SACRAMENTO DAILY RECORD-UNION.

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DAILY RECORD SERIES—VOL. XXIV.—NO. 4669.

SACRAMENTO, FRIDAY MORNING, JANUARY 13, 1882.

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THE DAILY RECORD-UNION.

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Advertisements of Situations Wanted, Houses to Let, Society Meetings, etc., of FIVE LINES OR LESS, will be inserted in the DAILY RECORD-UNION as follows:
One time 25 cents
Three times 50 cents
One week 75 cents
Seven words to constitute a line.

THE WEEKLY UNION
[Published in semi-weekly parts],
Is issued on Wednesday and Saturday of each week, comprising Eight Pages in each issue, or Sixteen Pages each week, and is the cheapest and most desirable Home, News and Literary Journal published on the Pacific coast.
Terms, One Year $2 50

Semi-Weekly Union Advertising Rates.
Half Square, 1 time $1 00
Each additional time 50
One Square, 1 time 2 00
Each additional time 1 00

WANTED, LOST AND FOUND.

Advertisements of five lines in this department are inserted for 25 cents for one time; three times for 50 cents or 75 cents per week.

WANTED INFORMATION OF JOS. SWITHERNBANK, aged 18; was last seen in this city in July, 1881. Any information can be sent to MRS. SWITHERNBANK, Oleta, Cal., and greatly oblige his mother. j12-2w*

WANTED,
A FIRST-CLASS GARDENER.
APPLY AT NORTHEAST CORNER OF FIFteenth and I streets. j10-tf

WANTED,
A PURCHASER FOR THE CAMPI RESTAURANT, on K street, completely furnished. Inquire of L. C. CHANDLER, No. 227 J street. d21 tf

EMPLOYMENT OFFICE.
HOUSTON & CO., FOURTH AND K STREETS, Sacramento—Farmers requiring plow hands, send in your orders, as we have some first-class Western men who understand the work; also first-class male and female help for hotels and families. Branch office in San Francisco. We can procure help suitable at the shortest notice. d15-1ptf

TO LET OR FOR SALE.

Advertisements of five lines in this department are inserted for 25 cents for one time; three times for 50 cents or 75 cents per week.

TO LET—A NICELY-FURNISHED FRONT room, in a pleasant part of the city, suitable for one or two gentlemen; reference required. Inquire at 1309 Fourth street. j12-1w*

FOR SALE—AN OLD-ESTABLISHED AND well situated grocery business for sale on favorable terms, the owner wishing to retire from active business. Inquire at this office. j11-1w*

SALOON FOR SALE—ON J STREET, between Ninth and Tenth. Cheap for cash, on account of change of business. Inquire at 306 J street j7-1w*

FOR SALE—A FIRST-CLASS millinery business, with complete stock and fixtures, located in this city. For full information inquire at 521 J street, between Fifth and Sixth. j4-tf

FOR SALE—THE WELL-KNOWN KORN HOTEL, on Fifth street, between J and K. Will be sold at a bargain. Apply to H. WEINRICH, J street, between Fifth and Sixth. d26-1m*

ROOMS, ROOMS, ROOMS—TO RENT CHEAPER than any house in the city, single or in suite. Quiet and home-like. Stove in every room. Kept first-class in every respect. New building. Everything neat and clean. Also, a few unfurnished rooms. MRS. GRICE, Proprietress, northeast corner Eighth and K streets, Clunie Building. d6-1plm

FOR SALE OR RENT.

THAT DESIRABLE PROPERTY KNOWN as the Golden Eagle Hotel, in the city of Marysville, Yuba county, Cal. The hotel is a three-story brick building, complete in all its appointments, and all its furniture is nearly new, and is in first-class condition. A fine omnibus and team will go with the property if desired. This is a first-class opportunity for a good business man, as the hotel is now open, has a good run of custom, and has always done a fine business. Owing to the death of A. Farnham, its late proprietor, said property will be sold at a bargain, or rented to a responsible party on easy terms. For particulars inquire of the undersigned on the premises.
j9-1plm MRS. A. FARNHAM.

BREWERY FOR SALE.

THE FOR YEARS WELL-KNOWN St. Louis Brewery, Situated on corner of Sixth and G streets, in the city of Sacramento, is, on account of the death of the proprietor, for sale cheap. Inquire of W. P. COLEMAN, 325 J street. d20-tf

DENTISTRY.

W. H. HARE, D. D. S.,
DENTIST, NO. 605 J STREET, BEtween Sixth and Seventh, Sacramento. j11-1plm

H. H. PIERSON,
DENTIST, 415 J STREET, BETWEEN Fourth and Fifth, Sacramento. Artificial Teeth inserted on Gold, Vulcanite and all bases. Nitrous Oxide or Laughing Gas administered for the painless extraction of Teeth. d14-1m

W. WOOD,
DENTIST.—(REMOVED TO QUINN'S Building, corner Fourth and J streets). Artificial Teeth inserted on all bases. Improved Liquid Nitrous Oxide Gas, for the Painless Extraction of Teeth. d24-tf

DRS. BREWER & SOUTHWORTH,
DENTISTS, SOUTHWEST CORNER OF Seventh and J streets, in Bryte's new building, up stairs. Teeth extracted without pain by the use of improved Liquid Nitrous Oxide Gas. d16-1plm

Chickering Pianos,
WILCOX & WHITE ORGANS
—AT WAREROOMS OF—
L. K. HAMMER,
No. 820 J street, Sacramento.
Sold on the installment plan. Orders for TUNING promptly attended to. jy20-1plm

EDW. CADWALADER.
OFFICE, CORNER THIRD AND J STREETS; residence, corner Tenth and N streets, Sacramento, Cal.
Notary Public.
United States Commissioner.
Commissioner of Deeds for the States and Territories, and Conveyancer. Particular attention paid to taking depositions.
Deeds, Mortgages, Wills, Leases, Contracts, etc. drawn and acknowledged. d19-tf

SWEETSER & ALSIP,
REAL ESTATE AND INSURANCE AGENTS
Notary Public and Commissioner of Deeds.
Real Estate Bought and Sold on Commission.
Houses rented and rents collected.
Agents for the following Insurance Companies:
IMPERIAL of London
LONDON of London
NORTHERN of London
QUEEN of Liverpool
NORTH BRITISH AND MERCANTILE of London and Edinburgh
ÆTNA of Hartford, Conn
Aggregate Capital, $54,116,000.
No. 47 Fourth street, between J and K, Sacramento, corner of the alley d23-1ptf

CITY BREWERY BEER.
THIS BREWERY, WHICH HAS recently been purchased by RUHSTALLER & SCHULER, has been thoroughly repaired, and the proprietors are now ready to deliver BEER of their own brewing, which they claim is superior to any other in this market. City trade and country orders are solicited. RUHSTALLER & SCHULER, Twelfth and H streets, Sacramento. d1-1plm

MECHANICS' STORE.

For Advertisement of WEINSTOCK & LUBIN, see Second Page. It will be changed daily.

SAN FRANCISCO CARDS.

SAN FRANCISCO
Business Directory

ARTISTS.
Houseworth—Optician and Photographer, No. 12 Montgomery street. Established in 1851.

