering through rich alluvial soil, covered with beautiful flowers and waving grass, plunges madly over huge rocks, and rushes furiously down through narrow defiles; rendering it an impassable barrier to man's footsteps, except at long intervals, until its connection with the East Branch of Feather River, at Junction Bar. From this point, until you reach the head of the "Great Cañon," the river is under the complete dominion of the sturdy and industrious miner, and is daily yielding up its vast wealth to well-directed and scientific labor.

To the miners in all this section of the mineral region, the "Big Cañon" has been a fruitful theme of fire-side conversation and mystery; and many is the story recounted of favored ones having found their way into its depths, by intricate, dark, and gloomy caverns, through the mountains, and returned laden with untold wealth.

The cañon commences about eight miles below the junction of the north and east branches of the river. At this point the mountains, which on either side have hitherto kept at a respectful distance from the water, abruptly close nearly together, forming a very narrow passage for the stream, and which appears to be constantly struggling to get through. Standing at the head of this great cañon, and gazing down its dark and lonely channel, the beholder is struck with wonder and awe at the grandeur and majesty of the scene. The mighty old mountains are piled, cliff upon cliff, thousands of feet above the water's surface; with their perpendicular and often-times overhanging sides, they bid defiance to the footsteps of any mortal who may have the hardihood to endeavor to fathom its untold secrets, or enter the portals to its hidden wealth; and which has been washed there, during centuries of time, from the prolific gold-bearing mountains above. In the narrow bed of the stream can be seen immense masses of quartz and lava, that have been disrupted by earth's internal throes, in by-gone ages, from the mountain's top and side, and hurled down into the stream, there forming deep eddies and violent whirlpools, through which, in passing, the largest pines are dashed into atoms.

The length of the cañon, from its head to its foot, is twenty-four miles; and such are its dangers, that no one has ever yet had the temerity to venture through it; although many attempts have been made by different parties of miners to descend the mountain sides into it—myself among the number: and of the perils and dangers incidental thereto I will now speak.

It was in the winter of 1852-'53, that I and my three partners—Louis C., Capt. J. M. C., and Capt. Jas. M.,—were engaged in mining at the M— Diggings; or rather, we were cabin'd there snugly, with an abundance of provisions, as we had supposed in the fall that we could work there all winter; in which, however, we were disappointed, with thousands

of other toilers. The winter set in with unwonted rigor and severity; the snow fell thick and fast; the bitter blast came roaring and howling down from its home in the icy north; the tall pines creaked, and groaned, and shivered, as they swayed to and fro beneath the fury of the wind; and for days and months we were shut up in our mountain home, listening to these and the hungry howl of the famishing coyote, that came to our door in search of food; telling and listening to tales and stories of "old home," with all its beloved associations; recounting to each other the ever-fervent love of our mothers, of brotherly affection, and sisterly kindnesses, in days "lang-syno;" and laying our plans for future labors in the spring.

Among the many projects we unfolded and perfected, that of prospecting the "Big Cañon" was ever uppermost; and we determined as soon as spring should open, that we would make a desperate endeavor to descend by means of ropes into the very heart of the cañon, from the top of the mountain; and through this stroke of hardihood, gain what we had long and wearily sought for, without avail—a fortune.

Time rolled on his sluggish wheels; the dreary winter faded away; the huge piles of accumulated snow rapidly disappeared before the heat of the spring sun; the sweet song of the beautiful oriole was heard in the branches of the blooming and fragrant mansanita; the mountain torrent, that had so long ceased the music of its gushing waters, was again heard, as it came bounding, sparkling, and roaring, down the mountain side.

The eventful day at length arrived, on which we were to put our project into execution. Having procured from the S— Rancho a large quantity of inch rope, and a small cord as a guy or signal-line, and arranged other creature comforts; on the morning of the third of May we started for the scene of our intended operations, in high spirits. After a toil-

some journey, we reached the point at which we determined to make the dangerous attempt at descent. Here a difficulty arose as to which one of our party should go down; which at length was decided by lot; and, as usual, "the lot fell on Jonah"—myself. I immediately pulled off my coat and boots; and, after seeing the main cord firmly fastened to a stunted cedar, that fortunately grew at the right spot, and making a slip-noose for my feet at the end, and using a small cord to pass around my body below the arms, to hold me without exertion to the main rope, I sat down upon a jut of the overhanging precipice; and taking the guy or signal-rope in my hand, I gave the signal to "lower away;" when down I gently slipped from the surface of the rock. Slowly and steadily was the rope "payed out," and slow was my descent, until I had reached about half way in my terrific journey. Here I alighted on a flat, smooth table of rock, that projected several feet beyond the main body of the mountain. At this point I gave the preconcerted signal of "rest." Stopping to the edge of the rock, I cautiously gazed down to the foaming and rushing waters, that were still five hundred feet below my resting-place; and I could plainly see large pieces of pure gold, sparkling in the clear waters of the cañon. The scene captivated me, and nerved me to renew my fearful task, fully determined that I would be the owner of a portion of that precious gold. After making a careful survey, and becoming sufficiently rested, I sat down on the verge of the projecting table of rock; and, giving the signal to "lower," again committed myself to the mercy of an inch rope, and chance, which so far had favored me. As I again slowly descended, I found that the wall of the mountain under the table upon which I had rested now rapidly receded; consequently I had nothing whatever to guide my descent, and was swinging out some thirty feet from the rock; and, to increase the difficulty, the wind, which had been calm, now blow with considerable

violence, swayed the jagged rocks, requiring great care on my part, and very cut-

I had descended a few feet further, and received the signal to "lower away;" that I did not do so, and that the perpendicular had left me, was first. I had descended a few feet above the place for water, and pointed as if anxious to get into place, let my feet jerk from my communication, seize it backward, every effort came me, wind, breeze, dashing the rock, agony of exhaustion of climbing the table, examined, rifled to causing at the in two, my, whole, paralyzed, prime in sue

violence, swaying me to and fro against the jagged surface of the mountain, requiring great exertion and watchfulness on my part to keep me from being severely cut and bruised.

I had descended about two hundred feet further in this manner, when I perceived that I remained stationary, and gave the usual signal to my comrades above to "lower away;" but still I found that I did not descend. This surprised me; and looking up, I plainly perceived that the main rope had slipped into a perpendicular crevice in the rock which I had left but a short time previous, and was fast. Here was an awful predicament! Swinging out in the air, two hundred feet below the only possible place for a footstep, and three hundred feet above a boiling cauldron of angry water, through whose surface sharp-pointed rocks could be seen peering out, as if anxious to receive my body to dash it into pieces, was I. In endeavoring to let my comrades above know of my fearful peril, by means of the signal-rope, jerking it violently as I did, it slipped from my grasp, and broke off all communication between us. I endeavored to seize it again and again, as it swung backwards and forwards; but it mocked every effort. Each moment my peril became more and more imminent, as the wind, which had been blowing a steady breeze, now increased to a fearful gale, dashing me violently against the face of the rock. I shouted, and cursed, in an agony of desperation; until, well nigh exhausted, I looked up, with the intention of climbing the rope, and thus reaching the table I had left, if possible. While examining the matter closely, I was horrified to see that the rope, by the wind causing it to chafe against a sharp edge at the bottom of the crevice, was cut half in two. This was horrible! Cold, clammy drops of sweat streamed from my whole body, and every nerve was totally paralyzed. To be thus cut off in the prime of manhood, by such a death, and in such a place! O God, what fearful

mental agony I felt! My shrieks rang out upon the furious gale, in vain.

All the past of my life came rushing in upon me; and my mother's home, with all its scenes of love, and joy, and beauty, vividly passed in review. I plainly could hear the infant wailings of my motherless and soon-to-be fatherless child, as he exclaimed, "Why don't my Pa come home?" and saw my aged, gray-haired mother, with eyes upturned to the Throne of Grace, beseeching comfort from on high, and the return of her long-absent child. To increase the terrors of my situation, a dense, black cloud was rapidly rising from the west, surcharged with electricity, as the vivid flashes of lightning and deep hollowings of the thunder plainly indicated. The bats and owls, the tenants of the moss-covered fissures in the rocks, came flitting by me, as if in mockery of my situation, oftentimes touching me with their wings. I gazed upward: fibre after fibre of the rope was fast giving way; a few more moments and my body would be a mis-shapen and mangled mass upon the rocks beneath. The storm-cloud had now obscured the sun, and a darkness as of night was settling over the earth. The wind had lulled, but that lull was but the precursor of greater violence. One last look upward, and I saw that a few seconds and all would be over. I closed my eyes and muttered a prayer—a sudden flash of lightning, followed by peal on peal of thunder, and the wind came howling and shrieking down upon me, as though ten thousand demons had been turned loose. It struck me, and with a wild shriek, as the last fibre was giving way, I threw out my arm and caught the signal-rope, which had been pulled up by my companions, and a slip-noose made in which I might sit, and a weight attached, to prevent, if possible, its vibration. How I got that cord around my body, or how I was extricated from the agonizing peril of my situation, was all a mystery to me, as I had no recollection of any thing whatever, after seizing it. Some days

afterwards, I awoke to consciousness in my bed at the cabin.

The events of that, to me, fearful day, come to me yet in dreams, by day as well as by night; and my agony in my unconsciousness is represented to me, by my friends who watched over me, as distressing in the extreme to listen to. It was several months before I recovered from the shock; and, as long as memory remains to me, shall I remember this thrilling incident of my experience, when prospecting for gold in the "Big Cañon."

RELUME THE WEDDED LAMP: *By Rev. Dr. Scott.* MARRIAGE.—Marriage is both an honorable and holy estate. It furnishes a lawful and natural mode of gratifying the strongest passions of human nature, and it calls into exercise the holiest feelings, and plies the strongest motives to industry. Writers on the penal colonies of Great Britain, tell us there is but little hope of a female convict unless she *marries* and becomes a mother. The intercourse of the sexes is ordained by our Creator. It is of the first importance to society that it should take place under such regulations as shall secure the greatest good to society.

The Bible, history, and jurisprudence agree in declaring marriage as regulated in christendom on the whole, to be the best mode of fulfilling the benevolent purposes of our Creator. He is a friend to his country therefore, as well as to virtue and religion, who keeps pure the married estate, and relumes the lamp of virtuous love. To rob a father of his child—to take her portion and spend it on a harlot—to forsake, injure, ruin, and in fact, murder her by cruelty, injustice and neglect, is a sin of unparalleled aggravation—an agony than none but a father can feel with full force. Lawful love, like the sun in the spring, whose warmth calls forth the latent powers of vegetation, excites the most amiable dispositions, and develops the most heroic virtues.

THE COUNTESS OF SAN DIEGO;
OR, THE BISHOP'S BLESSING.

BY CLOE.

Mr. Thompson, a merchant on the island of Cuba, had amassed a large fortune, and returned to England, his native place, with the intention of spending the remainder of his life in his native land. Being an old bachelor of forty-five, he thought it quite time for him to take a wife, and enjoy his hoarded wealth in connubial felicity. Purchasing a beautiful home near Liverpool, he found no difficulty in adorning it equal in beauty and magnificence to that of a prince. Being a man of ordinary education, and his perceptive faculties, except in money-making, very limited, he had never paid the least regard to the forms of society, and was as ignorant of the first principles of a gentleman of fashion as a Turk. He was no little flustered at being invited to attend a festival, given by a neighboring gentleman of nobility; quite an emergency for a man as ignorant of etiquette as himself. However, he determined to do his best, and maintain his position as a gentleman. Giving particular orders relative to his new clothes, he said to his tailor, "Do you know any person that I could get, who understands English etiquette? An old bachelor like myself, sir, needs a person of that description."

"I think I do, sir: my wife employs a lady, in reduced circumstances, to do fine needlework: it is very likely that she would be glad of an opportunity of that kind."

"Send her to me without delay, Mr. Tailor;" and Mr. Thompson returned home in a state of no little anxiety.

The next day the expected lady made her appearance at Mr. Thompson's mansion. She was rather young, poorly clad, and pale as death, but perfectly self-possessed and lady-like. Mr. Thompson looked at her, and was somewhat disappointed, in the appearance of her desti-

tute condition, as he remarked: "I fear you will not suit me, madam. You see I am rather blunt, and wish to procure the services of some one that can teach me some of the requisite accomplishments of a man of fashion."

"I think, sir, that I can suit you in that particular. Pray, try me."

"Have you ever lived in the house of the high-bred, madam?"

"I cannot answer your question, sir; but try me, and you shall have no reason to regret it."

"What is your name, madam?"

"Adair, sir."

"Very well, Mrs. Adair; you can appreciate as my teacher in etiquette, and if you give satisfaction, I will retain you as my seamstress and waiting-maid. I will not be hard—only put a polish on me. I am going to the grand festival in Liverpool, where all the fashionable gentry will be congregated, and I wish to make as good an impression among them as possible."

"Very well, sir: how long is it before the eventful day?"

"Two weeks. I think I'll commence to-morrow, so as to be familiar with the necessary preliminaries."

Two weeks of hard toil found Mr. Thompson somewhat improved in manners, and considerable light began to dawn on his dark vision. Mrs. Adair was indeed a very competent and faithful teacher.

"Mrs. Adair, I don't know whether I can remember the half you have told me: my head is so full that I am considerably bothered," suggested Mr. Thompson.

