

THE DAILY CRESCENT.

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NEW ORLEANS, WEDNESDAY MORNING, JANUARY 31, 1849. Supreme Court of Louisiana.

Condensed Decisions. Monday, Jan. 25, 1849. Justices of the Peace. In the case of the State vs. May, 1848, and March 31, 1847, to admit to bail persons charged with offenses punishable by death or imprisonment for life.

The State of Louisiana vs. Michael Hayes. No. 1183 in the Supreme Court. Appell from the District Court of Terrebonne. King, J. Hayes was arrested and taken before a Justice of the Peace on an affidavit made out by a constable.

DILUVIAL GOLD DEPOSIT OF CALIFORNIA. WASHINGTON, Dec. 9, 1848. The excitement of the public mind, growing out of the discovery of native gold in the diluvial deposits of California, will, I trust, furnish an apology for the present communication.

The excitement of the public mind, growing out of the discovery of native gold in the diluvial deposits of California, will, I trust, furnish an apology for the present communication. I have been favored with the opportunity of examining the original papers, and the specimens of the gold, which have been transmitted to the Secretary of War by Col. Mason, through the instrumentality of Lieut. Loesch, which are mentioned under numbers 1 to 12, respectively, in the documents accompanying the annual message of the President to Congress.

1. Small masses of native gold, in the separate forms of grains and scales, or minute plates, from which extraneous matter has been cleanly washed.

2. Similar forms of equally fine and highly colored masses, with the loose residuum iron sand of water.

3. Masses of scale-form gold, of an ounce or more in weight, but offering no other peculiarity of character.

4. An ovate mass of two ounces weight, having a portion of its original weight of quartz still adhering.

5. All the scale-form and lump gold exhibits, more or less distinctly, the marks of attrition, and of having been carried, in its alluvial association, to the valley of the Sacramento, some distance from its original position.

6. Angular masses, of a dull metallic lustre and coarse granular fracture, which has the external form of iron pyrites.

7. A lump of red-colored ore. This mass is a large and heavy specimen of the ore of mercury, called cinabar, and is well characterized as the dark red variety of the systems.

8. Arsenicous magnetic ironstone, of its usual form and lustre, and specific gravity. This is the usual residuum after washing away the alluvial matter from the grain and scale gold, and has been transmitted to denote that fact, and not as attaching any importance to its value.

In appreciating the gold formation of California, we may derive some light from the history of the discovery of this mineral in other quarters of the globe. Much of the native gold of Asia, Africa and Europe, of ancient periods, was found in earthy deposits in the beds or valleys of streams, or plains which have been produced from the disintegration and gradual degradation and removal of pre-existing rocks.

9. A large and heavy specimen of the ore of mercury, called cinabar, and is well characterized as the dark red variety of the systems.

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as will not exercise except where their verdict is manifestly erroneous, which we cannot say in the case in the present instance. The judgment was therefor affirmed with costs. J. A. Upton, for defendant and appellant; D. Augustin, for plaintiff and appellee. (The verdict and judgment were affirmed.)

MATHURIN LEBLANC vs. ADOLPHE HERBERT. Appell from the Sixth District Court. (West Baton Rouge.) ROY, J. Judgment of the lower Court affirmed.

WIDOW CYPRIEN GERMILLON vs. WIDOW LOUIS B. ADVENTURE. No. 1174, in the Supreme Court. Appell from the Ninth District Court. (Parish of Pointe Coupee.) ROY, J. In this case the Court held that the cause of the plaintiff was not barred by the statute of limitations, and that this omission was not calculated to produce surprise. The case was therefore remanded for further proceedings, with leave to both parties to amend; defendant and appellee to pay the costs of appeal.

Wm. Chapman vs. J. B. Bond, Adm'r. Appell from the Fifth District Court. (Parish of Terrebonne.) SHELLEN, J. Question of fact—Judgment affirmed.

NATHAN K. KNOX vs. POLICE JURY of WEST BATON ROUGE. Appell from the Sixth District Court. (West Baton Rouge.) ROY, J. This was an action by plaintiff as transferee of the claim for making a new levee in front of the property of one Dupuy, an absentee, originally adjudicated to Edward Brady and William Knorr, who were not parties to the suit. The Supreme Court reversed the judgment rendered thereon and gave a judgment in favor of plaintiff for \$286, with legal interest from Oct. 6, 1846, and costs in both courts.