BUSINESS COLLEGES.
Heald's Business College (of the Bryant & Stratton Chain of Colleges). E. P. HEALD and F. C. WOODBURY, Proprietors, No. 24 Post street, near Kearny, S. F., Cal. Terms—$40 per quarter, payable in 30 days.
Pacific Business College and Telegraphic Institute—(Life Scholarship, for full Business Course, $70). W. E. Chamberlain, Jr., and T. A. Robinson, Proprietors, No. 320 Post street, opposite Union Square, S. F., Cal. Send for Circulars.

DRY GOODS.
The White House—The oldest Dry Goods House in San Francisco. We import direct from the principal marts in Europe, consequently can sell lower than any other house in the trade. Country orders attended to. J. W. Davidson & Co., Nos. 101 and 103 Kearny street, San Francisco.

DRUGS, CHEMICALS.
Justin Gates.—Pioneer Druggist, removed to 722 Montgomery street. Country orders solicited

EDUCATIONAL.
School of Civil Engineering, Surveying, Drawing and Assaying, 24 Post st. A. Van der Naillen
The Berkeley Gymnasium—A First-class Academical Institution, affords a Classical, Literary, Scientific or Business Education. For catalogues or particulars, address JOHN F. BURRIS, Superintendent, Berkeley, Cal

HATS.
Herrmann, The Hatter—No. 336 Kearny street, near Pine. The finest hats at the lowest prices. Factory: No. 17 Belden street.

HARDWARE, IRON, STEEL, ETC.
Will & Finck—Importing and Manufacturing Cutlers and Bellhangers, No. 769 Market street.
Marcus C. Hawley & Co.—Importers of Hardware and Agricultural Implements, Nos. 301, 303, 305, 307 and 309 Market street, San Francisco.
Carolan, Cory & Co.—Importers of Hardware, Iron and Steel. Agents for the Pittsburg Steel Works, Northwestern Horse Nail Co., and Southington Cutlery Co. Nos. 120 and 122 Front street, and Nos. 117 and 119 California street.

METALS, STOVES, RANGES, ETC.
W. W. Montague & Co.—Importers of Stoves, Ranges and Sheet Iron, Marbleized Mantels, Grates and Tiles. Manufacturers of Plain, Japanned and Stamped Tinware. Nos. 110 112, 114, 116 and 118 Battery street.

MILLINERY.
The Bandbox—The popular Millinery Establishment. B. S. Hirsch & Co., No. 748 Market street. Strict attention to orders from the interior

RESTAURANTS.
Campi's Original Italian Restaurant has reopened under the management of N. Giamboni, Campi's former partner. Nos. 531 and 533 Clay st., near Montgomery. Everything first-class.
Swain's Family Bakery and Dining Saloon—No. 636 Market street. Wedding cakes, ice cream, oysters, jellies, etc., constantly on hand. Families supplied.

RUBBER AND OIL GOODS.
The Gutta Percha and Rubber Manufacturing Company—Manufacturers of Rubber Goods of every description. Patentees of the celebrated "Maltese Cross Brand" Carbolized Hose. Corner First and Market streets. J. W. Taylor, Manager.
Davis & Kellogg—Pioneer Manufacturers of Cape Ann Oiled Clothing, Hats, Covers, etc. Importers and Dealers in Rubber Boots and Woolen Goods No. 34 California street.

STATIONERS, PRINTERS, ETC.
H. S. Crocker & Co.—Importing and Manufacturing Stationers, Printers and Lithographers, Nos 215, 217 and 219 Bush street, above Sansome.

WHOLESALE GROCERS.
Wellman, Peck & Co.—Importers and Wholesale Grocers and Dealers in Tobacco and Cigars, Nos. 126 to 132 Market, and No. 23 California.
Taber, Harker & Co.—Importers and Wholesale Grocers, Nos. 108 and 110 California street.

SACRAMENTO RECORD-UNION.
San Francisco Office, No. 531 California street.—J. H. Sharpe, Agent.

MISCELLANEOUS.

Fifth and K sts.
SEE THE GREAT DISPLAY
—IN—
NEW STYLES CHAMBER SETS, IN WALNUT AND ASH;
Bookcases,
Secretarys, Desks, and
Furniture Generally,
—AT—
W. D. Comstock's.
d21-4ptf

STAR MILLS AND MALT HOUSE.
NEUBOURG & LAGES,
NOS. 50, 52 AND 54 FIFTH ST., SACRAMENTO, dealers in Produce and Brewers' Supplies, Manufacturers of Malt and all kinds of Meals, etc. Oatmeal, Cornmeal, Cracked Wheat, Graham Flour, Buckwheat Flour, etc. New Grain Bags for sale. Agents for Buckeye Mills Flour, Marysville. d17-1p

UNION
INSURANCE COMPANY, SAN FRANCISCO
Fire and Marine.
CAPITAL, fully paid $750,000
Losses promptly adjusted and paid in gold coin.
CADWALADER & PARSONS,
General Agents Sacramento Division, No. 61 J street. j13-4ptf

THE PIONEER BOX FACTORY
Still Ahead of All Competitors.
COOKE & SON
CORNER OF
Front and M streets Sacramento.
d3-4ptf

A. J. VERMILYA,
County Coroner and Undertaker,
HAS REMOVED TO NO. 520 J STREET, between Fifth and Sixth. Always on hand a large assortment of Metallic and Wooden Caskets, Burial Cases and Coffins. Shrouds furnished and Funeral Wreaths Preserved. Coffin orders will receive prompt attention on short notice and at the lowest rates. d14-4plm

J. FRANK CLARK,
UNDERTAKER.
No. 1017 Fourth st., bet. J and K.
Always a complete stock in store. Country orders receive prompt attention. d1-4plm

Sacramento Planing Mill,
SASH AND BLIND FACTORY, CORNER OF Front and Q streets, Sacramento.
Doors, Windows, Blinds.
Finish of all kinds, Window Frames, Moldings of every description, and Turning.
HARTWELL, HOTCHKISS & STALKER
d22-4plm

NOTICE TO THE PUBLIC!
For the best of all kinds of
SAUSAGE
(12½ cents, two pounds 25 cents), and
CHEESE
Sold at the lowest possible price, as we go on with the times. We believe in quick sales and small profits. We keep nothing but first-class articles. Hotels, boarding-houses and saloons supplied on special terms. Country orders promptly attended to, at No. 426 J STREET, between Fourth and Fifth.
j6-4plm F. BAUMLE.

FRUITS, SEEDS AND PRODUCE.

FRUIT DEALERS,
ATTENTION!
HAVING REMOVED TO MORE COMMODIOUS premises, we have enlarged our stock. We offer you choice Apples, free from worms, Lemons, Limes, Oranges, Dried Fruits, Nuts, Dates, Canned Goods, etc., at very low prices.
M. T. BREWER & CO.,
1006 to 1010 Second street, between J and K, Sacramento. d22-tf

D. DEBERNARDI. JAS. GARZOLI.
D. DEBERNARDI & CO.,
WHOLESALE COMMISSION DEALERS IN
Butter, Eggs, Poultry, Vegetables,
Fruit, Fish and General Produce.
d27-1plm

A. MOOSER. S. GERSON.
S. GERSON & CO.,
GENERAL COMMISSION MERCHANTS, AND Dealers in
Imported and Domestic Fruits, Vegetables, Nuts, Etc.,
No. 220 J street, between Second and Third, Sacramento. d2-1m

W. R. STRONG & CO.,
Wholesale Commission Merchants
AND DEALERS IN ALL KINDS OF
CALIFORNIA GREEN AND DRIED FRUITS
NUTS, HONEY, SEED
And General Merchandise.
All orders promptly attended to. Address:
W. R. STRONG & CO.,
n8-1plm Nos. 6, 8 and 10 J street, Sacramento.