A smile of mirth passed over the melancholy face of Mrs. Adair, as she surveyed from time to time the awkward blunders of her pupil. Mr. Thompson was too fully occupied with his improvement to notice the changes that passed over her sorrowful countenance.

"Do you think, Mrs. Adair, that I improve?"

"Certainly, sir: a little more ease and

dignity in your deportment, sir, and I think you will pass."

The day at length arrived. Mr. Thompson, with splendid carriage, and servants in livery, made his first appearance in the company of the English gentry. Major Weldon, the gentleman of whom he purchased his mansion, was first to recognize him. "Glad to see you, Mr. Thompson; permit me to introduce you to my cousin, Miss Frank, sister to Sir James Frank."

After a few remarks to Miss Frank of a complimentary nature, Mr. Thompson took the Major's arm, and walked through the superb drawing-room; the Major introducing him to as many of the ladies as were known to himself.

Struck with the beauty and magnificent appearance of the ladies, Mr. Thompson came to the conclusion that he could find Mrs. Thompson without difficulty, among the fashionable group. His heart was in his throat, as he came again in contact with Miss Frank, who recognized him with a smile: "Do you find the entertainment as pleasant as you anticipated, Mr. Thompson?"

"It is certainly exquisite to me, and pleasant beyond my anticipation," Mr. Thompson remarked, as he accepted a vacant seat by the side of Miss Frank. Throwing himself in as favorable an attitude as possible, and endeavoring to call to mind as much of Mrs. Adair's instructions as he could with certainty; he made several attempts to play the agreeable, but made many sad blunders. Miss Frank's good breeding, however, restored his self-confidence.

Miss Frank was rather prepossessing in her appearance; although forty, she had a juvenile look; her fine false teeth, and luxuriant wig set off her plump, round face to great advantage. Mr. Thompson was in love at first sight; and he determined to make a favorable impression on the heart of Miss Frank if possible. The remainder of the evening she had his undivided attention. She appeared pleased with the rich Mr.

Thompson, and they parted with an agreement to form a better acquaintance. He did not wait many days before he improved the privilege of calling on her, to make love in most tender terms.

Miss Frank, after keeping him in suspense two months, was afraid the disease would prove fatal, and concluded to wed her distressed lover. A grand wedding, and their happiness was consummated. He had been successful beyond his anticipations; being married to a baronet's sister, and cousin to Maj. Weldon. Certainly his lot had been cast in pleasant places. A bridal tour was taken to France, during the honey-moon. A few months and Mr. and Mrs. Thompson began to think of returning to their mansion in England. Nothing of importance happened on their journey homeward. After a brief home residence, Mrs. Thompson began to doubt the propriety of her husband's politeness to his servant, Mrs. Adair. That she was a lady that had seen better days, she was convinced. She possessed accomplishments that were only acquired in the first classes of society. She knew, too, that English bachelors were not as pure in all respects as they might be. With these mysteries unrevealed, Mrs. Thompson attributed Mr. Thompson's respect and sympathy to a wrong cause. In several instances, she threw out some cutting remarks to Mrs. Adair, into whose heart they sank deeply. Her destitute situation precluded resentment; and, stifling her feelings, she endeavored to perform her duties as lady's-maid to Mrs. Thompson; to whom her dignified and lady-like demeanor was galling. She could not make a humble servant out of her, although she required many humbling services; but for the support of her innocent child, what would she not suffer?

The trials to which she was subjected made sad inroads on the frail and delicate constitution of the unfortunate Mrs. Adair. At length Mrs. Thompson could endure it no longer, and she determined to dismiss her, and get another that

would not annoy her with her proud airs. Calling Mrs. Adair, she told her that she must get another situation, for she wanted her no longer.

"There is a considerable amount my due, Mrs. Thompson," said Mrs. Adair, "and I cannot leave without some remuneration for my labor."

"I do not know what you have done; I am sure you have not earned your board since I have been mistress of this dwelling. Perhaps Mr. Thompson can tell your merits better than I can." With these insulting remarks, she ordered Mrs. Adair out of her presence, to her exceeding distress of mind. She had received nothing from Mrs. Thompson for nearly a year's service, and was considerably indebted for her child's maintenance; and she knew the poor woman who cared for her child could ill afford to lose it. What should she do?

While these distressing thoughts were occupying her mind, as she was seated in her own room, she heard footsteps approaching. Mrs. Thompson made her appearance, and in an angry tone commanded her to take her bundle and be off. Mrs. Adair replied—

"You will not, surely, be so unkind as to turn me off without paying me!"

"You have not earned any thing," said Mrs. Thompson. "Take her to the hall-door, Jane," (speaking to a coarse-looking servant,) "and put her out, and throw her bundle after her!"

"I will go," said Mrs. Adair, "if you will but permit me to see Mr. Thompson. I am sure *he* will not refuse to pay me."

"See *my* husband, indeed, and settle with *him*! That is a *fine* idea! I dare say you would like to see *him*! I'll nip your business with him in the bud!—away with you, this minute!" And fitting the action to the word, she closed the door on her, and threw her bundle after her.

Poor Mrs. Adair! Penniless and heart-broken, she knew not which way to go; her indebtedness for her child's food and care bore heavily on her mind. In

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her destitute situation, she knew her child would be homeless as well as herself. In this friendless position, poor Mrs. Adair sat down under a hedge, unable to proceed farther; and, giving way to her grief in tears, she knew not that night was fast approaching; but as darkness was closing around her, she partially recovered herself, and arose to her feet, unconscious where she was. Calling her distracted thoughts together, she remembered her destitution. Again sinking upon the ground, her limbs refused to move; and, as the darkness deepened around her, she knew not which way to go. All that cold night she lay beneath the hedge, without the least extra covering; and, chilled and benumbed, her delicate frame sunk under this last heavy stroke. Her dark, luxuriant curls hung in masses over her unconscious forehead; her inanimate and still beautiful face lay on the cold ground.

Mr. Thompson, when on his morning walk, was not aware that his tender spouse had turned the defenceless widow from his dwelling. To his surprise he found the sufferer he had discovered by the way-side to be Mrs. Adair; unable to give the least cause why she should be found in this peculiar situation, he returned quickly to the mansion to procure a conveyance to take her there. On returning to the place where he had left her, he soon discovered that she was perfectly unconscious; and, taking her home, he placed her in her own room, and called a physician. Mrs. Thompson affected to be ignorant of the cause of Mrs. Adair's leaving the house, and being found in the hedge. It was now evident that the grave would soon close over her and her bitter trials. She never revived, but grew weaker and weaker until her pure spirit took its flight to a world of rest.

After her interment she was almost forgotten, when a woman called and inquired after Mrs. Adair; she was informed by the servant that Mrs. Adair was dead and buried more than a month ago. The aged visitor appeared exceed-

ingly distressed at this unwelcome news.

"I would like very much to see Mrs. Thompson," said the old lady.

"Your name, madam," said the servant.

"Mrs. Whitlow."

The servant instantly departed and soon returned, with Mr. Thompson's compliments, and that he would see her in the library. Mrs. Whitlow was soon ushered into the presence of Mr. and Mrs. Thompson. "I understand, madam, that you are making inquiries about Mrs. Adair."

"Yes, sir," replied Mrs. Whitlow, in answer to Mr. T.'s question, "I have come on particular business with Mrs. Adair."

"Have you been long acquainted with her?" asked Mr. Thompson.

"I have known her for four years, sir; and part of the time I have had her child boarding with me, for which she is indebted to me a considerable amount; she has not paid me for several months, and my circumstances are such that it will be hard for me to lose it; besides, I shall have to put her child in the poor-house."

"Well," said Mr. Thompson, "I will pay you for keeping the child, but I wish you to give me an account of all you know of Mrs. Adair's history."

"Well, sir, I heard her say she was born in Madrid, and married against her father's will, and that her husband was an Englishman; that after they had lived together two years their limited funds were so far exhausted as to make it necessary for her husband to make exertions for their support. After several unsuccessful attempts to engage in some business in Madrid, he was under the necessity of leaving her and her child with a friend, while he went in search of a new home; and that was the last certain intelligence she ever had of him. Once she was informed that he was in Liverpool, and she went there at once to seek him, and this is the cause of her being in this country; but in this she was disappointed, as she could gain no clue of his ever having been

in Liverpool. This is all I know of Mrs. Adair." Here a pause ensued, which was broken by Mrs. Whitlow, with the inquiry—"What had I better do with the child, sir? it is a pity to put her in the poor-house, as she is very delicate."

"What say you, Mrs. Thompson," said Mr. Thompson, "that we take the child?"

"Do as you please, but be sure and have her bound in such a manner that no one can interfere."

"Well, Mrs. Whitlow," replied Mr. Thompson, "you may send the child to us, and here is your money; be sure and send her here to-morrow, with all her effects."

"Mrs. Whitlow left the mansion, well pleased with her success in obtaining the money for the child's maintenance, and for the prospect of freeing herself from the responsibilities of its care. Agreeable to promise, the child was sent to Mr. Thompson the following day. Mr. Thompson not being at home, she was taken to Mrs. Thompson's room. As soon as she saw the child, when Jane led her by the hand towards her, her dislike to the child's mother made her harsh to the poor orphan.

"What is your name?" said Mrs. Thompson.

"Ella Adair," replied the affrighted child.

"*Ella Adair!*" said Mrs. Thompson, "I was in hopes that I should never hear that hateful name again. Call one of the servants, Jane, to take her away, and take care of her."

"What things were brought with her, Jane?"

"There lays the little bundle, at the door."

"Bring it here, and let me examine it. I don't think there is any thing in the whole bundle that is fit for any thing but the fire; yet, let me see: oh, yes, here is a curious ebony box. I wonder what there is in it!" She found the box was locked, and on examining it carefully, he accidentally discovered a little spring

in the lid. Pressing her finger on the spring, there opened a little cavity which contained the key. She took the key, and immediately unlocked the box. What was her surprise at finding several fine miniatures, that she knew by their dress wore Spanish nobles! There was also a roll of papers, written in the Spanish language, and in beautiful style,—several letters, a singular manuscript, and something that resembled an old will,—were tied together with a black ribbon. Not being able to read the Spanish language fluently, her unsatisfied curiosity was excited to its highest bounds. She determined, however, to conceal these from her husband until she could hear them read by some capable person, thinking that they were papers of importance and value. She determined, if such was the case, to appropriate them to herself, if possible; and putting the papers in a safe place, she left the box, with the miniatures, for her husband's inspection.

On Mr. Thompson's returning and entering the room, she showed him the box and the pictures; and he, seeing nothing very peculiar to his imagination, reclosed it and gave it back to his wife. Mrs. Thompson, glad that her husband's curiosity was not easily excited, placed the papers back again into the box, and put it away for further investigation.

A few months passed, and Mr. Thompson was the happy father of a pair of fine daughters: a splendid christening at the mansion, and the two little favorites were called Julia and Juliette. Time wore on, and Mrs. Thompson had not yet found any proper person to read the manuscripts, and her curiosity began somewhat to subside. Another year, and a son was added to their family. Mr. Thompson's joy was unbounded at the prospect of his name being handed down to posterity. Another christening, and the young heir was honored with the name of James Frank. Although Mr. Thompson was quite satisfied with three christenings, yet again, in the space of four years more Mrs. Thompson favored

him with two more children—Lawrence and Helen.

Poor Ella found constant employment in the nursery of the young Thompsons. Her gentle, loving heart found ample development in the care of these little ones. In all their troubles they found a sympathizing friend in Ella. Seven years of hard servitude Ella had now passed in the house of her bondage. No favor was shown her from either Mrs. Thompson or the servants. As for Mr. Thompson, he kept himself aloof from in-doors business,—as domestic storms too often occurred after his first attempt to inquire into such matters. Ella was remarkable for her sweet temperament under the most trying circumstances. She was tall of her age, and remarkably handsome; her large, dark, but mild expressive eyes set off her beautiful complexion; naturally graceful in all her movements, her lady-like appearance was the cause of Mrs. Thompson drawing many comparisons between Ella and her own children, and she could not but observe the natural superiority of Ella, over her own; and this consciousness caused her to feel a deeper hatred towards the dependent orphan. No one feeling of sympathy did she know; but, determined upon a greater degree of severity, knowing that Ella had learned to read before she was bound to her, and that she improved every opportunity afforded her in reading all the books that she could find.

That Ella constantly improved, Mrs. Thompson could not but observe; and it became necessary now for her to procure a governess for the other children. Lest Ella should be benefited by the instructions of the new governess, she gave her particular orders not to instruct Ella, under any circumstances whatever, alleging that it would unfit her for her position as a servant. The old governess, in spite of Mrs. Thompson's injunctions, could not but answer Ella's questions, when unable to solve the meaning herself. Ella's gentleness soon won upon the heart of the governess, and, contrary

to Mrs. Thompson's orders, Ella studied all the time she could spare. The governess was pleased with her success and ever quick comprehension, and took especial pleasure in instructing Ella. Her clearness in understanding the mysteries of knowledge, induced the old governess to afford her every possible opportunity in her every study. How sweetly she sung! Her old friends were never tired of hearing her gentle voice, or looking at her sweet, intelligent face. Ella repaid her a thousand times for the interest she took in her. When the old governess was at her wits' end to know how to quiet the turbulent dispositions of the young Thompsons, Ella, by her gentleness, would restore them to good nature and quietness.

