

Many stories are told of the adventures of Joaquin Murrieta. This is one of the incidents in the life of this notorious bandit and his men. It concerns my great grandfather Captain James Cass and we have heard the story many times from my mother who wrote it down as he told it to her. The documents are in possession of my grandmother Mrs. Abbott Lawrence Burroughs of Cayucos, San Luis Obispo County, California.

It was in October 1851. At Dry Creek, near Galt, in the Sacramento Valley, Captain Cass, a native of England, and his partners including one Levi Shephard, owned the Boston Store. Joaquin Murrieta and his band were then roaming the countryside. To support themselves they made inroads upon settlements up and down the State. Captain Cass and his men had expected a visit from this gang for quite some time when one day one of his friends came into the store and broke the news to the group:

"Joaquin Murrieta is around."

"How do you know? Did you see him?" my grandfather asked.

"No," the man replied "but his men are around the saloons and we understand he is camping about a mile out, in the hills."

"Well," said my grandfather to the group, "now's our chance to get him at last. Call all the boys together."

"Where shall we meet?" several asked.

"In Jim's cabin" all agreed. "It's the largest and most comfortable."

These were early California days when Joaquin and his gang roamed the hills, taking vengeance on the "Americanos" for crimes committed against himself and his family. Many of us now feel that in a way he was justified, but he took the wrong method of reaping vengeance. However he never harmed women or children and never robbed those whom he thought could not afford to lose. Whether he was justified or not, the following is a true story of events that took place in one of the many attempts to capture Joaquin. My grandfather told the story as follows:

"It was just after dark and in those days dark was dark. There were no electric lights nor automobile headlights to lighten one's pathway. But the moon was due to be up before eleven that night. We agreed to strike at ten o'clock while Joaquin's men were still in town. By nine o'clock all of our plans had been laid. The group were to scatter out and surround the hill on the slopes of which Joaquin was camping on all sides except towards the town. Flight was thus left to Joaquin and his men only toward the town where another group were stationed on the outskirts. Joaquin's camp was in a ravine upon the slopes of the hill.

"While our group were still gathered in my cabin I gave the following orders: 'Now, does each one of you know exactly what you are to do? Do you know your stations and your signals? As far as we can figure out there are only seven men left in Joaquin's camp but

they are all crack shots. Even Three Fingered Jack is not at the saloon, and you know how swift he is on the trigger. Well, we twelve should be able to handle those left in camp with a surprise attack. We shall now all wander singly back to town so his men will not get wise and then at nine thirty all start out, for you all know where you are to be at ten o'clock.'

'All right,' they said, 'Anything more, Jim, before we start?'

'No,' I replied 'Only one thing: Remember I will not fire the opening shot until I am sure you all are where you should be. I will shoot the sentinel the moment it is moonlight. That will be the signal for you all to push in around the camp - and be sure to shoot the first man who runs down the hill, for one man will be ordered to go to town to bring back the others to join in the fight. Remember, now - shoot the first man seen running down the hill.'

"All went well. I climbed straight up the hill as the others crawled slowly up and around the hill to their different positions. It was so dark that they could hardly see each other. Then faintly against the skyline someone thought he saw the sentinel on his horse. I was ahead and I was sure it was the sentinel. But just at that moment all of our plans went awry. Shephard's gun went off accidentally. Every man realized that the shot had alarmed Joaquin's camp and that his men would be upon us both from the town and the camp. It was each man for himself and they all ran, but I crouched down and lay very quiet and listened. I feared that if I ran down

the hill my own men might think I was one of Joaquin's men and shoot me. By this time there was shooting in all directions but no apparent harm was done as it subsequently developed.

"When I finally reached my cabin I heard a babble of voices. Nearing the door I heard a voice roll out, 'Sakes! One of the rest of us could have been spared easier.' Another spoke up, 'Now who's going to teach us and explain the politics of the Nation to us? And who's going to write our letters for us?' Another voice observed, 'Jim was English and a gentleman, but he was certainly one of us. And how he could shoot! Can't see how they ever got him. He was so quick.' Another said, 'We'll surely miss that happy smile! A young chap but he's been over the whole world and knew more than any of the rest of us. He sure was grand to us. We'll sure miss him.' Finally, my partner Shephard bemoaning my fate said, 'Yes, and to think it was my gun went off and he my partner.'

"Well, it isn't often given to a man, especially one still in his twenties, to come so near attending his own obsequies. I could not stand listening there any more so I stepped through the door - a wiser man and with a deeper sense of my responsibilities.

"Joaquin Murrieta and his men left their camp and never tried to plunder Dry Creek after this warm reception they had received."

Captain James Cass lived to tell this story to his grand-children, many times. He was actually shot

twice on later occasions, once by Three Fingered Jack himself in an attempted robbery. But those were other stories that he lived to tell until he died at the age of ninety-three.