LYON & BARNES,
COMMISSION MERCHANTS AND DEALERS IN
Produce, Vegetables, Butter, Eggs, Cheese,
Poultry, Green and Dry Fruits, Honey, Beans, etc
ALFALFA SEED.
Potatoes in car-load lots or less.
o23-1ptf Nos. 21 and 23 J street.

CARRIAGES, HARNESS, ETC

PIKE & YOUNG,
CARRIAGE MANUFACTURers, corner of Fourth and L streets, Sacramento, have on hand the largest assortment of Carriages, Wagons and Buggies to be found in Sacramento, which they will sell at very low rates. j13-4

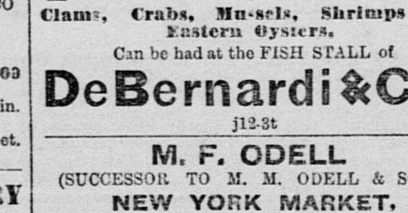
L. C. MONTFORT. R. C. IRVINE. A. A. VAN VOORHIES.
A. A. VAN VOORHIES & CO.
(Successors to R. STONE & CO.),
322 AND 324 J STREET,
IMPORTERS, MANUFACTURERS AND Jobbers of all kinds of
Saddlery and Carriage Hardware,
LEATHER AND SHOE FINDINGS,
—AND—
CARRIAGE TRIMMINGS.
Keep constantly on hand a full stock of imported and domestic Harness, Saddles, Collars, etc.
Our manufactures warranted unsurpassed by any house on the coast. d2-4plm

CARRIAGES
Nevada's Grand Gold Medals for 1876, 1877, 1878, 1879 and 1881.

EIGHT GOLD AND EIGHT SILVER MEDALS, 118 First Class Premiums for the best work from the Mechanics' Fair, San Francisco, and the different State Fairs held in this State and Nevada.
One of my Buggies is worth Six Cheap Eastern Buggies.

HARRY BERNARD,
MANUFACTURER, COR. SIXTH AND L STREETS, SACRAMENTO.
I have on hand and for sale at the lowest possible prices, the new style of PONY PHAETONS, the handsomest in the State. Family Carriages, latest patterns. Neatest Open Buggies in the State. Light Top Buggies. Heavy Top Buggies for mountain use. Farmers' Carriages. Trotting Wagons and Sulkies, all of my own make. Carriage Painting and Trimming done at the lowest price. None but the most experienced workmen employed Repairing neatly done, and all work is warranted Call at the Factory and see for yourself. d1-4ptf

MARKETS.



THE MOST COMPLETE VARIETY OF FRESH and Saltwater Fish, including
Clams, Crabs, Mussels, Shrimps and Eastern Oysters.
Can be had at the FISH STALL of
DeBernardi & Co.
j12-3t

M. F. ODELL
(SUCCESSOR TO M. M. ODELL & SON),
NEW YORK MARKET,
Northeast Corner of K and Tenth Streets
ALL KINDS OF FRESH AND Salt Meats always on hand, delivered free to any part of the city. Meat by the side and quarter shipped to order. I pay the highest market price for fat stock of all kinds. j12-4plm

BALTIMORE MARKET.
C. WEISEL & CO., WHOLESALE AND retail Butchers and Pork Packers, Nos. 726 and 726½ L street, between Seventh and Eighth. Hams, Bacon, Shoulders, Lard, Clear Pork and Fresh Meats, etc. Also, Hides, Tallow and Pelts bought and sold on commission, and money advanced on the same. Highest market price paid for Fat Hogs. o19-4plm

GEORGE P. HARTMANN,
OF THE ORIENTAL MARKET AND SAUSAGE FACTORY, No. 418 K street, will supply the public with the CHOICEST SAUSAGES of all descriptions, such as Liver Sausage, Vienna Sausage, etc. Particular pains is taken in the manufacture of LIVERWURST, and I defy any Sausage Manufacturer to excel me. Also, Meats of all kinds, delivered to any part of the city. d15-4p-1m

G. GRIFFITHS,
PENRYN
GRANITE WORKS
PENRYN CAL.

THE BEST VARIETY AND Largest Quarries on the Pacific Coast. Polished Granite Monuments, Tombstones and Tablets made to order.
Granite Building Stone Cut, Dressed and Polished to order. o11-1r6m

R. H. BYERS,
UNDERTAKER
1017 Eighth st., between J and K.
SHROUDS AND BURIAL CLOTHES, Coffins and Trimmings, Metallic Burial Cases and Caskets. Interments made in all the cemeteries. Bodies embalmed for shipment. d1-4plm

DEBRIS.

FORTIETH DAY OF THE SLICKENS CASE IN COURT.

Important and Interesting Evidence of a Mining Expert—Thomas Price on the Witness Stand.

The case of the People vs. The Gold Run Ditch and Mining Company, was resumed in the Superior Court yesterday before Judge Temple.

O. P. Stidger was allowed to make a correction. He said that he was reported as saying that the Sacramento river in 1849 was 450 feet wide. He wished to be understood that the river was at least twice as wide as that.

The cross-examination of D. L. Bowers was resumed. He was examined at length in regard to the early mining on the Middle Fork of the American river, and as to the face of the country there now.

Mr. Cadwalader said he would present to the witness a photographic view of the ordinary hydraulic mines as they are found on all the branches of the American river and ask him whether it does not show substantially the material in the banks of the Pond and Dardanelles mines spoken of in his direct testimony, and also of those in Michigan Bluffs.

Objected to by counsel for defendant on the ground that it is not cross-examination, and that the photograph does not purport to be a representation of anything about which the witness has testified.

The Court sustained the objection, and counsel for plaintiffs excepted to the ruling.

The same ruling was made in regard to other photographic views.

Witness was then examined at length in regard to the character of material in various mines. Three-fourths of all the mines on the Forest Hill divide engaged in hydraulic mining lie within five or eight miles of each other.

THOMAS PRICE

Being called and sworn on behalf of the defendants and examined by W. C. Belcher, testified as follows:

Question—Professor, what is your occupation?

Answer—Chemist, mining and hydraulic engineering.

Q.—How long have you been in California?

A.—I arrived in California in October, 1862.

Q—On what business did you specially come?

A—I came here for the special business of making advances on copper and silver ores for shipping to England.

Q—Shipping to England for what purpose?

A.—For reduction.

Mr. Hart—At what place?

A.—Swansea, in Wales.

Q. (by Mr. Belcher)—What have you had to do with the refining or assaying of gold or other metals?

A.—About six months after I reached the country I entered the assay office of Kellogg, Hueston & Co. as their assayer and consulting chemist, in addition to the shipment of ore. I continued in their service until they sold out to another firm, called the San Francisco Assaying and Refining Works, somewhere about the year 1866. I continued in the service of the San Francisco Assaying and Refining Works until, I believe, 1875 or 1876. To fix it more definitely, if I have forgotten the date, until the Bank of California failed. I then opened an office of my own, and since that time have been engaged largely in assaying all kinds of ores.