In an unlucky moment, Mrs. Thompson heard the old governess instructing Ella; and her chagrin can better be imagined than described. The old governess was immediately dismissed, for "such an unpardonable outrage;" but Mrs. Thompson could not now recall the instructions Ella had received for the two years past. (Continued.)

A THOUGHT.

Upon a mountain
In the vision land,
There is a fountain
Gushing upward, and
Dying, takes life again
In the beautiful rain.

A sea, sea of seas,
Hath this fountain set,—
And unscen, forces
Up the pearly jet
Unto itself again
In the beautiful rain.

In the heart of man,
In the fount of life,
Works this very plan,
Urging on the strife,—
Urging the endeavor
Heavenward forever. A. J. N.

EVENINGS WITH THE POETS.

NO. VI.

PARADISE LOST. THE GENIUS OF MILTON.

If we are not called upon as literary critics to trace in their several bearings the theological characteristics of the writings of the poets, except so far as their influence is directly moral or the reverse, there is another influence, very intimately blended with Milton's representation of Satan and Hell, which falls more appropriately within our province in that capacity: How happens it that Milton so successfully undermines those conservative notions of Hell which we have imbibed from our fathers as a part of our religion, and accepted as veritable truth from the traditions of a thousand years? We are not less surprised at the change in our opinions, than puzzled about the means by which the poet effects it; and, like the Philistines of old in regard to the champion of Gath, have a wonderful curiosity to ascertain "where his great strength lieth."

Let us not forget that poets are the priests of Nature—baptized in her living streams, and sworn at her mountain altars, to interpret to the dull ear of common humanity as they come directly from her, and not from those ordinary sources which are accessible to other men. Imbued with perfect consciousness of the dignity of his office, and in possession of a more than double portion of his predecessors' spirit, which the mantle worn by a hundred bards (whom in rapt vision he could trace in their ascent to the skies) has conferred upon him, though Milton reveres the Christian Scriptures much, he equally reveres his divine gift. He is the priest of Nature, and as such can not serve God in a ritual which she disapproves.

He feels for Satan; and what good man does not? "The devil is the father of curses and lies, said Doctor Slop, and is cursed and damned already. 'I am sorry for it,' said my uncle Toby."

"I'm wae to think upo' your dea,
Even for your sake,"

said poor Burns. "Dear, hearty, noble-minded Burns," says Leigh Hunt, "how Uncle Toby would have loved him for it!" "The very devil," says Thomas Carlyle, he can not hate with right orthodoxy." Such too was Milton, but he does not waste his powers in useless whinings. He resolves to create a sympathy for Satan; not among those worthless reprobates, who, after indulging in all manner of debasing excesses, would lay the blame of their disgusting conduct on a noble-minded spirit who can only view them with contempt; but among the good, the tender-hearted, and the merciful—the best of our species, who look not to the cause of misery so much as to its condition. He goes cunningly to work. He not only brings the unhappy spirits before us in proper form, making them relate their convictions of being injured with forcible distinctness, but between us and them he interposes the veil of his magic genius, on which is represented a series of dissolving views of wonderful interest, by which he manages to make them appear whatever he has a mind to do. He means to steal our hearts! How can we elude the craft of such an ingenious thief?

As a first attempt, merely it would seem to show his power, he transformed Satan, lying at his length on the sulphurous waters of Hell, into "the sea-beast Leviathan slumbering on the Norway foam." From out one of the land-locked *fjords* of that country, at the head of which stands his little cottage, comes a venturesome fisherman. We see him emerge from among the trees which surround its entrance to the ocean. The sun gradually descends, and shines horizontally on the golden-crowned waves. He dips below the waters, and the lingering twilight sobers down into night. The fisherman cares not to return. He concludes to remain till morning; and mistaking the monster for an island,

"With fixed anchor
Moors by his side and
Invests the sea, and

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"With fixed anchor in his scaly rind,
Moors by his side under the lee, while night
Invests the sea, and wished-for morn delays."

We shudder to think of the poor deluded fisherman; but the mighty master only smiles. He has accomplished his object. To use a homely metaphor from the Book of Job, "he has placed his hook in our nose," and is aware that he can make us forget Satan when he pleases, and follow himself wherever he has a mind. Even when our eyes are fixed on the gulf of Hell, he can "soothe our soul to pleasures." He exhibits in panoramic view the thronged legions of Satan. As we gaze upon them, the scene changes; we are in Etrurian shades, and the devils are magically transformed into the autumnal leaves of Vallombrosa. We are carried away into the cool retreats of the forest. We see the giant limbs of the trees meeting over our heads, and shaping its labyrinths and natural avenues into the architectural aisles, as superb as the grandest conceptions of art in the most gorgeous cathedral. Now, we fancy we hear

"The river rushing o'er its pebbly bed;"

Now, it seems the "diapason full" of the organ in harmony with the cathedral choir. Alas! it is but the hum of those poor unfortunates, half in sorrow, half in contempt, (as they think of scenes as lovely as these from which they have been exiled, and their cruel imprisonment) in response to their daring chief, who, with bitter sarcasm, is impressing on their minds how despicable, in his estimation, is the conqueror who could punish them so severely. "No matter," says he,

"The mind is its own place, and in itself
Can make a Heaven of Hell, a Hell of Heaven."

Who does not perceive how cunningly Milton has contrived to introduce, as if in perfect simplicity, this representation of sylvan seclusion, to make the contrast of Hell appear the more revolting?

Nor is it common holiday sight-seers, or pleasure parties going a picnicing to

the country, alone, whom he aspires to captivate. The learned naturalist does not escape his snares. When Satan leaves the infernal lake, and plants his feet on the solid brimstone, the circumjacent country seems

"As when the force
Of subterranean wind transports a hill
Torn from Pelorus, or the shattered side
Of thundering Etna;"

and such men as Humboldt are something worth looking at. From amidst Sicilian groves, we observe the towering height of the snow-clad Etna; not only thundering from its crater flames, and smoke, and lava, but by means of accumulated gases tearing itself asunder, and presenting opportunities for scientific investigation, such as only learned men know how to appreciate.

When he shows us the armor of Satan, he is equally learned, and equally seductive. He takes us to the top of Pisolé—one of Nature's own observatories—that we may look with Galileo through his newly-invented telescope. We are admitted to the rare privilege of observing the enormously-magnified disc of the full moon. Is the magic in the glass? or in the exhibitor? We take another look; and as the astonished Mirza, who saw the isles of the blessed, and the wondrous bridge of life stretching its broken arches into the tide of time, on looking up found his spirit-guide departed, and instead of such interesting scenery his native valley of Bagdat, and the sheep and cattle grazing on its sides—so we, at one touch of the poet's magic wand, find that what we have mistaken for the moon is the shield of Satan, who stands before us in the full magnitude of his immense proportions.

But all men have not poetic tendencies, neither are they all natural philosophers. The history of former times, and the lessons which they convey, have more charms for many than descriptions of scenery however grand or beautiful, or appeals to the feelings however direct and pathetic; and this class is too numerous for Milton to neglect. He need

not call on them to appreciate the sylvan shades of Vallombrosa,

"The path that leads them to the grove,
The leafy grove that covers."

Their minds are cast in a different mould. The attractions of Nature to them are inferior to the attractions of a good coal fire and sperm candles, in a well-furnished library. It matters not. They can not escape the poet who has now got hold of them. To them he presents an historical panorama. For their especial benefit Satan's legions are transformed, first, into

* * * "the piteous cloud
Of locusts warping on the eastern wind,"

which the liberator Moses brought on the frightened Egyptians; then into Goths and Vandals, Scythians and Scandinavians, throwing off the shackles of imperial Rome, and pouring from "the populous North" in irresistible numbers.

Here again we have a display of the same insidious ingenuity to accomplish the same object. The Israelites, in whose behalf their supernaturally gifted leader performed his wonders, were exposed to the oppression of a superior who treated them as slaves. The soldier from the frozen North had learned the fate of his countrymen,

"Butchered to grace a Roman holiday."

He yielded unwillingly to a power which had only the plea of supremacy, by which to justify its violation of the principle of equal right which he could never eradicate from his bosom. In both cases, the subdued successfully resented the injuries of their oppressors, and were free. Satan too is oppressed, and subjected to an extremity of punishment such as the most heartless tyrant on earth never dreamed of. What verdict can a jury of adepts in historical knowledge return in the teeth of historical testimony having such a close bearing on the case before them? The world cries shame on Britain for having condemned the great Napoleon,

"The last single captive to millions in war,"
to wear his chain, like another Andromeda,

on a rock in the ocean. But Britain was afraid of him. The Omnipotent can not have subjected the vanquished Arch-angel to a harsher punishment for a similar reason.

Milton so far carries the learned world, and hearts poetically tender, along with him; but none of the illustrations quoted are sufficiently comprehensive to include the great bulk of mankind. Let him try again. The impressions and associations of early life are indelible. They cling to us wherever we go.

"The adventurous boy, who asks his little share,
And lies from home with many a gossip's prayer,"

never can forget in after life the happiest of his days which were spent with "the old folks at home." The bride,

"Who has pledged her faith of her own free will,
and whose parents readily admit, that

"Bright is the prospect her future spreads,
And noble the heart which her girlhood weds,"
as she crosses the threshold of her home (no longer), has tears in her eyes, when she takes a parting view of

"The sunny spot where her childhood played."

No matter whether learned or ignorant, the influence of such scenes and their memories find a chord in every bosom.

"The days o' lang syne" outlive the excitement of yesterday. The tree, around which

"In early life we sported,"

it would be sacrilege to cut down. Even "the old oaken bucket, which hung in the well," has twenty times the value of any new one by which it can be replaced. Milton know all this right well, and he furnishes a domestic comparison which recalls our fondest memories and appeals to every heart. He makes Satan's associates convene as thick,

"As bees

In spring time, when the sun with Taurus rides,
Pour forth their populous youth about the hive
In clusters; and among fresh dews and flowers
Fly to and fro; or on the smoothed plank,
The suburb of their straw-built citadel,
New-rubbed with balm, expatriate and confer
Their state affairs."

Crafty again; exceeding crafty! Satan

and his confederates are present at a conference in regard to *fairs*. Milton compares doing the same thing, "When Satan is among

"Sights and sounds, and shrines
the bees, among fresh dews
at the loveliest season of the year
has no friend but his associate
tune to pity him; bees are
versal interest. There was
no doubt, when the fate of
larly alike; when rapacious
not content with robbing
masons" of their hard-earned
accomplish his purposes
will consign them, as Be-

"The death of devils, bring
But Milton has sufficient
this portion of their history
We only see them at work
built citadel," or fancy
sultations for their common
does not drop over again
of his boyhood, when he
seemed part of the family
side those who were near
to his heart, and listen
and the gay song of
nately, or commingling
Satan no recollections
ness correspondent with
Satan!

If this is not enough
performs another charm
Of all the superstitions
is none more pleasing than
fairies, those sportive spirits
their time in mirth and
bulky forms of the
may have been drawn us
became such "fairy
trip the green wood-land
the moon appears bewitching
in her countenance to survey

We cannot help inquiring
has nothing to do with
such, what he means by
a mere scoff? an attempt
one who would rob us

and his confederates are preparing to hold a conference in regard to *their state affairs*. Milton compares them to bees doing the same thing. What a contrast! Satan is among

"Sights and sounds, and shrieks unholy;"

the bees, among fresh dews and flowers at the loveliest season of the year. Satan has no friend but his associates in misfortune to pity him; bees are objects of universal interest. There will come a time, no doubt, when the fate of both is singularly alike; when rapacious, selfish man, not content with robbing the "singing masons" of their hard earned sweets, to accomplish his purposes more effectually, will consign them, as Burns says, to

"The death o' devils, brimstone reek!"

But Milton has sufficient cunning to keep this portion of their history out of view. We only see them at work in their "straw-built citadel," or fancy them holding consultations for their common good. Who does not dream over again the high hopes of his boyhood, when his mother's bees seemed part of the family, and he sat beside those who were nearest and dearest to his heart, and listened to their hum and the gay song of his sisters, alternately, or commingling together? Has Satan no recollections of former happiness correspondent with our own? Poor Satan!

If this is not enough, the magician performs another charm, equally potent. Of all the superstitions of rural life, there is none more pleasing than the belief in fairies, those sportive spirits who occupy their time in mirth and dancing. The bulky forms of the infernal divinities may have overawed us. At his nod, they became such "fairy elves" as merrily trip the green wood-land slope, while even the moon appears bewitched, and lingers in her course to survey their gambols!

We cannot help inquiring, although it has nothing to do with the poet's merit as such, what he means by all this? Is he a mere scoffer? an atheist in disguise? one who would rob us of our due respect

for Heaven's Eternal King, and make us do homage to Satan whom we know to be his and our enemy? By no means. But before we can properly comprehend what he did mean, it is necessary to take into consideration the prevalent notions of the Deity in Milton's time, and the times immediately preceding. The religious sentiment of England, then, was very different from that of England or the United States, now. The inhabitants were divided into about as many sects, but on certain points they concurred; such as that the Deity had chiefly in view his own glory, that he was jealous of his power, and vindictive as to matters of faith; and such, from a principle of duty, were they. The catholics had been so before them, and for the same reason. The massacre of St. Bartholomew, and the cruelties of "the bloody Mary," were looked upon by those who perpetrated them, as acts well pleasing to God. So was the inquisition of Spain. So had been the burning of Servetus by Calvin; and so were now the persecutions of protestants by each other in the British dominions. They believed them to be in conformity with the will of God, and none dared to think, for a moment, that if such were the case, that will was wrong. That Milton has helped to engender such thoughts in us, and consequently has assisted to convince us of the absurdity of their common belief, is true. That he only meant to do so to a small extent, his prose works plainly testify. His object evidently was to show that Satan, whom God had justly doomed to endless punishment of the most degrading and disgusting kind, was not so bad, nor so degrading as many who professed to be actuated by christian zeal. That his poem has an additional effect on us, is owing to our being influenced by more rational and humane sentiments than those of our forefathers.

AGRICOLA.

There is no possible position in life that can at any time justify a man in committing a wrong act.

MEMORY'S DREAM.

BY G. F. NOURSE.

In the balmy hours of twilight,
 When day gives place to night,
 When nature, hushed, serenely sleeps,
 And o'er the earth sweet stillness creeps,
 'Tis then — when memory loves to roam,
 'Tis then, I love to sit alone —
 And musing, let the mind run free,
 While o'er me creeps sweet witchery ;
 And charmed beneath the magic spell,
 I seem in realms of bliss to dwell ;
 And memory from her garden clips
 And brings the sweetest flowers and slips.
 The heart with pleasure throbs and thrills,
 Sending through its thousand rills
 Ecstatic joys, to thrill the soul,
 To bury with its heavenly roll
 The weary cares of fleeting *now*,
 And bring upon my troubled brow
 A peaceful calm of bliss divine.
 Thus lost, I float mid thoughts sublime,
 And neither earth nor sky I see ;
 But, lost to all reality,
 I'm happy, happy with the past,
 And things forgot come crowding fast ;
 While memory's painting out old scenes
 Of boyhood's days and school-boy's dreams—
 Of much loved forms and faces dear—
 And I can see before me here
 The little cot where I was born ;
 And one old, dear, familiar form,
 Who blessed me each succeeding day,
 And taught me how to kneel and pray ;
 Hear whisperings of the tiny wave
 As they the old sand-beach do lave,
 Dashing their briny spray and foam
 Upon the shores of my old home.
 And in the quaint old church-yard, too,
 Memory loves to linger, loitering through ;
 For buried 'neath the cold ground here,
 A brother lies beside our father dear.

* * * * *
 Such blessed and hallowed scenes are mine,
 When sitting here at eventime ;
 All animation hushed and still,
 I lean upon my window-sill,
 And lost to every living thing,
 See, hear, feel naught but memory's dream.
 O joy, O bliss, O ecstasy !
 O hallowed dream of memory !
 'Tis thus I could forever dwell,
 Ecstasied, charmed by twilight's spell ;

'Tis thus I'd live and drink forever,
 Of thy blessed stream, thy heavenly river.

BEARDS.

In California all except women and boys wear beards. To this general remark there are few exceptions, so that a face shorn of its natural appendage, is as much an anomaly as a bearded face is in the other States. In fact, our people have almost come to think that a man is more manly when he appears as God made him. They are just verging upon a conclusion from which they will never recede. Our people are destined to be still more noted as a bearded people ; and the Californian will be distinguished in his visits to the older States by his appearing in this respect more natural, if he have the courage to withstand the false opinions of those he may meet. The charm of our custom is evinced by the fact that strangers of every class, with few exceptions, adopt it upon coming among us.

The courtiers of a celebrated King of France who had ascended the throne while a mere youth, not wishing to appear superior to their monarch, were immediately shorn of their beards, and they appeared boyish also. An aping public imitated their court ; and as France took the lead in all matters of fashion, other nations became beardless too. Such is the explanation of a troublesome and silly custom ; let those who still persist in it have its full benefit. Eastern nations have ever considered the beard a badge of manhood and of honor, and it is still so considered.

The beards of Californians may be regarded rather as a creation of circumstances. In the first settlement of our State, the facilities for shaving were not so great as now ; and more than that, there were no ladies here to require men to shave. Men never would shave were it not for the will of the better half of mankind ; and I include these by all means when I say that our taste is improving. Custom is very powerful in its

sway ; and despite it accorded bearded form.

The bo more in man is m tendern timidity man. 2 to a ma women, able.

In no manifes are ma that ar even co their g diverge a wing of the f this var there a but wh are fu these a beards variety binati howev witho seen shorn diam from ed, p from I kn

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sway; and when improvements are made despite its influence, all honor should be accorded to the pioneer of reform.—The bearded miner is the pioneer in this reform.

The beard renders man more noble and more imposing in his appearance. Woman is most lovely when she rejoices in the tenderness and timidity of her sex; but timidity belongs with no propriety to a man. A feminine character pertaining to a man, or a masculine character to a woman, is each exceedingly undesirable.

In nothing is there more vanity of taste manifested than in the forms which beards are made to assume. There are beards that are never pruned in any way, nor even combed in the direction in which their growth tends; but they are made to diverge from the countenance, giving them a wing-like appearance upon the side of the face. A sun-burnt color renders this variety of the beard perfect. Then there are beards that are never shaved, but which are carefully subdued.—There are full beards, minus the mustache; these are whiskers only; mustache only; beards upon the chin; and finally every variety of form and every variety of combination. It would be doing an injustice however, were these remarks to close without a notice of a form which I have seen in a single instance—that of a face shorn, except of a spot of a half inch in diameter, under the point of the chin, from which a cylindrical mass depended, precisely like that which hangs down from the breast of a gobbler. For aught I know, the possessor was a turkey.

N. K.

WHAT A ROBBERY!—In one part of one of these United States—writes a friend from Colusi—I need not mention the place precisely—there lived a man whose name was Blevin; and who, to use a phrase in many places very familiar, “didn’t amount to much.” One day—and that I need not mention—he entered the tannery of a small country town, and knowing the owner, he

introduced a familiar and confidential conversation with him after the following manner:

“Mr. Garner, (a pause) I was robbed last night (another pause) of everything I had in the world.”

“Bless me,” ejaculated the surprised gentleman addressed, “you don’t say so?”

“I was, indeed, (another pause) of everything I had in the world.”

“Is it possible?” interrogated the astonished tanner, “what did they take—and who do you suppose did the deed?—Have you any suspicion of any one?”

“Well,” replied Blevin, “they took *everything* I had in the world; and I believe it was nobody else than old Tim Hall, darn his old soul; and if he ever comes around my house again, I’ll give him a good black hickory, that he may carry home the marks—he can’t sell them, I don’t think.”

“Well, but what did he take?” again inquired Garner.

“Everything I had in the world! why he took a whole petticoat full of chicken feathers, a gourd of tar, and nearly two bushels of good wood ashes!—darn him.”

STANZAS.

There is a flower which seeks
The dark wells by the wood;
Its vestal robe bespeaks
A ministry for good:
It blooms amid the blackest slime,
And serpents hiss among its leaves;
But ’twill be glorious through all time,
In every song the poet weaves;
Because it stands like Christ, and flings
A halo round all meaner things.
Mary! I would this vestal flower
Might symbolize thy life’s young hour.

There is a flower that asks
No flattery from the proud;
Its Beauty it unmasks
To none of this world’s crowd;

It flaunts no silk or gaudy dress,
Nor boasts nobility of birth,
But in some silent wilderness
It spends its unrecorded worth.
Its perfume blesses those, whose feet
Tread quiet paths and humble street;
Mary! I would this modest flower
Might symbolize thy life’s young hour.

LLEWELLYN.

San Francisco, March, 1858.

HIS MAIDEN SPEECH.—A few years since one of our mountain counties was represented in the Senate by a gentleman who proved to be a first rate silent member, to the great dissatisfaction of his constituents, who were desirous that *their man* should "say something, even though it was not so bright." But the Hon. gentleman assiduously declined making an ass of himself in public, until near the end of the session, when he yielded to the entreaties of his friends, and, after several days spent in preparation, announced, to their great surprise and joy, that he was ready to "do the State some service;" and, on the day appointed, they assembled to listen and applaud.

He arose majestically from his seat in the Senate Chamber, and, thrusting his right hand into the bosom of his vest, inclined his body gently forward, and said, "Mr. President,"—then removing his hand from the precincts of his heart, and waving it calmly to the southward! continued—"I come, sir, from the snow-clad mountains of Mariposa, where the wild deer roameth, and the red Indian treads the forests, and naught is to be heard but the distant water-falls, and the howling of the cayotes." Just at this juncture, some wicked fellow in the gallery exclaimed "git!" The Senator paused, looked ferociously toward the gallery, and then, turning, pompous with dignity, to the "Chair," spoke as follows: "Sir, the gentleman may cry 'git!' but, sir, the member from Mariposa will *not* 'git!'" He did, though, and that speech was never finished; it was his first and last attempt. He sat down abashed and confused, amid "deafening shouts of laughter," and "much applause." N.

There is no peace of mind equal to that arising from a good and approving conscience; there is no wealth so productive of true happiness as that which is honestly and industriously obtained; and there is no money so much valued as that which is earned by severe and fatiguing labor.

THE OCEAN BURIAL.

BY S. H. DRYDEN.

Oh! bury him deep in the dark blue sea;
Let the waves above chaunt mournfully,
For there he lies in a dreamless rest;
His heart is cold within his breast,
And the lips which moved in silent prayer
Have grown to icy stillness there;
And the eye whose light 'twas joy to see,
Will sleep so calm in the deep blue sea.

O! bury him deep in the moaning sea,
Where the sea-weeds twine and the corals be;
Where the wind's low wail and the sea-bird's
note

Will over his grave in sadness float.
The Father calls, his work is done—
Tho' loved ones weep for the dear one gone,
They'll mourn their loss, his gain 'twill be;
Then bury him deep in the moaning sea.

O! bury him there in the restless deep;
He's far from the spot where his loved ones
weep;

From her whose cheek grew cold with fear,
When the death-word reached her waiting
ear.

She may not kiss those cold lips now,
Nor part the hair on his death-chilled brow;
She may not come to his grave and weep,
For he must lie in the restless deep.

O! bury him there, in the dark cold deep—
The stars will watch o'er his quiet sleep—
And naught shall tell where he is laid,
So still, so deep, in his ocean bed.
The sculptor's hand may mark the spot
Where those who rest are by man forgot:
There needs no stone, or drooping tree,—
His tablet is the lipping sea.

Ye have laid him there to a tranquil rest,
Far down 'neath the ocean's billowy crest;
But the eye of God will mark the place,
Tho' deep in the wavelet's cold embrace.
Ye have buried him there, but an angel band
Of spirits bright, from the far-off land,
Have borne his spirit all pure and free
To his better home beyond the sea.

Nevada, 1858.

"OUR NATIONAL"

The desire to form a nation, is one which has been in the minds, and calls for predictions which will be, is, doubtless, both to indulge in vision, in which our world of letters, to be surpassed by just ground for the said to be our nation.

However, the nation founded on justice and a little observation, untrue as they are.

A National distinctive one, and in the traditions of a people. The in the stories of a

THE WRITING OF THE UNIVERSE.

The Universe

Is one vast volume, and her history
Is written, every where, on great Nature's page.
All write for man. The rock and avalanche,
Thundering along the rugged mountain's side,
Leave there their record. Mighty rivers dry,
And leave their lines deep sculptured on the plain.
Clouds write with shadows; and the tall old cliffs
Draw forms, like pyramids, on the desert's sands.
The cataract, tumbling down the mountain's brow,
Graves its own history on the rocks below.
Deep in earth's caverns, carved on beds of coal,
The modest fern leaf stamps its image there.
The pattering rain writes histories on the sand.
The sky spreads out above us like a dome,
Sculptured and decked by some old master's hand.
The earth we tread, in rich mosaic carved,
Stretches afar, like the wide-spreading aisle
Of some rich, old cathedral, where we may
Read marvelous histories on the stones below.
Nature, with her great volume, opens wide,
With line deep written on her majestic page,
For us to see, and read, and understand,
And say, "Come learn of me, and thus be wise."

G. T. S.

"OUR NATIONAL LITERATURE."

The desire to form a National Literature, is one which has possession of many minds, and calls forth a multitude of predictions which will never be realised. It is, doubtless, both pleasant and patriotic to indulge in visions of literary supremacy, in which our territorial greatness is to be surpassed by our superiority in the world of letters, and which is to afford just ground for the self-praise, which is said to be our national weakness.

However, these anticipations are not founded on just and mature reflection, and a little observation will prove them as untrue as they are undesirable.

A National Literature must be a distinctive one, and has generally originated in the traditions, the history or religion of a people. There must be something in the stories of a past age—or at least in

the glory or the struggle of a present one—to leave its impress on the national mind, and inspire its orators, its poets and its historians. It would have been impossible for any cotemporary Homer to have composed the Iliad; nor could Xenophon have written the retreat of the ten thousand, without a cloudy faith in the Athenian Minerva, and Jupiter the protector.

It is thus, that all literature which has assumed a distinctive national character, had its origin, and therefore it is, that when either the faith or the history of a people is merged or united with other events, or creeds, that its literature ceases, or rather fails, to become peculiar.

When Herodotus wrote the history of the Persian invasion, and Thucydides narrated the internal Hellenic war, the works which rendered them immortal, were the great foundations of Greek his-

torical learning, just because they were preëminently Greek—Gods, Heroes, Triumphs—all were Hellenic, and the stories were as masterly as the events were glorious, but the narration and the struggle were alike national. They were not only the great historians, but in their time, almost the only ones—and that, too, in an age, when not to be Greek was to be a barbarian.