Q.—What amount of ores have you handled within the last year—the value of gold?

A.—In 1880 I handled five millions and a quarter. In 1881 I have handled a little over seven millions in gold.

Q.—Have you given any special attention to the question of gold and its production?

A.—Yes, sir. I have made that my special study.

Q.—For how long a time?

A.—I have paid most particular attention to the production of gold and silver since my arrival in this country in 1862. I had paid considerable attention to it previously.

Q—What are the gold producing countries of the world at this time?

Mr. Hart—That is objected to as irrelevant and immaterial; and in making that objection I desire to announce at this time that I intend to insist on confining witnesses to the direct and material questions in this case. I want to say further, that we have allowed great latitude in collateral questions of that kind. We have allowed them to prove the amount of gold that has been taken out and estimate the amount that may be taken out, the amount of population in counties, the amount of gold-bearing channels in different counties, the value of personal property, and all matters of that kind, which I think are addressed to the judgment of the Court. From this time forward I shall object to any testimony in this case except that which tends to illustrate the propositions upon which the plaintiffs and defendants rely; that is, the question as to whether or not they do cast their tailings into the streams, and whether these tailings come down to these places. These are the questions. I understand that it is the intention to have this witness on the stand some three or four days.

W. C. Belcher—If the Court please the gentleman is greatly mistaken. We expect to consume but a very short time, unless the gentlemen should occupy the time, as they have heretofore, in objections. They may then protract the examination to a very considerable length. I think if the gentlemen will recollect, that when they put their witnesses on the stand, we allowed them to go into the examination of the questions that they sought to go into the examination of, without objection, except as to the forms of their questions. That was the only form of objection that we interposed, and I understood then, that it was the agreement, or the understanding, that the questions involved in the case were to be presented to the Court. Now as for the time that has been occupied, on the part of the defense in this case, I think that the Court will agree with me, that fully one-half of the time has been occupied by the plaintiff in the cross-examination, and a very considerable portion, with respect to some of our witnesses, in objection. We do desire by this witness to show the extent and character of the industry, and we desire here to go into this question, not at length, but very briefly. In addition to the question propounded to the witness, I shall desire to ask questions with respect to some other matters which would be general in their character. This will be very brief.

Mr. Hart—The position we take in relation to this matter is this: That if gold mining is an important industry, gold mining may be pursued; and if agriculture is an important industry, agriculture may be pursued; but neither can be pursued in an illegal manner. It is not going to be denied by the prosecution in this case that gold mining is an important industry. Such denial, even if based upon testimony, would not be believed by any intelligent Judge, and hence it will not be denied. We have admitted repeatedly and repeatedly in this case, for the purpose of saving time, that gold mining is an important industry. Now I ask counsel himself in what respect and in what manner can the production of foreign countries in the world, or of any country, excepting California, in gold, or indeed of any county, excepting Placer county, in gold, or of any mine except the Gold Run mine, in gold, in what respect could that tend to illustrate the question whether or not the Gold Run Ditch and Mining Company is tending to increase a nuisance which the plaintiff in this case charges has been committed by the obstruction of navigable streams? How could it tend to illustrate it in any degree? We are inclined, as I said before, to be liberal, and we are inclined to allow them to prove anything that tends in any degree to illustrate the general question, but we are not inclined to sit here and consume the time of the Court and the time of the counsel on one side of the case, and incumber this record with things that are immaterial in any considerable sense in which they may be put. I challenge counsel to cite any respect in which this could be possibly material. How could it be material whether Germany produces gold or not, or whether France produces gold or not, or Italy produces gold or not. How could it tend to illustrate the question as to whether the Gold Run Ditch and Mining Company is pursuing the occupation of mining in an illegal manner. Now we say mining is an occupation. Mining is a legitimate occupation; but mining, a legitimate occupation, may not be pursued illegitimately, and that is the question which is before this Court, and anything tending to illustrate that question, we are perfectly willing to come into this case, but we are not willing to sit here and listen to the speculation and learning, scientific and historical, which gentlemen of a scientific turn of mind may desire to give to this Court for the benefit of this case and possibly posterity. We are willing to admit any kind of testimony that can be material, but we say this is not material, and more than that, we say that they have consumed a great deal of time. Mr. Smith was on the stand for three or four days here, and he was testifying very largely in relation to hydraulic mining, its entire history, and his testimony, as your Honor remarked, simply tended to call your Honor's attention to that of which you would take judicial knowledge, and he testified to many scientific questions which simply tended to direct your Honor's attention to questions of which Honor will take judicial notice. Now, why accumulate evidence upon a subject which your Honor will take judicial notice? It is not our intention to underrate, to rebut these several things in relation to the amount of gold taken out of the earth, or to attempt to rebut any historical proposition stated here, unless it be found in the history itself. It is not our intention to consume the time of the Court in undertaking to rebut that part of the case. So we say they have had enough witnesses on it. It will be very interesting and instructive to listen to Professor Price upon this subject, but my business is so important that I cannot afford to sit here and listen to it.

Mr. Belcher—I am exceedingly sorry that the gentleman's business is so important that he cannot attend to this case. We think it material and proper that this should be shown; to show first what are the gold producing countries, the amount of production, the relative amount of the production of California and the importance of that production to the world, as showing the character and value of the industry which by this action is sought to be controlled and stopped.

The Court—Do you propose to show anything different or in addition to what you have already shown by Mr. Smith?

Mr. Belcher—It will be somewhat more than was shown by Mr. Smith, and somewhat different, yes; and I may here state to the Court, and yet I should hardly state it here, because it would be just what I expect to prove by this witness, and hence I state generally, simply the purpose now, without stating what I will expect to prove.

Mr. Hart—How is it material?

Mr. Belcher—He is the last witness that we expect to call upon this point, and we have as yet called but one.

Mr. Hart—We do not intend to contradict that one.

The Court—Since the testimony of Mr. Smith is not to be contradicted it don't seem to me to be necessary to call any more at all, unless there is some material matter in addition.

Mr. Belcher—There is material matter in addition, and I will state to your Honor this, to show by the witness here that, at the present time, the United States produces very nearly one-half of the entire gold production of the world, and California has produced a very large part of that produced by the United States. That at the time of the discovery of this country there were in the world only about $157,000,000 of gold, while at the beginning of the Christian era there had been over $400,000,000. That that, up to the time of the discovery of America, had by use and loss been reduced to $157,000,000. That from 1493, up to the beginning of the present century, there had been some $2,360,000,000 introduced into the world for its use, and from 1800, up to 1849, some $750,000,000. From 1849 or 1850, up to 1880, over $3,500,000,000, of which California produced nearly $1,200,000,000 of gold. Then that the wastage and retirement of gold for art and other uses, for jewelry very largely, and for other uses where it is permanently withdrawn from commerce, is very nearly $10,000,000 a year. This tends to show the importance of the industry. Then we propose to follow that, by showing the effect upon the civilization of the world of the increase of the gold product. That, however, will be very brief.

The Court—I do not suppose that the last you would wish to show by testimony?

Mr. Belcher—Professor Price has quite recently prepared a book upon this subject, and has had occasion in the preparation of his book to go very carefully into the subject.

The Court—Has it been published?

The witness—Yes, sir.

The Court—Ask him the general question, whether that presents it correctly, and then submit it.

Mr. Belcher—Q—Has your book been published?

A.—Yes, sir.

Q—And does that contain a full statement in regard to the matters which I was here seeking to ask you about?

A.—Yes, sir; substantially, up to the year 1879.

Q.—And are the statements there based upon a careful examination of the subject?

A.—Yes, sir. It is simply a question of figures, without any explanation. It is a book which is used by the assayers all over the United States. I have been frequently asked as to what is the gold production; what are the countries producing the most gold; what is the movement of gold—and I just simply embodied that in this little work I published, so as to furnish the information.

Q.—I will ask if your book contains a statement of the amount of gold at the beginning of the Christian era?

A.—Yes, sir.

Q—Does it contain——

Mr. Hart—I object to examining the witness upon this subject at all. It is irrelevant and collateral. Let them read the book.

The Court—I suppose it is to inform the counsel, so that he can tell whether he will accept that proposition and read the book.

Mr. Belcher—Does it contain a statement of the amount in 1493?

A.—Yes, sir; these periods are embraced.

Q.—And does it contain a statement of the production from that time up to the beginning of the nineteenth century?

A.—It does, sir.

Q—And from the beginning of the nineteenth century up to 1849?

A.—Yes, sir.

Q—And from 1849 up to 1879?

A.—Yes, sir.

Q.—And does it show, also, the present production of the different parts of the world?

A.—No; it does not show that. It shows only the production of California from 1848. It embraces this simply as a matter of information.

Mr. Belcher—We will offer that, and then I will ask the question as to the gold-producing countries of the present day—what they are?

Objected to.

The Court—I think Mr. Smith went into that.

Mr. Belcher—I think it was generally stated that Australia and Russia were gold-producing countries, but I do not think he gave the relative amount.

Mr. Rhodes—That cannot be material in any sense.

The Court—It seems to me that that is all there can be in it, anyway. I will sustain the objection.

Counsel for defense excepts.

Mr. Belcher—I will offer to prove, and expect the witness would testify if allowed, that the gold-producing countries of the world are the United States, now producing annually about $32,000,000; Russia, producing some $27,000,000; Australia, about $26,000,000; South America, $21,000,000; and that the production of the balance of the world is very small—less than $1,000,000; and that the production of the California gold mines is over one fifth of the entire production of the world.

Same ruling and exception.

Q—What personal experience in mining have you had?

A.—My experience commenced in mining in Wales, where I had to mine for a living. I subsequently was educated at the Royal School of Mines in England, and followed the business. Since my arrival in this country I have been largely engaged as a mining engineer, or what is designated here, to a certain extent, as a mining expert. I was engaged as a mining engineer and managing director of the El Dorado Water and Deep Gravel Mining Company. Also, was engaged in the construction of the ditch for the Blue Tent Company (an English corporation), a ditch some thirty-two miles in length. I have been connected with that property since 1871, and have had entire control and management of its working.

Q.—In El Dorado county?

A.—In Nevada county—the Blue Tent.

Q.—As a mining engineer or expert, where has you business taken you?

A.—It has taken me to all portions of California, Colorado, Nevada, Arizona, Utah and Oregon.

Q.—Please examine the map. Now with that map before you, Professor, state as to the extent and character of the mining in this State—gold mining. First I will ask you in what counties there is gold mining?

A.—There is gold mining in Del Norte, Siskiyou, Humboldt, Trinity, Shasta, Lassen, and Modoc a little.

Q.—And as you go along state where it is the chief industry and where it is only comparatively unimportant?

A.—In Plumas county largely.

Q.—Suppose you begin again at Del Norte, as to its character there and whether it is the leading industry?

Mr. Hart—I object to this witness giving any testimony as to the character and extent of mining in California, upon the ground, first, that the evidence is not relevant. It does not tend to illustrate any matter that is in issue in this case, and consequently that a great deal of time has been consumed by them, and a great many witnesses have been examined as to the amount and extent of the gold industry in California, and that evidence being admitted, this would be cumulative. Next, we object to it on the ground that it has been admitted at all times in this case, and it will not be denied, that gold mining in California is an important industry. This, then, is a useless consumption of time.

The Court—Of course, if there is no proof to be introduced on the part of the plaintiff, it seems unnecessary to take up time with it.

Mr. Belcher—It may be questioned hereafter. The Professor has visited all the counties, or nearly all the mining counties in the State, and he has had an opportunity of knowing particularly as to the custom. We first, then, want to show the extent and character of the mining; that is, if it be gold mining, the extent and character of the mining; whether it is hydraulic or drift mining, and what was the custom of miners, if he knows, in that regard, in all those counties.

The Court—I do not know in regard to that matter of custom but what it has been admitted.

Mr. Belcher—I do not understand them to admit that that will close the door to this examination.

The Court—I understand that it was admitted that they dumped into the most accessible canyons and ravines.

Mr. Belcher—Do they admit that that has become a custom?

Mr. Hart—No, sir; it is the practice.

Mr. Belcher—It has become a custom and has controlled the decisions of the Courts.

The Court—You do not propose to prove by this witness that the Courts have recognized it?

Mr. Belcher—No, sir.

The Court—That they have always done it has already been admitted.

Mr. Belcher—The purpose we have of introducing this evidence by this witness is to show the extent and universality of that custom, not only in the few counties right down here, but throughout the mining counties of the State.

The Court—It would not be more universal than that they always have done it. I understand that the plaintiffs admit that they have always done it, but they contend as a legal proposition that the manner of doing it is illegal. I do not see that you can prove anything more than has already been shown.

Mr. Belcher—It might be important to show the character of the mining, and the general custom which has prevailed in a very large number of the counties in this State. I do not know but that has already been proven as to the extent.

The Court—It seems to me that everywhere includes every place.

Mr. Hart—I do not intend to dispute the testimony of any of those witnesses, and they have had several on the subject.

The Court—To dispose of it wheresoever it was nearest and most convenient, I suppose that is about the extent of it.

Mr. Cadwalader—That was the way it was proven and found in the Keyes case.

The Court—I never read anything about that case, not even the decision, but I judge from what has been said in this case, that that is the way in which that question would be presented.

Mr. Belcher—Then, with the permission of the Court, we will reserve the right to make our offer, simply as to the names of the counties in which this industry has been and is carried on, and practically the extent, as, for instance, in Alpine county, that it is the exclusive industry, and in some others, it was a partial industry and occupying only a small portion of the people, I will then pass this subject.

Mr. Hart—I am willing that this witness shall name the mines without comment.

Mr. Belcher—I have stated that I desire him simply to comment on—

Mr. Hart—I do not want to be compelled to cross-examine him on that subject.

Mr. Belcher—Name the counties, then, where mining is carried on.

A.—The counties which I have visited myself, and where I found the business of mining carried on, are: Del Norte, Siskiyou, Humboldt, Shasta, Trinity, Plumas, Yuba, Butte, Sierra, Nevada, Placer, El Dorado, Sacramento, Amador, Calaveras, Alpine, Tuolumne, Stanislaus, Mariposa, Merced, Fresno, Tulare, Mono, San Bernardino, Inyo, Kern, San Diego, San Luis Obispo, and some other mines in the coast counties, like quicksilver mines in the neighborhood—

Mr. Hart—You were asked about the gold mines?

A.—Yes.

Mr. Belcher—Was Los Angeles named?

A.—I have not been in any of those mines and I know them only by hearsay. I know that there are some mines in Los Angeles county.