The same course of remark will hold true of Roman literature; it was national because Rome was every where; there was no other nation which had a literature, unless Greece be excepted—that was decayed indeed, but yet living.

If this be true of the oldest and noblest literature in the world, is it any less so when we consider later ages, and inferior nations?

And so without a course of events remarkable and long continued, with struggle and battle, and success, and renown, without trial and vicissitude, no nation can have great historians—it requires all these to color the narration—to point the reflection—to stamp the philosophy with the features of nationality.

Nor is the case different, when we come to consider the realm of imagination. Dante was the poet, not of Italy, but of the church; Shakspeare, not of England, but of humanity; Milton, not of any nation, or any age, but of the universe and eternity.

Neither is it the language which makes literature national; but the events it records, the philosophy it reveals, the imagination it embodies; not finding its patrons in the courts of princes, but in the assemblies of the people. The idea which springs to birth in the vigorous and free-spoken Saxon, loses little of its tone, but rather finds a perfected beauty in the sweeter Spanish, or softer Italian. Do not Thackeray and Dickens write for all civilized nations? And are not Cooper's sea-stories read wherever the sea rolls?

So much with regard to the expectation of a coming literature, which is to be distinctively American. And now

the inquiry arises, Is national literature desirable? And it is a matter of curious remark, that the good people who predict or hope for such a thing, invariably imagine a one-sided literature, which is to correspond with their peculiar views, and become the exponent of their peculiar principles. Ask the theologian, and he will tell you that the golden age of American literature will only appear, when it shall become the instrument to disseminate sound religious views—when its sole object shall be, the advancement of the kingdom of heaven, and when everything "which could call a blush to the most innocent cheek" shall be strictly prohibited.

Such men forget that Spinoza, and Leibnitz, and Arago, have illustrated literature, not less than Voltaire, and Condorcet, and more than most of the champions of Orthodoxy.

The stern moralist will deplore the light literature, which certainly discredits the national taste, and will admit nothing more worldly than Hannah More or Mrs. Barbauld.

The man of science points with scorn to the multitude of wild imaginations that throng the portals of taste, and asks, as the philosopher did of Homer: "What does it prove?"

Each alike predicts utter ruin to the purity of faith and morals, or to simplicity of taste, if his opinions and dogmas be not exclusively maintained, adding his portion to literature in lamentations for its downfall.

Such things are not new—they lead to a censorship of the press. They did much to call forth Milton's noble essay on unlicensed printing. They substituted the terrifically bad productions of the reign of Charles II. for the terrifically poor productions of Charles I.; and promoted vice, by making virtue too dull and too prosy.

The hope for American literature is to be found in its general—even universal—scope and apprehension: it is to reach

the mind of the world before be as wide as the

We may infuse veins of thought, but the tide will mingle with it will never conceal its dullness. We shall but the whole world of orators will discussment, but *all* lovers will contribute is always universal cover new forms of the body or the soul cataract—wherever or the torrent break reveal the splendor Our periodical events of the hour on the banks of the of the Orinoco.

Indeed, the great to narrate events, in language that where. All irreverence, philosophy, all poetry, manliness, all religion be national, and be

Literature is the must be free to discuss, to approve, thing and every tournament—the armor of the any device, and his motto; he may fight and touch the shield with the point of it. If, in such a crisis, or systems are trust to defensive the shield must be the per of the blade.

It is no doubt that many a foul blow many an unkind shown; but as the arms, which give chivalry, there are and multitudes will proclaim the four

the mind of the world, and must therefore be as wide as the world.

We may infuse new blood into the veins of thought, but the red and vital tide will mingle with the whole stream—it will never concentrate into congested dullness. We shall have, not America—but the whole world for our theme. Our orators will discuss, not only our government, but *all* governments—our philosophers will contribute to a science which is always universal. Our poets will discover new forms of beauty, whether of the body or the soul, whether of cloud or cataract—wherever the sunset shall glow or the torrent breaks its spray, or the eye reveal the splendor of inspiring thought. Our periodical press will record the events of the hour, whether transpiring on the banks of the Ganges, or the plains of the Orinoco.

Indeed, the great office of literature is to narrate events, and embody thoughts in language that shall penetrate everywhere. All invention, all art, all philosophy, all poetry, all oratory, all statesmanship, all religion, is fast ceasing to be national, and becoming universal.

Literature is the sum of all these; it must be free to discuss, to depict, to criticize, to approve, to condemn, every thing and every body. It holds a great tournament—the lists are open to all—the armor of the combatant may be of any device, and his shield may bear any motto; he may fight with any weapon, and touch the shield of the challenger with the point of his lance, if he so will it. If, in such a contest, particular theories or systems are to prevail, they must trust to defensive and offensive armor—the shield must be ample, and the temper of the blade well proved.

It is no doubt true, that on such a field many a foul blow will be struck, and many an unknighly quality will be shown; but as in the brilliant passage at arms, which graced the better days of chivalry, there were heralds in the lists, and multitudes without the barriers, to proclaim the foul deed, and pronounce

the sentence of dishonor; so, in the lists of literature, there will be found a presiding *taste* to approve the knightly deed, and scorn the false blow. It will allow much for the infinite variety of human opinion, and more for the imperfect state of human knowledge; but it will require of the combatants some exhibition of the qualities of true knighthood, some love for the noble and the true, some reverence for humanity, and for God.

Without these, the wreath of the victor is seldom won; without these, fame will not follow, even the most daring deed. These are they that have stimulated the good and the wise of all ages, and through which they have gained immortal fame and renown.

We desire in conclusion, to express our confidence in the guardianship of *taste*: it is superior to law, and more powerful than patronage. The union of a brilliant style, and false morals, may prevail for a moment; corrupt imaginations may steal the splendors of genius, to their alliance and their aid, but at last, sound theology; purity in morals; simplicity in style; fervor for truth; faith in man; faith in God—these are the permanent securities for literary success, and they who fight with these arms, will receive the crown of immortal fame, which is always bestowed, not by a single nation, but by the world; not by an age, but by all coming generations.

P*****.

As you approach the town of C—, on the Sacramento road, there is (or was) a gallows standing just out of town. Right across the road from the gallows is the race course; then the first building you see in town is the jail. Now the story goes that on the first advent of brother M—, a Methodist minister, into town, he was naturally looking around, to "see what was to be seen," and the first thing he saw was a gallows, the next a race track, and the next a jail. He then met a man carrying a jug, of whom he inquired if there was a church, or any christians in town. "By G—," said the man, "I'll bet you a gallon of whisky (!) that you cannot find a christian in this darn'd hole." Brother M— preached that night on the "depravity of man." G.

MY TEACHERS.

NO. II.

BY S * * * * .

I was yet too young to wade through the heavy snow-drifts to the "winter school." Summer came again, and I trudged away with my little "dinner pail" in my hand. A new "school-ma'am" was there, very large and fat, with a face as big as a full moon, and red as a peony. I remember very little of her, except that she "feruled" me for the tricks of another boy.

Next winter I had a pair of new cow-hide boots, a red woolen tippet, a seal-skin cap, a pair of thick mittens knit by my "Aunt Ruth," and a sled. One cold morning, proud as a king, I posted off to the school-house, with a "Progressive Reader" under my arm. I was perched upon a front seat, with a dozen other little fellows, close to a great stove, which the terrible "big boys" crowded full of wood until it was red hot. With the snow melting from our legs, we looked like dissolving icicles. Then at recess the "big boys" pitched us "head first" into snow banks; a change of temperature by no means agreeable.

A new schoolhouse was built, nearer to my home. The seats were painted, and we thought it very fine. But I did not like the new school-ma'am. She was rough, and masculine, and noisy. I used to ask leave to go out and sit under the shade of a great maple tree, close by the school-house. How cool its shade! The music of its leaves lulled me into pleasant reveries. It was there I first began to think.

Summer departed, and with the winter came a short, stout, bald-headed "master"; of whom I remember little, save that he used to double back the cover of my history of the United States, at which carelessness I was very indignant. It pained me as much to see my book's back broken, as it pained Casper Hauser to have tacks driven into his little wooden

horse. He heard our lessons by reading the questions from the book, but never taught us anything.

With the leafy summer time, and the singing birds, came an educated and accomplished lady; very beautiful, and, I think, somewhat of a belle. She was mild, gentle, and winning; she taught us a hundred little things not in our books. We all loved her very much.

It was a pleasant school. "Tom" and I sat together. We were the best scholars in school. "Tom" was quicker than myself, but I was the more studious.

We both fell in love that summer with little Miss B., the daughter of a neighboring farmer; a pretty, blue-eyed creature, with a silvery voice, and brown hair. We gathered for her beautiful flowers. We grew sentimental, and wrote little "love letters," which were smuggled across the school-room, behind the teacher's back.

I made my first attempts at rhyming. I should thank my stars if I had never written more foolish verses since. She was a little coquette, and kept us both "in tow"; never manifesting any very decided preference. Tom was handsome and confident; I was plain and awkward. Tom was a favorite with the girls; I was a leader among the boys. Not that I admired the girls less than he; but my diffidence led me to avoid them. If Tom were looking over my shoulder now, I I should tell him the distinction of boyhood exists in manhood.

Tom was endowed with the natural graces which win the heart of woman. I think he had the best of the love affair. I used to wonder which of us would marry her. We little thought then, dear Tom, that we should drift away from our native village to the shores of the Pacific, and meet on the golden banks of Feather river, around a miner's camp-fire; there, as the stars beamed softly down on our hard couch, to talk of the fair girl who won our boyish hearts. We felt, Tom, that in the rough scenes of mountain life, when fate was against us, and for-

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tune was hard, that our hearts were growing as callous as our hands; but when "letters from home" reached us—messages warm with a mother's love—how the waters of boyish affection gushed into our arid hearts!

They say, dear Tom, that the pretty girl is now a beautiful maiden, and that her heart is still her own. What is written in the future?

How seldom are the hopes of boyhood realized in manhood! But I am always glad that it was my good fortune to go to a country school with little girls. I am thankful that our parents did not belong to that class of squeamish moral reformers, so numerous at the present day—those prating stoics, who put on the green goggles of suspicion, and tinge childhood with the muddy impurity of their own hearts. The little girls of our schools taught us better lessons than our teachers. They taught us that we had souls as well as brains; affections as well as reasoning faculties. They were purer and better than we, and in their presence our thoughts as well as our language and feelings were more refined. Tom, had we never loved the innocence and artlessness of girlhood, we could never have appreciated the beauty of womanhood.

Next came a great strapping "master," six feet two in his stockings; but a jolly fellow, who told us stories, which I remember to this day. I studied "Comstock's Philosophy" with a big boy—a wonderful class of two—and I suspect the master neglected many an urchin in his "abs," to illustrate our philosophical difficulties. The "farmer's girl" went to school dressed in a brown homespun woolen gown.

Next summer my father died. I shall never forget the terrible feeling which came over me, when I was wakened at dead of night, and told that he was dead. I knelt beside my bed, in my little chamber, and prayed; a prayer fervent and heart-felt, if my lips have ever breathed one. The sunshine of boyhood was dark-

ened. I grew precociously thoughtful; but these feelings slowly wore away.

I went to the village academy. The teacher was a book-worm; stiff, awkward, and diffident in manner. He had no soul. He read the questions from a book, and never *looked* at us.

A *real* teacher soon took charge of the academy, and I woke up to a new life. He had the electric fire of sympathy. He had a pleasing smile and looked us in the eye. I remember to this day everything he ever said in school. He made arithmetic, algebra, and geometry delightful. He did more towards forming my character than all my other teachers.

He never crammed us with books; he *waked up* our minds, and taught us our own powers. He would not suit a city where "cramming" is in fashion, and "brilliant examinations" the delight of examining committees. Teaching with him was not the dull drudgery of routine—it was a *creative art*. A schoolmaster may drill children into learning their lessons; the true *teacher* warms the heart and forms the character. "School committees," who estimate the art of teaching by questions answered in "arithmetic, reading, writing, and grammar," oftentimes prefer pedagogues to living teachers. It is dangerous to be in advance of conservatism.

Here I close my "school-days" and "teachers." If I have touched a chord in the heart of any reader, I am satisfied. I only hope and trust that no one of my scholars shall ever look back upon me as a "wooden teacher."

A DESULTORY POEM.

BY W. H. D.

CANTO VII.

I.

O, Youth! why did thy glorious visions fade?
Why have thy aspirations all departed?—
Gone, too, are all the brilliant hopes that made
My soul once feel that it had heaven-ward started.
Downward my footsteps tread life's gloomy glade;
Despairing, sorrowing, sick and broken-hearted,

Alone I wander on my weary way,
As night is closing o'er life's stormy day.

II.

It might have been,—but it was not to be,—
O, Fate! thou unrelenting shade or spirit,
That hovers o'er my mortal destiny,
Thou didst bequeath, and I must needs inherit.
It might have been,—but "a divinity
That shapes our ends," beyond our will or merit,
Still whispers sadly, "it is not to be,"
While Time is rushing to Eternity.

III.

It might have been—ye broken hopes depart,
O, Memory! cease o'er youth's bright days to
linger,—
Ye vanished shades adieu! why do ye start
Before my soul, while Fate, with scornful finger,
Points to immortal longings in my heart,
Whose dirges on my ear so sadly linger,—
It might have been—but now the years roll by,
With murkiest storms upon my soul's dark sky.