Q.—Did you name Modoc?

A.—Yes.

Q.—And Lassen?

A.—Yes. Modoc has a very small amount of mining. Modoc and Lassen I have not visited myself personally. I know there are mines there.

Mr. Rhodes—Did you mention Santa Cruz?

A.—No, sir. I had some samples once from Santa Cruz.

Mr. Hart—And Judge Rhodes says there was mining in San Francisco three years ago.

A.—Yes, near the Ocean House, there was mining, and it paid $3 a load; but what is seen on the dump is mostly brass nails.

Q. (by Mr. Belcher)—If in your examination of mines you have had occasion to examine or determine, state what is the extent of the blue gravel deposit, or that deposit that is so called.

Mr. Hart—Where?

Mr. Belcher—In this State and in the counties where he has examined them.

Mr. Hart—I object to that. It is irrelevant and immaterial and it does not illustrate any issue or issuable fact in this case. I object on the further ground that they have introduced a witness on this subject as to the extent of what they call the old river channel, and we do not propose to controvert what that witness said on the subject. The testimony would be cumulative and irrelevant. It does not include the mine in controversy.

Mr. Belcher—Of course it would include this mine.

Mr. Hart—They may examine as to the extent of the blue gravel in the Gold Run mine and ridge, but as to extending it to the blue gravel in California, I object.

The Court—There is no objection to his stating the character of the mines being worked on the river. We have been investigating as to that.

Mr. Hart—No, sir. But I object to going into the extent of the blue gravel mines in California; that is, the length of what they call the river beds, and the meanderings of them.

The Court—I made the remark, so that no one might be misled, that I presume there will be no objection to evidence as to the extent and character of that on this river that we have been investigating in this case.

Mr. Belcher—The question I propose is much broader than that. It is as to the length in miles of what is known, so far as he knows, of what is generally designated as the blue gravel deposits.

Mr. Hart—In California?

Mr. Belcher—Yes.

The Court—On that general question I understand there is no controversy.

Mr. Belcher—I am not aware whether the length of it was proved by Mr. Smith or not.

The Court—He gave the value of it and described where it was located, and he followed it on the map.

Mr. Belcher—I understand that that testimony will not be rebutted.

Mr. Hart—No, we do not intend to produce any evidence relating to the ancient river channels; that is, their length and present contents.

Mr. Belcher—As I stated, I am certain in regard to it, hence I will make an offer to prove by this witness. I make the offer and I expect that this witness will testify, if allowed, that the length of the blue gravel deposits in California is about 400 miles—from his knowledge it is about 400 miles; and that the yield per mile is about $5,000,000, and per running foot from $100 to $2,500, and that the average is $1,000, and that about nine-tenths of it remains to be worked.

Mr. Belcher—Q.—By what means is and can this blue gravel deposit be worked?

Mr. Hart—I object to that. It is irrelevant and immaterial how it can be worked. That would not tend to show that the present means are legal.

The Court overruled the objection and plaintiff excepted.

A.—The only mode by which the greater portion of those ancient auriferous gravel deposits can be worked is by the process known as the hydraulic process.

Q.—And what does that include? What does the hydraulic process, as you use the word, include? Or, what is the hydraulic process, as you use the term?

A.—Using water under great pressure, being conveyed from great distances through ditches for that purpose.

Q.—Have you much acquaintance with the quartz mines of this State?

A.—I have, sir.

Q.—Do you know the number of stamps used in that class of mining, say in 1861 or 1862, that were then employed?

Mr. Hart—I object to that question. It is irrelevant and immaterial, and besides it is a subject upon which a great deal of testimony has already been introduced, and we do not intend to controvert the testimony that has already been put in on that subject.

The Court—If it is confined to the American river, I suppose there is no objection.

Mr. Hart—They have proven the number of stamps by two or three witnesses—400 stamps.

Mr. Belcher—Something more than the American river is involved in this controversy. They have shown the filling in the American river, and in the Sacramento river, and in Suisun bay, and in San Pablo bay, and in San Francisco bay, and they do not claim that the American river has done all the filling, but that it came from the American river only in part.

The Court—You wish to show what other sources have contributed to the filling of Suisun bay.

Mr. Hart—I think that is material, but we do not intend to offer any witnesses on the subject of quartz mines and stamps in California and on the American and other rivers.

Mr. Belcher—Well, the American river then, and not elsewhere.

Mr. Hart—I object to this witness testifying as to the number of stamps on the American river, on the ground that it is cumulative, and we do not intend to controvert the testimony already in.

The Court—It does not seem to be confined to that.

Mr. Belcher—I think it comes in bad grace to object, when we had so much cumulative evidence on the other side which was received without objections.

Mr. Hart—We did not know what you were going to controvert.

Mr. Belcher—I ask the question generally.

The Court—Go on.

Mr. Belcher—Q.—As to the number of stamps in 1862?

A.—The number of stamps in 1862 was something over 600.

Mr. Hart—In the State?

A.—In the State. At the present time there are not less than 2,720, of which 150 are engaged in the crushing of cement.

Q. What is the average stamp duty?

A.—It will vary all the way from a ton and a quarter to three and a half tons, depending upon the weight of the stamp and the character of the material they have to crush. I think that they will average not less than two tons to the stamp.

Mr. Hart—That is quartz?

A.—Yes, quartz.

Q.—What is the average duty of those engaged upon gravel?

A.—They crush all the way from two and a half to six tons to the stamp. I would set down the average at about four tons to the stamp.

Q.—What is the character of the material passing from the quartz?

A.—That is finely pulverized material, which passes through what we call a No 6 gauge. It will generally pass through a sieve of about forty holes to a line inch, making forty times forty. That would be the number of pieces that would go through an inch square. It is fine powder.

Q.—And how about the size of the material passing through—the gravel.

A.—It varies from one-eighth of an inch to a quarter of an inch—that is the size of the screen. The large portion of it is pulverized to an impalpable powder, but that is the size of the screens in front of the stamps through which the crushed material has to pass. It carries in size from an eighth to a quarter of an inch. That is the size of the screen, so that in the pulverization anything that is small enough to pass through a quarter or an eighth of an inch, goes through; but simultaneously with the crushing a very large portion is crushed to impalpable powder.

Q.—The computations have been for the most part here made in yards. Will you give it so that we can convert tons into yards—give us the relation which they bear to one another?

A.—A mill crushing quartz, say we have 2,600 stamps, and they will crush somewhere in the neighborhood of 5,000 tons a day.

Mr. Hart—That is, 2,600?

A.—The total stamps engaged in the pulverization of quartz will reduce somewhere in the neighborhood of 5,000 tons a day.

Mr. Belcher—Q.—And that reduced to yards, how much would it be?

A.—Five thousand tons. I will put it by the year. They take out in 300 days one million and a half of tons. That would be about a million of cubic yards.

Q.—That is to say, a ton and a half is equal to a yard?

A.—The 5,000 tons a day, say they crush 300 days in a year, will yield one million and a half tons. Each ton and a half is, in round numbers, about one cubic yard, so that it would be the equivalent of reducing to powder about equal to one million cubic yards a year.

Q.—Is this million of cubic yards which comes out in fine sand?

A.—In find sands and slime.

Mr. Hart—This million cubic yards per year is the total amount of their 2,600 quartz-stamps?

A.—Yes.

Q.—All the quartz stamps in the State?

A.—Yes.

Mr. Belcher—Q.—How many feet of broken rock makes a ton?

A.—Thirteen of quartz.

Q.—Broken?

A.—Unbroken in place in the vein thirteen, and broken twenty. Quartz in place in the vein, thirteen cubic feet is the equivalent of 2,000 pounds; broken and on the dump, not crushed, it will take twenty cubic feet to make a ton.

Q.—That is the measure that is recognized everywhere?

A.—Yes, that is a formula by which we estimate it.

Q.—Not only by miners, but among engineers?

A.—Yes.

Q.—Now do you know of any quartz mines, and if you do, name one of the largest quartz mines and its production.

A.—The largest quartz mine in the State is the Sierra Buttes, in Sierra county. One company in Plumas county crushes on an average about 120,000 tons a year.

Q.—How many cubic yards?

A.—Nearly 100,000 cubic yards, not quite. If there had been 150,000 tons it would be just 100,000.

Q.—It has been stated by witnesses here that 600,000 yards was the amount worked by the defendant here from its mines in a year. I will ask you if you know the character of the material worked there?

A.—Yes, sir. I visited the mine on November 19th the last time. Last year.

Q.—From what you have seen there state how, in your judgment, the rivers would be effected by the amount of material washed from that mine and from the Sierra Buttes.

Mr. Hart—We object to the question until the witness has shown himself competent to estimate it.

Mr. Belcher—We will pass the question for the present.

Q.—What acquaintance have you had with drift mining?

A.—I have been connected with drift mining in El Dorado county, and largely interested in that property, where we have several drift mines at work. I have examined a very large number of drift mines in various portions of the State, more particularly in Sierra county. I know of several mines in Placer county.

Q.—Do you know the Bald Mountain mine?

A.—I do.

Q.—State as to the amount removed from that mine?

Mr. Hart—Where is the Bald Mountain?

A.—In Sierra county, near Alleghany.

Mr. Belcher—Q.—State the amount removed from that mine, from 1872 to 1880?

A.—During six years, 860,000 carloads—that is a drift mine. These carloads measured about a cubic yard, so that it would be approximately 860,000 cubic yards. In one year they removed as much as 106,000 cubic yards. Some weeks it has amounted to 5,000. Some days the amount is very large. The material abstracted from that mine is a fine cement and gravel. It is brought out, and the cobblestones and the larger rocks are left behind in the mine. This material is brought out and placed on a dump.

Q.—Now, how will this character of mining—the drift and the quartz mining—compare with the drift gravel mining or blue gravel mining; or, say with the defendant's mining, as to the comparative amount of material that will be moved or carried away from the dump by water?

A.—In the case of the quartz and the gravel that is crushed, it being reduced to an impalpable powder and sand, why it will be transported down just as far as the water has sufficient power to carry it. From the drift mining a much larger proportion, of course, will be washed into the rivers. In fact, the greater portion of it will be washed away down, from the fact that it is reduced to smaller pieces than in the hydraulic mining so called. A larger proportion of the material coming from the drift mines will be carried away into the lower channels of the river than will be of that removed by the process of hydraulic mining so called.

Q.—State approximately if you can, or if you know, the extent of drift mining in the State?

A.—Well, it is carried on to a very large extent. In Sierra county for many years the miners have engaged in this kind of business. A little farther north, I believe, a little way from Bald Mountain, is another mine, called the Bonanza mine, where they are employing some 100 men at the present time. They are bringing out from 200 to 300 tons per day of material. Down towards San Luis and Laporte there are a large number of miners at work on this kind of mining. These are in Sierra county. There are others in Plumas and Butte counties—in fact, nearly every mining county. In Placer county there is a very considerable amount of this kind of mining done, both on the North Fork and Middle Fork of the American river. Both these classes of mining use water.

Q.—What percentage of all the gold produced in the world has come from hydraulic mining, or been produced from that process of mining?

Objected to as irrelevant and immaterial.

The Court—I do not see any materiality in it.

Mr. Belcher—We offer to prove by this witness, and expect him to testify if allowed, that at least 95 per cent. of all the gold in the world has been produced by the process known as hydraulic.

The Court—You mean by washing sand and gravel?

Mr. Belcher—Yes.

Court sustained the objection, and counsel for defense excepted.

Q.—Have you given special attention to the mines and mining on the American river and its tributaries, and particularly in that part of it embracing the counties of El Dorado and Placer?

A.—Yes, sir; particularly through El Dorado.

Q.—Will you point out those mines on the map and name them, and give a particular description?

Mr. Hart—We will admit that we do not claim that all this stuff comes from the Gold Run mine.

Mr. Belcher—We claim that none of it comes from the Gold Run mine.

Mr. Hart—We object to his testifying on that subject, on the ground that a number of witnesses have already testified in relation to the mines in El Dorado and Placer counties, and that it is not our desire, and will not be our purpose, to rebut the testimony that is already given upon that subject, either as to the number of mines or the amount of mining in those two counties.

The Court—I suppose this is to show where the deposits in the American river come from.

Mr. Belcher—Yes, sir.

Court overruled the objection.

[Witness pointed out on the map the location of the various mines and described them at great length. We condense the statement.] Above the point where Canyon creek empties into the North Fork of the American river there is a place called Damascus. There is a drift claim there that has been worked extensively. They have got a tunnel in now nearly a mile in length. That gravel has been excavated for an average width of over 300 feet—for one mile in length. They are taking out from that mine all the way from fifty to seventy-five tons a day and have been doing so continuously since 1868 to my knowledge. The gravel so excavated has varied from five to eight feet in depth. There are several other mines in the same neighborhood tailing right in. Immediately over the ridge, a little north of Michigan Bluff, is another mine that I am acquainted with and which I have examined several times, and I find that in two years and a half they have excavated 1,300 feet to an average width of 250 feet and a depth of from 5 to 8 feet. That is the Hidden Treasure. They extracted in the neighborhood of $300,000. It dumps into El Dorado canyon, and the material finally finds its way into the North Fork of the Middle Fork of the American river. A little further down, near Michigan Bluff, there are several claims located. I am only acquainted with one, which is generally known as the Weske mine. There they have excavated on the channels for a distance of nearly 3,000 feet, varying from 50 to 150 feet in width and from 3 to 5 feet in depth. Following down that ridge there are quite a number of drift mines of which I cannot give you the details. Further south you come to Forest Hill. On that ridge there are several mines that I have seen working—the Dardanelles, the Green Springs, the Hope, the Baltimore, Jersey and others. Further south comes the Big Spring, San Francisco and several other small claims. Then you come down to Todd's Valley, where Pond has been operating a hydraulic claim for a number of years. On the top of the ridge, at the Excelsior mine, they have sunk a shaft several hundred feet in depth, and have a ten-stamp mill. Further towards Bath is the Golden Gate and Paragon mines, where they have worked into the hill some 3,500 feet, 250 feet wide and three or four feet deep, using twenty stamps with which to crush the gravel. They dump into the Middle Fork of the American A little below the Georgetown road, on the north side of the river, there are two extensive mines—the Mammoth and Rocky Point. They have sunk shafts in what was at one time an immense slide, going back into the hill several hundred feet, perfectly filling up the old river, and in fact turning the river out of its course. They have some twenty-five or thirty men engaged there in getting this material out and throwing it directly into the river. At Iowa Hill there is considerable hydraulic washing going on. The quantity of material from all these mines is very large. There has probably been not less than fifteen or twenty acres hydraulicked from the Dardanelles, Oro and Green Springs to an average depth of 150 feet. In the Pond mine not less than forty-five or fifty acres to a depth of from 10 to 120 feet. Then from these other claims, from the Dardanelles down to Bath, on that ridge, there has been moved not less than fifteen acres, to an average depth of seventy-five feet. At Bath, about 10 acres, to an average depth of 150 feet. Then in the Hope, Jersey, Baltimore and the others they have worked from 500 to 2,500 feet into the hill, and have been drifting out from 50 to 150 feet in width, and in depth it varies from two to five feet. Immediately on the other side of the ridge there has been worked not less than twenty acres, to an average depth of 100 feet. That tails into Shirt-tail canyon, above the junction of the North Fork. Witness then passed to the Placerville ridge and described the mines of the El Dorado Water and Deep Gravel Mining Company and other mining operations, giving the names of the mines and the number of stamps used in each. About five miles east of Placerville there is a little hydraulic mine where they are working a meadow, using about 100 inches of water, and is washing a meadow to the depth of five to ten feet. He has washed away there from thirty to forty acres.