IV.

It might have been,—but now departed years,
Like ghosts, stand up before me all unbidden;
I revelled on their flesh, and blood, and tears,
In wanton riot, reckless of the hidden,
Grim, skeleton-like spectres of my fears,
Now telling how their precious life has slid
Away upon Eternity's dark shore,
Where all is lost forever—evermore.

V.

It might have been,—I shudder at the thought—
The possible no more beams bright before me—
Those golden opportunities once fraught
With boundless good; O! what can now restore
me?

I struggle onward, but too late I'm taught
My efforts all are vain, and can no more be
Crowned with success, while unrelenting Fate
Repeats these saddening words—"Too late,"
"Too late."

VI.

It might have been,—but now it cannot be,—
O! crushing thought, that manhood's strength is
failing
While battling fiercely on life's surging sea,
A shattered bark, through which fierce winds are
wailing

My fearful doom, where I shall never see
One friendly flag to answer my last hailing,—
It might have been—but now fierce tempests rave,
Where dark Oblivion's waves shall flood my
grave.

VII.

No more to be—to die and be forgot,—
Forevermore, beyond all rise or waning,—

Ah! this I know is but the common lot
Of mortals, o'er which I am not complaining,—
But then to feel immortal gifts shall rot,
And die with us to our eternal shaming,
Are thoughts that fill the soul with deep despair,
And anguish which it cannot calmly bear.

VIII.

What might have been?—Ah! why the question
ask?—
No longer shines my sun from mid-day's heaven;
Weaned and worn, despairing o'er my task,
I feel 'tis all in vain that I have striven;
My soul in rays all bright and pure to bask,
And short the future that to me is given;—
Suns set in glory, but my evening sky
Is shrouded o'er with clouds of darkest dye.

IX.

It cannot be,—no more I proudly tread
Thy vast and airy halls. Imagination,
Where isles of beauty on thy fair walls spread
Their scenes all radiant of the mind's creation.
No more I feel undying glories shed
Their softening tints upon my heart's sensation,
And Fancy's flesh is now a feeble ray,
To glimmer as the glory fades away.

X.

It cannot be—no more unsullied Fame
Allures me on to scale the heights of heaven;
His trump shall ne'er reëcho with my name,
No glorious victory to me be given,—
My quivering shaft shall never reach its aim;—
With bow unstrung my weakened nerves have
striven
To speed it onward to the dazzling prize,
On which I now must look with tearful eyes.

XI.

It cannot be—no more Ambition calls
Me up in visions to his towering mountain,—
No more in dreams I tread its icy halls,—
No more I bathe in Helicon's clear fountain,—
No more I climb the high embattled walls
Of golden cities that my soul would mount on,—
No more on eagle wings does strong desire
Bear up my soul where burns seraphic fire.

XII.

It cannot be—no more Love's gentle voice
Shall charm my ear like heavenly music swelling,
No more its rapturous bliss my heart rejoice,
While in my soul would be a heaven indwelling;
Earth's best and loveliest, could such be my choice,
Would seem to be some fearful doom foretelling;
I still might love, but youth and beauty's bloom
Would wither near my heart's undying gloom.

XIII.

It cannot be—wealth with its
Its pomp and equipage, and
Was once all mine—it vanish
No joy it brought, and now I
My soul to live upon a glitter
No worship to such idol can
My coming years shall swift
And bring no treasures to the

XIV.

It cannot be—my Name shall
All honored in my country's
No laurels on my pallid brow
I have not added to it Fame
No truths eternal have I shed
To brighten when the present
With no prophetic words have
To lift the weight that on my

XV.

It might have been—I knew
Were silent slumbering in my
Where Genius dwells, there
A still small voice direct from
In visions heard I not the sun
In one inspiring choral strain
That all their leafy honors sh
If I would worship only at th

XVI.

It cannot be—all feebly now
These dying strains that mi
I sweep my hands where ma
My lute has lost—neglected
It hung where oft I heard a
Who ever crowns with Bays
Her voice was sweet, and sv
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XVII.

It cannot be—my thoughts n
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XVIII.

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Of melody my inner life be
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And Autumn winds through
The silent air with melanch
And sighs from fading flower
Where leafless giants lift th
Against the Winter's cold a

XIII.

It cannot be—wealth with its golden gleam,
Its pomp and equipage, and all its splendor,
Was once all mine—it vanished like a dream,
No joy it brought, and now I cannot tender
My soul to live upon a glittering beam—
No worship to such idol can I render;
My coming years shall swiftly speed away
And bring no treasures to their fleeting day.

XIV.

It cannot be—my Name shall ne'er resound,
All honored in my country's song or story,—
No laurels on my pallid brow be bound—
I have not added to it Fame or Glory—
No truths eternal have I shed around,
To brighten when the present age grows hoary;
With no prophetic words have I essayed
To lift the weight that on my soul was laid.

XV.

It might have been—I knew that gifts divine
Were silent slumbering in my inmost being,—
Where Genius dwells, there dwells its living sign,
A still small voice direct from the all-seeing—
In visions heard I not the sacred Nine,
In one inspiring choral strain agreeing,
That all their leafy honors should be mine,
If I would worship only at their shrine.

XVI.

It cannot be—all feebly now I sing [mortal,—
These dying strains that might have been im-
I sweep my hands where many a broken string
My lute has lost—neglected at the portal
It hung where oft I heard a Syren sing,
Who ever crowns with Bays her favored mortal.
Her voice was sweet, and sweeter was the smile
That welcomed me to her enchanted Isle.

XVII.

It cannot be—my thoughts no longer roam,
From heaven to earth and from earth to heaven;
I cannot soar into the starlight's home,
With rapturous gaze while fall the shades of even,
No coral groves with shells nor ocean's foam
And war and swell before the wild winds driven,
Can fill my soul with harmonies divine,
Caught from the echoes of the Sacred Nine.

XVIII.

It cannot be—no more shall heavenly tones
Of melody my inner life be thrilling;
I only hear dear Nature's dying groans,
And Autumn winds through leafless bowers, filling
The silent air with melancholy moans,
And sighs from fading flowers the frosts are killing,
Where leafless giants lift their arms on high,
Against the Winter's cold and cheerless sky.

XIX.

It cannot be—my agonizing wail
Moves not the dull cold earth and neither heaven,
My soul is sad, my sinking spirits fail,—
But why should such a mournful strain be given?
No joy it gives, nor can it e'er avail
To shrieve me for what cannot be forgiven,—
No sympathy is mine in my deep woe,
Bitter as my mortal heart can know.

XX.

It cannot be—my tuneless lays must cease,
Their dying echoes fall beyond my hearing,
Midst solemn silence let them rest in peace,
And ne'er to mortal be again appearing—
O demon thought, now give a kind release,
From this o'ershadowing woe—this phantom fear-
ing—
Depart! thou Inspiration of my Muse,—
Avaunt! ye horrid devils called "*The Blues*."

WOLF! WOLF!!

AN ADVENTURE.

BY "THE OLD MOUNTAINEER."

We guess we have never told any body,
outside our home circle, about the time we
had with the wolves this winter. B'leeve
we'll get at it and tell *you*.

The morning of December 23d, '57, was
considerably blustery—in the language
of the Psalmist [!]"—"first it blow'd, then
it snow'd, then it thow'd, and then it
friz'd;" yet, owing to the vast amount of
labor to be done on the Ranch, we conclu-
ded to go out and lay up a string of fence,
the line of which ran close under the
"Iron Mountain," which, since the dis-
covery and exploration of this section of
the *moral* vineyard, has been noted as
being the stamping ground of innumera-
ble varmints of almost every species.
Often-times this winter, while cosily sitting
around the capacious old-time fire-place,
with a cheerful fire blazing and throwing
its light far into the darkness, through
the windows and interstices of the cabin;
while the storm raged wildly, have we
heard the terrible roar of the California
lion, the wild scream of the catamount,
the angry chattering of the coyotes, and
the dismal howl of the wolves, far above
the tumult of the elements. Many are

the stories told of fearful peril and adventure, by the fearless and hardy mountaineer hunter—of personal conflict with the fierce grizzly bear, and the relentless wild-cat, which we will give hereafter. But to our story.

We had been busily engaged about an hour, laying the "worm" of the fence, and wishing we had some one whom to tell our thoughts, as we felt lonesome, when we were aroused from our cogitations by the short, sharp yelp of a wolf. Raising ourself up—as we were in a stooping posture—we cast a hurried glance towards the foot of the mountain, and discovered, through the storm-shade, a large pack of wolves, headed by a huge black one, bearing down towards us at full speed. Being well acquainted with the nature and habits of the animal, we were satisfied in an instant that they had scented us, and that, unless we made a hasty retreat, we would be "their meat" in the twinkling of a bed-post; so, without ado, we broke and ran toward a small pine tree, which grew about one hundred yards off. The pack were some two hundred and fifty or three hundred yards off; we perceived that the race was between "nip" and "tuck," and that "nip" would have to stir his "stumps" if he won the race. We bolted off "worscr" than a 2.40 horse, and at the same time our ears were saluted by a demoniac howl from the whole pack, the peculiar intonation of which distinctly gave us to understand that they had accelerated their speed. We had ran about one half the distance, when we could distinctly hear their infernal snuffing behind us. Looking over our shoulder, we saw that there were two of them within fifty yards of us, and that they were "tearing to it" like all mad—their eyes snapping and protruding, and foaming at the mouth worse than a beer-keg. We drew off our coat and throw it down, so as to gain time, and as they came up to it they pounced upon it and tore it into shreds. By this time we had got within a few feet of the tree, and the wolves were but a

few feet behind us. All the christian acts of our past life came before us, and we piously breathed the prayer taught us in our youthful days, commencing, "When in the course of human events," &c. By the time we had got thus far, we were at the tree, and knowing that faith was't worth a copper without works, and being sorely pressed by the enemies of our body as well as soul, we gathered all our fast exhausting energies, and made a desperate spring, seized a limb and swung on to the tree, one of the infuriated cusses at the same time grabbing us behind, thereby sadly depredateing our garments. But we were safe, at all events, though awfully out-done. We clambered high up the tree, out of the way of danger, and concluded to laugh at the calamity of our enemies. The whole pack soon gathered around us, uttering the most ferocious and dismal yells, howlings, and gnashing with their teeth, as though they never saw a white man, up a tree, before. We broke off and threw down some branches of the pine, and they fell on them and shook them furiously, occasionally getting up a free fight among themselves, which caused us much sorrow. We remained on the tree about three hours, and, by dint of hallooing, we attracted the attention of a small squad of miners—who luckily had guns and dogs with them—who were on a prospecting expedition. They bore down to our assistance, and, after killing two of the wolves, they took to their heels, and we—Zachous like—came down out of the tree, amid the laughter and jokes of the "boys." We went home—"gin a treat"—skinned the wolves—and swore we'd never again go out from home without being armed and equipped "according to law."

THE COMMON RAT.

Though the subject which concerns this disgusting little animal, the character of which is so well known by all, may seem to be without interest to the gener-

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ality of your readers, I am induced to say a little about him, particularly the place of his nativity, of which many are ignorant.

The brown or common rat, (*mus decumanus*), is not a native of California nor any part of America, though many persons believe it to be particularly indigenous to California, on account of the immense numbers to be found in her cities. I well remember when I first came to this country, (which was previous to the discovery of gold), there were no rats here whatever of this species, and I well remember that the first time I saw them in California was in 1847, when they were transported from the Russian possessions on the north-west coast, by a vessel from Sitka trading at the port of San Francisco. Some of them were white, or albino, one of which I kept in a cage as a curiosity, during which time she brought forth nine young at one litter, and soon after made her escape, carrying them all off. The immense fleet of vessels which have arrived here from every land, since the discovery of gold, have filled our cities with this abominable creature.

There is a species of rat which is "native, to the manor born," in California as well as many portions of North America, but this is the wood rat; and although in appearance it resembles the common one in its habits and manner of living, it is quite different from your city scamp. His abode is in the dark and shady woods, and as civilization approaches he retreats farther into the thickets and brakes, until he is out of danger of coming in contact with man. But the common rat—oh! what a long, long list of complaints are there not against him? what an innumerable array of disagreeable associations connected with his destructiveness? Who has not suffered more or less by him? and how many a young girl has wopt her eyes red, when she awoke in the morning and found her poor Canary bird eaten up by this ruthless invader; and what land is there that is not raised against him?

Every one—every thing hates the rat. They even destroy and eat one another; yet amid all his dangers and enemies, he lives and flourishes triumphantly.

Cuvier says that the rat originally came from Persia, and was not known in Europe until about 1727, and after having spread over the continent it found its way to England, and, at a later period, to America. It is now the pest of all inhabited countries, dwelling particularly about the wharves, in the store-houses, and cellars of cities.

It is the most prolific of all quadrupeds, multiplying at the rate of sixty or eighty fold every year; so that it has been estimated that the descendants of one pair would amount to a million in two years. In some countries these animals are so numerous, and the depredations they commit on all kinds of provisions so great, as to produce famine among the people. At one period the Isle of France was abandoned by the Dutch settlers on this account, nearly all their produce being destroyed by the rats, in spite of every means used in self-defence. In some houses on this Island, it is stated that 30,000 rats were killed in a year; it is no wonder, therefore, that such a country was forsaken.