Q.—Something has been said here in regard to monitors and other improvements in mining operations. What effect has been produced by the introduction of these improvements?

A. The maximum removal of earth with the minimum amount of labor. The force of the water, by the aid of the monitor, forces the material from the bank into the flumes and sluices instead of by the aid of labor.

Q.—Have these improvements added to the amount of material moved?

A.—I say, as between the year 1862 up to 1872, when the monitor in its present shape commenced to be used—I will say that there is not as much material removed into the rivers and the beds of the streams subsequent to 1872 as there was prior to the year 1872, or between that and 1862.

Q.—Why?

A.—For the reason that I found men engaged in the business of mining up in the banks of the rivers, washing in the old banks of the present rivers, in some instances going in 100, 200, 300 and 400 feet in width, the bank varying from 5 to 30, 40 and 50 feet. They used at that time sluices on a very heavy grade. The volume of water is much less at the present time than it was at that period.

Q.—Does the amount of material moved depend upon the character of that material?

A.—Yes, sir. The material mined during the first years of mining was of a much lighter character, and the same volume of water would move much more of it. There are two reasons why they do not bring down as much material to the valleys. The monitor has nothing at all to do excepting in the moving of the material and placing it in the river. It has nothing at all to do with carrying it down.

Court took the usual recess.

Afternoon Session.

Direct-examination of Thomas Price resumed.

Mr. Belcher—We offer to prove by this witness, and expect that he would testify if allowed, that from the Coon Hollow mines over $5,000,000 of gold has been taken, and that more than $10,000,000 remains in those mines to work; and that in the Blue Tent mines over $1,300,000 have been produced, and there yet remains in those mines yet to be worked more than $10,000,000.

Objected to on the ground that it was irrelevant and immaterial.

Court sustained the objection.

Counsel for the defense excepts.

[A full report of the testimony of Mr. Price will exceed the limits that can be allowed in one day's issue, and the analysis given by him of the constituent or component parts of "slickens," and the very interesting testimony in regard to the city drainage, embracing a scientific inquiry into the condition of the sewerage of Sacramento, will appear in full to-morrow, as an introduction to the report in Saturday morning's issue.]

Court adjourned until to-day at 9 A. M.

TELEGRAPHIC.

SPECIAL TO THE RECORD-UNION.

DOMESTIC NEWS.

A $25,000 Fire.

MENDOTA (Ill.), January 12th.—A fire at Arlington, six miles west of here, destroyed the general merchandise store of Hill & Co. and the hardware shop of Dodge & Co. Loss, $25,000.

Miners Suffocated.

OSKALOOSA (Ia.), January 12th.—Thomas Waters and Jasper Newton, miners, were overpowered by foul air in a coal mine. Waters is dead, and Newton cannot recover.

War Against Gamblers—A Packed Jury.

CHICAGO, January 12th.—The trial of Hankinson Bros. before Justice Welch yesterday, for keeping a gambling house, resulted in a verdict of acquittal. It required the jury but two minutes to agree on a verdict, and fifteen to sign their names to it. As the verdict was announced the Hankinson boys smiled knowingly, and the Prosecuting Attorney uttered some severe words. Robert Law, who instigated the case, was aghast at the result, and Justice Meech, throwing up his hand, ejaculated: "May the Lord have mercy on your perjured souls." Some five minutes later some of the jury were regaling themselves at the bar kept by the proprietor of the gambling-house. There is great indignation in the city at the shameless way in which the case has been allowed to go before a packed jury, and Mr. Law intends to carry the case to the highest Courts. He says the fight has but just commenced, and it is anticipated that a lively war against the gamblers will now be inaugurated.

PACIFIC COAST NEWS.

Snow in Ventura County—The "Oldest Inhabitant" Astonished.

SAN BUENAVENTURA, January 12th.—Old residents are astonished this morning by a fall of snow which whitened the hills close to town. One gentleman who has resided here thirty-two years never saw such a thing before. The weather is still threatening, and with a slight rise in the thermometer heavy rains are anticipated. Meantime the sheep-owners are killing lambs as fast as born, the feed being too scarce to sustain both mother and young.

Narrow Escape from a Watery Grave—Weather.

EUREKA, January 12th.—A boat containing James Dayton, Albert Logan and Mrs. Steve Fleming and child, left Phyllips Flat, south fork of Eel river, on Monday, for Eureka. In the main Eel river, above Rio del Norte, the boat capsized, and Dayton was drowned. Logan saved the woman and child, but all had a marvelous escape. Mrs. Fleming was on her way to San Francisco, where her husband is lying dangerously ill.

We are having a cold northeast storm, with plenty of snow and sleet in the mountains.

San Francisco Stock Sales.

SAN FRANCISCO, January 12, 1882.

MORNING SESSION.

685 Ophir	5¾@ ½	61 S. Nevada	7½@7¾
210 Mexican	8½	20 Utah	5¼
280 Gould & C.	3 60@3 65	620 Bullion	85c
220 Best & B	7¼	150 Seg Belcher	4 90
200 California	35c	125 Overman	1
450 C. Virginia	90c	330 Union	10¾@10½
40 Chollar	1 15	50 Julia	10c
250 Justice	60@65c	300 S. Hill	15c
155 H. and N.	1 30@1 35	400 Alta	4 10@4 05
190 Y. Jacket	2 75	15 Challenge	50c
250 Benton	70c	850 Andes	75@80c
1000 Imperial	5c	100 Lady Wash	5c
25 Alpha	1 80	215 Scorpion	85@90c
15 Confidence	2	200 G. Gate	1 05

AFTERNOON SESSION.

100 Navajo	25c	200 Bechtel	30c
700 Day	1 05@1	500 Goodshaw	20c
100 Wales	60c	400 Concordia	1
25 Mt. Diablo	7@7¼	75 Mono	60c
100 E. Mt. Diablo	35c	350 Addenda	5c
75 Eu. Tunnel	2 05@2	100 Bodie Tun	1 10
200 Payday	1	350 M. White	2 45@2 40
200 Bodie	2 45@2 50	100 Silver King	[illegible]