Although every means is employed to destroy this filthy pest, still it seems impossible to prevent their increase and their depredations in any place where they can find means of subsistence. Dogs, cats, traps, poison, sulphurous fumigations, and many other destroying agents, have been used against them; and it is supposed that all these combined do not equal the destruction they commit on each other, the old rats devouring their young in great numbers. Nature may have intended this animal for some good purpose, as she does all her works, but I doubt whether the good to be seen is not overbalanced by the immense harm it does to mankind.

A. J. G.

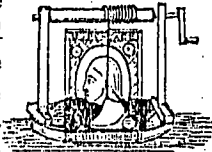
No man need come to California who expects to get rich without either labor or money.

Our Social Chair.

THE reader will remember an article in our last number entitled "Old Block Resurrected"; this month we are enabled to present him with a fac simile of the envelope which contained it; and which, we think, will create a slight distention of the "risables." The writer evidently intended to satisfy the express that as Uncle

Sam's letter-stamps were good for the postage, his own "phiz" ought to be good for the express charges! All right, Old Block, we like to catch the inspiring feeling of your sunny and jovial-natured writings;

Free



Coming out



When San Francisco holds its sway,
When greenest sights are daily seen,
Spread this light message on its way,
To Jerry Hutchings Magazine.



out

Move along—make room for the subscriber in this our "Social Chair." I want to sit beside and have a talk with you and all "our folks." Although the Chair is large, it will not hold all at once; so Sister May and Brother Frank can take a three-legged stool, and sit behind us—my impression is that they will not object to the arrangement. "Nelan" shall sit on the arm of this good-natured Chair, at my left; and "Charlie" (good boy,) shall have the other, on my right. "Old Mountaineer," please take a cricket, and place yourself right down here in front of us. And you, "Per Se," oblige us by taking Dame "Metwith," and sit as far away as possible, but, keep within hearing.

To "May" and "Frank" I have but little to say. They can fix things up to suit themselves, and I hope have no more angry words. If "Frank" is very desirous of having "May" with him, he had better come down and get her.

But poor "Per Se," unhappy individual! how I pity you! Jilted! what a misfortune!—and thrown off by one of those things known as women, who regard men as toys and playthings, or very handy to have about the house—who use us as they would a pair of tongs, to take up things—as a dog, to protect them—as a

and we know, too, that in saying as much we express the sentiments of a large majority of the readers of this Magazine. "May your shadow (or proboscis) never grow less."

bank, to draw on to pay bills—and when they find tongs better mounted, handsomer dogs, and banks more flush, have no more use for us. Aint! you a nice young man, to mope about, and cry, and sigh, and—pardon me, but I think you sib a little when you say, "But still I love her." You ought to be ashamed of yourself: 'tis bad enough to indulge such lachrymal propensities in the privacy of your room, and not parade them before the public; you ought to be lectured for coming into the happy, lively, jovial circle of our chair, with your blubberings, moanings, love-sick grunts and groans; why, you deserve to be stuck full of goose quills, and condemned to read Old Mountaineer's letter twice every day! Let me tell you sir, that the man who truly loves, and finds that love misplaced, never mentions it. There, you can go; we want nothing more of you 'till you get well; then, if you can bring a smile, come along. Mrs. Metwith, ain't I right? What say you all? "Amen!" I knew you would: and Mrs. M., in addition, recommends that you imbibe freely of catnip tea. She is a "widow" lady, of much "experience," and maintains a "persishun in society." You had better set up to her; perhaps you will have better luck, and, if successful, get a wife and mother all in one. Now git! right cont. Ed., I've a good

mind to blow suitable convey in such a case in, but the acc you, this tin joiced to know always did lik "Charlie," ye come again, this e-pistol w scrape; if so, by and back forgot Joe. V say something jected maiden umbrage at perhaps she is turns, I trust will speak to "Mountaineer your especial have appeared was doubtless sent itself in

In conclusio will say that I come personal and all; and s ingsville, do home is at pre little white co opposite the her daughter, A small terric lady, of the S fer to—usuall on the back st its kind in gushed from rative, which It will, howev issue! My l ture, and you rose-bush and window-sill. and I will ins

In our cont deavor to ave in this!) let that in realit its arms gath er her chicke of fun, jollit and pleasant gaggings [w

mind to blow you up [will you procure a suitable conveyance for coming down again, in such a case?] for letting such a fellow in, but the accompanying remarks will save you, this time. Mrs. Metwith, we are rejoiced to know that you are yet alive; we always did like you, and we like you—*still*. "Charlie," you have been too long silent; come again, and oftener. It may be that this e-pistol will get me into a right lively scrape; if so, will you and "Nolan" stand by and back me up? Bless us! I nearly forgot Joe. Where is he, and why don't he say something? And "Eugenia," the dejected maiden, who once upon a time took umbrage at some remarks of mine. But perhaps she is in the country; when she returns, I trust that, feeling refreshed, she will speak to us from the "Chair." Friend "Mountaineer," we indited an epistle for your especial benefit, and which should have appeared in the March number, but was doubtless "crowded out," and will present itself in this. [.]

In conclusion, bretheren and sisteren, I will say that I would like very much to become personally acquainted with you, each and all; and should you ever come to Dorningsville, do not fail to call upon me. My home is at present just above the corner, a little white cottage with a back yard, and opposite the residence of Mrs. Boggs and her daughter, Mary Ann, (very nice people.) A small terrier, the property of my landlady, of the Scotch breed—the terrier, I refer to—usually reposes upon the door-mat on the back stoop. There are many dogs of its kind in town, but "Bach" is distinguished from others by the brevity of his narrative, which in his youth was cut short off. It will, however, be continued in the next issue! My landlady professes to horticulture, and you will not fail to observe a tea-rose-bush and geranium plant, on the front window-sill. So you can not miss the house, and I will insure you a cordial reception.

In our contributions to the chair, let us endeavor to avoid personalities (as I have done in this!) let us make the chair an easy one, that in reality it may be "social," and may its arms gather us even as a hen doth gather her chickens. Let us make it a receptacle of fun, jollity and mirth; of wit, humor and pleasant satire—let no love-sick lullaboggings [what are those, Fe.?] ever enter

it; let us make it an institution of pleasant-ries, where every month we can meet to exchange sentiments, laugh and derive enjoyment which outsiders know not of. I would not exclude the heart's true sorrows, or any "touching incident," for pleasure does not alone consist of smiles and laughs—'tis pleasant sometimes to feel the eye grow dim [with a tear for "Per Se," for instance, eh?]—'tis pleasant to feel that we can sympathize—'tis pleasant to know that in nature's depths there is a fountain flowing from the soul, which the sorrows of others can reach—'tis pleasant to know we have a heart, that can quicken in its beat and thrill with blest emotions, whether of joy or sorrow. Anything is pleasant which can make us feel better, nobler, more worthy of ourselves, better satisfied and contented with our lot, and draws the bonds of friendship closer; therefore, if any have suffered by misfortune, sickness, or affliction, or any thing save "unrequited love," they are sure of sympathy from the "Chair." Any thing to make us laugh or cry—any thing to make the blood tingle—any thing to make us feel better and happier, will be truly welcome. To touch the heart-strings of another, to make a laugh or draw a tear, is happiness supreme. To feel the heart-strings touched and the sympathetic soul stirred up by another's pen, is to taste of heaven. Such, brothers and sisters of the Chair, are my ideas, and trusting they will find a corresponding echo in your hearts, and that your tempers will be well kept, I subscribe myself,
Your friend and brother,

FELIXANDER DORINGS.

We would call the attention of the reader to a well considered article, on page 465, suggested by the graceful salutatory of our new cotemporary, "The Atheneum," and which is intended as an answer to that article: hence the caption, "Our National Literature."

With a disposition to have our *say*, upon any subject or matter presenting itself, whether relating to books, beauty, or hummers, we can hardly forego the inclination we feel, of saying a word about an unpretending little book, called the National Wagon Road Guide, recently published in this city.

The author, very much as authors are prone to do now-a-days, with a very respectful vibration of his cranium, placed the little volume in our hands, just as we had thrown ourself back in our social chair, doubtless with a sort of a dont-care, ready-for-anything sort of an air; at least we thought so.

We had no idea of reading the book, any more than to give it a kind of cursory "going over," as editors usually do, the new publications submitted to them for "puffing." But on turning to the "Introductory" we were, and quite to our surprise, pleased even with it, often time the most prosy and least interesting portion of a book; which induced us to turn another leaf, and leaf after leaf, till we had actually devoured—the reader can judge of our capacity—its entire contents, of animal, birds, insects, reptiles, vegetation, and natural scenery—or at least an interesting description of them, as seen by the traveler upon the great plains, along the line of the National Wagon Road, recently traversed, and now in part occupied by, the U. S. Expeditionary Army to Salt Lake Valley. And we think any one who will venture upon its perusal, will do just as we did, read it through, and be pleased with what he reads.

To Mr. W. K. Spencer, of Grass Valley, we are indebted for a beautifully executed lithographic view of that city of quartz mills, with which to ornament the walls of our sanctum, (we allude to the picture and not the quartz mills!) Please take our hat, friend S., but—no, we may need the hat—so in its stead accept our thanks, and take our *adieu*.

The receipt of a copy of the first book ever printed in the French language on the Pacific coast, we beg to acknowledge, from Mr. Henry Payot, 184 Washington street, the enterprising publisher. We advise and would teach the doctrine of self-reliance and the support of our home manufactures, and as the book before us—the Poems of Béranger—is as well executed as the Paris edition, all Frenchmen should become purchasers at once, as such works are of too slow a sale to repay the outlay, without an extra effort by those most interested in fostering home manufactures.

ENIGMA.

I am composed of eighteen letters.
My 4, 15, 7, 16 and 15 signifies before;
My 2, 13 and 1 tells of a lucky chance;
My 10, 16, 5 and 14 is an inflammable substance;
My 11, 16 and 18 is used in measuring land;
My 12, 15 and 6 is a part of a circle;
My 8, 9, 14 and 3 is a fool;
My 17 is one of the letters of the alphabet;
My whole would be very beneficial to the United States. H.

The answer to the enigma in your last number is "Hutchings' California Magazine." LEO.

THE HONGKONG MONTHLY MAGAZINE.—Who could have thought that the wants of a colony in such a far-off land, as China is to England, should have created the necessity of a monthly magazine? But so it is, and through the kindness of its editress, Mrs. Annie E. Beecher, we have now before us the fifth number of the Hongkong Monthly Magazine, printed in the English language, on Chinese paper, with new type. Its appearance insures it a welcome introductory; and on the examination of its contents we find that they are mostly original, written in China, and we presume on topics adapted to the English residents there. Each article in the number before us, is excellent; and we wish that every lover of the commercial progress of the United States, would read a paper entitled "The Geography of the East." We will give two extracts:—

"Of the UNITED STATES OF AMERICA, we may say that almost her sole contribution as yet, to the common stock of accumulated results in respect to these Eastern countries, is that acquired by the expedition under Commodore Perry, which is certainly of a varied and valuable character, in respect to CHINA, as well as JAPAN and its dependency, Loo-Choo." Emerson has well said that "America's ample Geography dazzles the imagination; and we observe, recently, a practical illustration of the extent, at least, of her broad acres, in a statement showing that the quantity of the Public Lands belonging to the General Government disposed of in one year (1856,) was 39,328,108 acres! It is because its amplitude and variety go far to

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satisfy the spirit of enterprise that is a characteristic of her people, that the comparative supineness of her successive Executive Governments in respect to the East, is tolerated by them, notwithstanding their predilections for maritime affairs, the consequent wants of her commerce, and the demands of her relative political position."—We should be pleased to give further extracts did our limited space permit; but, (in the absence of the magazine itself,) the extracts above, will afford food for some reflection.

EPISTOLARY.

BY GEO. F. NOURSE.

SUGGESTED WHEN IN THE LINE.

NO LETTER.

Letters for all these people,
And yet not any for me!
Somebody's sick, perhaps dying,
Else why is there none for me?

Letters from all over the world,
Not a scrap nor scratch for me—
Well, 'tis the strangest thing I have heard
That nobody writes to me.

Letters! that would cover a pasture—
'Tis queer there are none for me!
Look again, mister Post Master—
No.—There's no letter for me.

Letters in stacks you have piled there,
But 'mong them no letter for me.
Oh dear! I shall die in despair!
Won't somebody write one to me?

WORSE THAN NONE.

Oh yes, here is a letter from home,
Somebody's written to me—
What do I care for these people,
Staring so rudely at me?

'Tis my own—my name's on the cover,
Somebody sent it to me,
S'posing it is to her lover—
What business to any but me?

Perhaps 'tis a sister or mother
Whispering over the sea,
Father, perhaps, or a brother;
But either will whisper to me.

What if it heralds bad news, and brings
Tidings unwelcome to me!
Oh, then I'd rather the missive
Was lost in the bottomless sea.

Alone to my chamber I'll take it,
And nobody there can see
Whether I laugh or cry, as
I read what's written to me.

'Tis open—I hardly dare read—
What! gracious! it cannot be—
And yet, it is—I'm "sold" indeed;
The letter is not for me.

ONE LETTER FOR ME.

Joy, joy, joy! a letter is here,
Full of affection and love,
Of hopes, and of wishes most dear,
Of prayers to the spirits above.

It tells of rare fountains that flow,
Fed by sweet memory's spring;
Of hearts true and steady, that glow,
Fierce and bright with the fervor love brings.

Oh! blest are these home-drops so dear;
Blest be the paper and ink;
The pen and the writers, most dear,
Who so oft of us wanderers think.

Why are some men like some of the streets
in San Francisco? Because they will *take you in* the first moment that you trust them. No charge made for such a hint to keep you on your guard!

You want a story. Well, I have several to tell. They are true, as I know: they occurred within my experience, and they have never been published.

About ten years ago, in 1848, I was teaching a school in Ottawa, Illinois. Among the pupils were several young women, of sixteen and seventeen years of age. One of them, whom I shall call Amelia Skelton, was particularly troublesome. With a great deal of talent and wit, she seemed to have no ambition save to play tricks and to make fun, and to preserve, at the same time, the appearance of the utmost modesty, meekness, and demureness. Her conduct was always quiet, and at the very time when the whole school was in a roar of laughter at the tricks which she planned and induced others to carry out, she would wear an ex-

tremely sober face, and stare with well affected astonishment at the uproarious laughter of other large girls.

I have forgotten most of Amelia's tricks, or have forgotten the particulars of them. But I remember several of her witticisms, one of which is worthy of record. She took no interest in any kind of study, and read and recited her lessons with the most listless manner imaginable. One day she was in a class which was to read Byron's stanzas on the ball at Brussels. This ought to have been interesting to an intelligent young lady, particularly the verse wherein the author speaks of the eyes which "looked love to eyes that spake again," and which fell to Amelia to read; but she was as listless as ever. I was indignant, took the book, read the stanza over with a loud voice, and a very emphatic, almost a furious manner, gave her the book again and told her to read as I did—to throw her whole soul into it. She raised her eyelids as though with a severe effort to her modesty, and replied with the mildest little voice—"I am afraid sir, I'd never get it back again." The wit of the reply is evident to every one; the sarcasm can not be appreciated without seeing the excited model I had set for her, and my habitual high pressure method of doing business.

Although Amelia would not study, yet she liked to teach; and as my school was very large, I was compelled to have the smaller class recite to the larger scholars, and I often put her in the post of sub-teacher. In the course of time I learned that though a poor reader, she knew what good reading was, and I allowed her to hear large classes recite.

One day I directed a class in Sanders' Third Reader, or some similar book, to read to her. The piece to be read happened to be Bryant's sublime poem, to the wild goose. In the course of the poem, the poet refers to the wonderful travels of the wild goose, its migration from the frigid to the torrid zone, in which migrations, as he says, they are guided by the Creator.

The class read the poem, and then Amelia began to ask them the questions printed at the bottom of the piece, as a test to learn whether the scholars had been attentive to what they had read, and whether they understood the piece. One of these questions was—"Who guides the geese in their mi-

grations?" Amelia put this question to a large girl of seventeen, who was silly enough to give the very natural reply, "Why the ganders, I reckon." I heard the answer, and haw-hawed right out, as did many of the larger scholars; but Amelia pretended not to see the joke, and putting on a very demure and modest look, she maliciously asked, "is that right, Mr. H.?"

What glass vessel resembles a *half-caste* Chinaman?

Why, a *demi-john*, to be sure.

AN ADVENTURE ON A DARK NIGHT.—From some unknown cause I was restless and wakeful at the midnight hour, and whilst my thoughts were upon the past, present, and future, I heard something like the sound of water gurgling in the gulch below my cabin. I rolled over to go to sleep, and tried to make myself believe that it was the wind in the tall pines, but while thus I lay I thought of a great number of cases of sluice-robbing by night of which I had heard, and remembering that we hadn't "rifled down," I thought it best to see what was up; so off I started, and found that it was water and no mistake. I loaded my gun, and, fastening a knife to my side, away I "put" for the claim. Through mud and water, over ditches, stumps and logs—the night darker'n blazes—I made my way. Thought I, "old fel, you can't have time to say the Lord's prayer if I get a glimpse at you," and holding the muzzle in one hand and the cock and trigger with the other, I arrived at the claim, but saw nobody. I whistled, but nobody ran. Thinks I, there may be no *shinanigan* here, for the reservoir may be broken. Away I went to the reservoir, half a mile further on. I arrived there in safety, and to my surprise, on striking a light, I found that it was—a *gopher hole!* through which the water was running, but no sluice robber. "Pshaw!" said I to myself as I retraced my steps to the cabin, "I'm sold this time sure, but I *mightn't* have been!" that's one comfort. A MIXER.

A book-worm friend of ours, who dropped in to see us, from Colusi County, a few days ago, was tempted to make some purchases of books which he had not intended when he entered the store; and as he departed he

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cast a longing look at the books still on the shelves, as the remark escaped his lips, "Ah! I can partly tell how a liquor-loving man must feel when he stands in a grog-shop, by the way I feel when I walk out of a book store."

A man by the name of D——, owning the Prospect House—now called the Lake House—on the Sacramento and Stockton road, was engaged in hauling goods from one town to another. Overtaking a team that was "mired," (which simply means being stuck in the mud), the poor fellow very plaintively asked the assistance of Mr. D. to "haul him out," according to the usual custom among teamsters, when the request was promptly acceded to, and he went on his way rejoicing. A few miles farther on our friend D—— met with the same misfortune; and asked the teamster to "lend him a hand" and return the favor he had just shown him, when he very coolly replied,

as he turned up his face to look at the sun, "I haven't time, now, as I want to get home before dark," and left him just as he had found him. In about an hour afterwards another team passed which helped him out of his difficulty, when he related the circumstance above named, as they traveled on in company. To their mutual delight, at a corner of the road, the ungrateful-hearted "Pike" was again in the same position as when Mr. D—— first found him; and, after passing a few remarks rather cuttingly sarcastic concerning his past very generous act, they left him to his fate, and which resulted in several hours' detention and floundering in the mud, the breaking of his wagon tongue, and a good soaking in a very heavy shower of rain.

Moral.—That it "served him right," to which add the adoption of the golden rule, of "As ye would that men should do unto you, do ye even so unto them."

Editor's Table.

LAW MAKERS.—That the election of law makers for a people is a frivolous undertaking, we have yet to find the first man who would venture the unworthy, and in a certain sense, fool-hardy assertion. That many persons, at an election, act as though it were a trifling time of holiday, or at least that they thought so, any observer on election day may easily see. Others, again, who would work the very soul from the body and the body from the soul in daily duties to themselves, from mistrust or disgust, or some other unworthy cause of excuse, will tarry from the polls until the setting sun announces the damning fact that they are there too late to discharge their duty to their country as freemen and as citizens; while this very class will be the loudest and the longest in their anathemas upon the men who, by their supineness and indifference, they have assisted to elect their law-makers. It is to be regretted that there is yet another class not less numerous and dangerous to Republicanism, possessed of a large amount of brass and bunkum, but, in most cases, of a small amount of brains,

and less still of the patriot's true love of country, who vote with and for party, right or wrong; and candor compels us to add, that in most cases it is with the motive hidden away in the recesses of the heart that "to the victors belong the spoils," and consequently, that as they work for the victors, they expect with them to share the hoped-for plunder. These remarks may be somewhat distasteful to the guilty; but to him who feels that there is a holy of holies in his heart, where no unhallowed or unclean selfishness can enter, he will admit, while he mourns the fact, that, alas! it is too true.

The result of these things is the election of many uneducated, unprincipled, unscrupulous and inefficient men to official position, who by their acts stamp shame, in characters of fire, upon their own brows, and send the iron of well-merited misgivings and rebuke to the hearts of the people who did them the injustice to elect them.

Those whom the people honor with their confidence, by electing them to make their laws, should be in every way worthy of the trust reposed. They should be possessed of

good business ability, to insure dispatch; they should know well the wants of the people they represent, to make suitable provisions therefor; they should have the welfare, not of their districts only, but of the State, at heart, that the interests of the few may not be secured by the sacrifice of those of the many; they should be honest, that they might be just; they should be well endowed with strong common-sense (for many reasons, but more especially), that they may know when and how and on what to speak, and when to hold their tongue; for, with the State as with business men, time is money, and long and badly timed speeches produce a double wrong, first, in consuming valuable and high-priced time, and next, in postponing, if not in defeating, important and useful legislation; and the result is, that when discovered an impetuous and dangerous haste seizes them, by which bad and ill-adapted laws are enacted—in a hurry—that if they become not a dead letter upon the statute books, from their injustice they stand a perpetual disgrace to the body who caused them to be placed there.

LAW MAKING.—If every man would do right, and only right, the necessity for any other law would be void. To compel this

when the disposition is absent, is the aim, end and need of all law. To make this compulsion available to the good against the bad, the weak against the strong, and the wrong against the right, all laws should be just, clear and brief, and divested of all extraneous verbosity and scoundrel-shielding technicalities; they should be so worded that a double, or even doubtful interpretation, should be utterly impossible; and to make them available to all, they should not only be as cheap as possible, but in every way adapted to the wants of the people. Without these, as now too often experienced, the winner becomes a great loser, and the remedy applied worse than the disease itself. If laws made were as they should be, the members of the legal profession, even to live, would have to seek some other employment; and men, then, being able to live in peace would become rich and happy, and their country prosperous. We would therefore suggest to our representatives and lawmakers, that they make these things a little more their study than they have hitherto done, and we bespeak for them the grateful approbation of the good throughout the length and breadth of our glorious commonwealth.

Monthly Chat,

WITH CONTRIBUTORS AND CORRESPONDENTS.

A. Memory.—Could the author reduce the twenty-three stanzas sent to four or six, and embody all the beauties and sentiments of the whole, we shall be happy to find them a corner.

N. S. J. S.—Haven't you a *twist* in the eye, and some gall in the heart? We think, however, that your limited acquaintance with any good will act as a protective to others, who, under other circumstances, might be influenced by you.

Scribo.—Yours are just the kind we do want.

A. B., St. Louis.—We have received several communications endorsing and commending that which you dislike. There's no accounting for taste. It is well that in such things men, and women too, "agree to differ."

C. H. J.—Your Enigmas are incorrect and but indifferently put together.

M. R. P., Oroville.—"Six and four are eight, and two are twelve," seems to be your method of reasoning: and the sum total of your argument is—0. Hadn't you better invent a new style of logic for the use of schools composed entirely of red haired boys?

P. G. J., Ned's Flat, Placer County.—Please send us down just such an article as you would like to see. If all will do so, it will be the very way to secure the kind required by the age, and the people of California. We would moreover make the suggestion to every body, as such are just the ones that we wish to see.

RECEIVED.—Several favors from different friends, but too late to be noticed this month.

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If you would like to criticise the movements and operations of Uncle Samuel around Salt Lake, in his attempts to chastise his refractory boy, Brigham,

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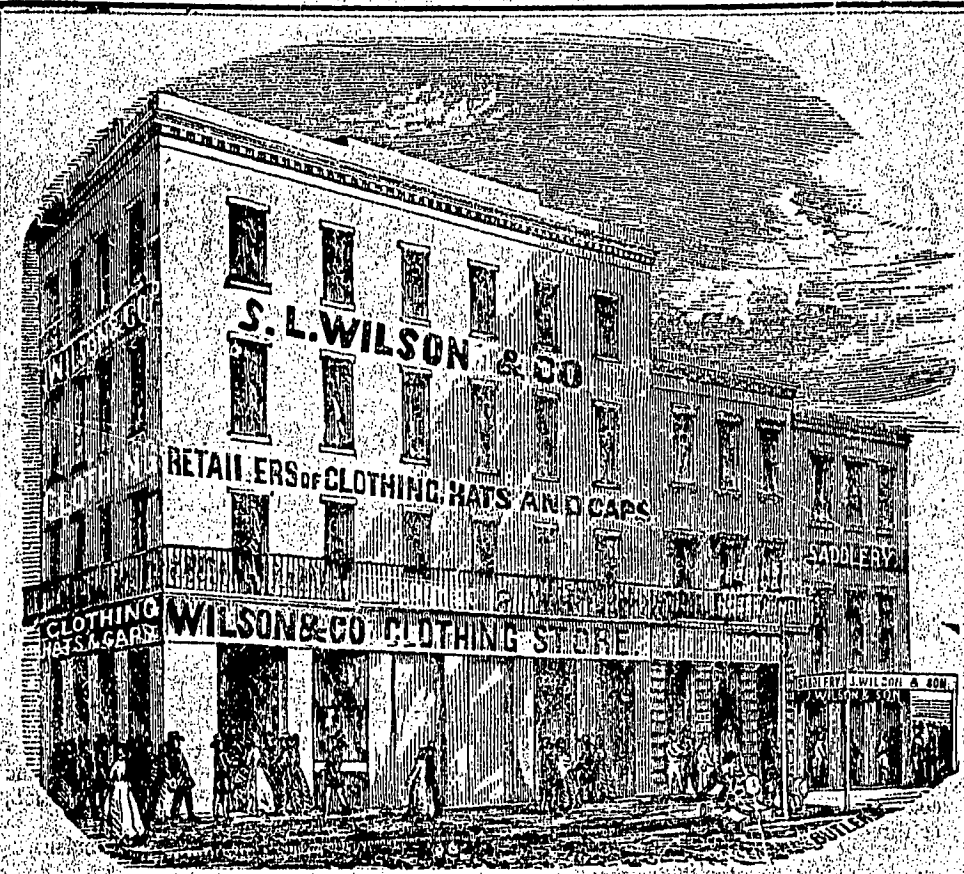
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