UZBEKIN BROTHERS vs. JOHN NOLAN. Appell from the Sixth District Court. (Parish of West Baton Rouge.) ROY, J. In the case the Supreme Court held, as has been stated in the present notice, that the verdict is affirmed, the jury are at liberty to withdraw it, under leave of the Court, in order to make it more explicit. The judgment in favor of plaintiff for the land in controversy, and \$125 damages, was affirmed with costs. P. S. W. (Conclusion of our series.)

DILUVIAL GOLD DEPOSIT OF CALIFORNIA. WASHINGTON, Dec. 9, 1848. The excitement of the public mind, growing out of the discovery of native gold in the diluvial deposits of California, will, I trust, furnish an apology for the present communication.

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as the effort is confined to the soil. It would appear, in contemplating the question of diluvial action, as if it had exerted itself with greater force and violence, and with a more degrading power, upon our highlands and mountains than the old World, so as to demolish solid surface rocks and break them up to a greater depth, and to scatter their disrupted pieces of mineral matter over more extensive districts. Such are the impressions in the mind, when the remaining diluvial and injected deposits of the galea of Mexico, Iowa and Northern Illinois; the gold debris and pebble diatomium of the Appalachian spine in the Southern States, and the wide spread coralline diatomium of the basin of Lake Superior. In each of these cases the original mental bearing rocks have been broken down by ancient diluvial action, and scattered over wide areas of country. In each case also, the first discovery or eventual working of these extemporaneous mines was accompanied by a public excitement, hundreds and thousands rushing to the field; and in each case the explorations of early geologists, in tracing the origin and supply of the drift deposits to contiguous veins in the undisturbed rocks.

No determinations can be safely made a priori upon the extent and permanent value of the gold deposits of the nation. A practical knowledge of the geography and resources of the country is limited. Of its geology and mineralogy, further than conclusions can be guessed at from the loose letters of the day, and the examination of the specimens which are named above, and the assays of the same, we know nothing. Its coast latitudes and heights and distances, and the nature of the soil, are believed, accurately described and fixed, and made accessible, together with a valuable amount of information collected of its vegetable physiology and military maritime advantages, by the several officers and the army, who have reported and published the results of their observations.

In the geographical memoir accompanying Col. Fremont's map, communicated to the Senate in compliance with its resolutions of the 5th and 15th June last, the Sacramento and San Joaquin rivers are described as the natural development of one valley, which, in its course, has been interrupted in its centre, and unite their channels, reaching tide-water at the head of the Bay of San Francisco. Both rivers are represented as drawing their sources and chief tributaries from the Sierra Nevada chain of mountains, through a wide belt of lowlands, which are covered, to a considerable extent, with large lakes, and other deciduous and perennial forests, and afford in these valleys and plains, extensive and valuable tracts of fertile soil, fit for the purposes of agriculture.

There is no description of the range, dip, or geological construction and character of the hills and elevations reputed to yield gold; of the soils which rest upon their tops, sides, or valleys; or of the rock formations of higher altitudes; this intrapud and accurate observer having confined his attention to the geographical features of the country, and the various objects which are observed in its capacities for supporting animal and vegetable life. It is seen as an incidental feature of his notes, that the plains of the Sacramento and San Joaquin are covered with the debris and drift soil of the highlands, and that the gold is found in the valleys, and not on the hills or plains, is equally unknown. In order to form just conclusions on the subject, it would be desirable also to ascertain whether the elevated lands afford gold in the same relative proportion to the valleys, and, as it is, in the valleys; whether there are any appearances in the dry runs or sides of the hills, of the loose materials being in the state of a debris, which has not been removed, or any other indication of the proximity of dry beds.

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run, he visited another locality, where coarser pieces of gold were found. All the gold was found in the beds, or on the immediate banks of the water courses, in a gravelly soil. Such deposits had been long since washed away, and never examined in the numerous gullies or ravines that occur in that mountain region. It was invariably mixed with the washed gravel, or lodged in the crevices of other rocks. None had been found in its matrix in fixed rocks. The country is much broken and intersected by the numerous small streams or ravines, in all of which, for a great distance, gold had been found. The circle of the discoveries was every day enlarging. It had then extended North of the Rio de los Americanos to the Bear river, the Yerba, and the Los Pinos or Feather river, from the beds and ravines of which gold was brought by the Indians and other scientific explorations, south to the Cosummes, a tributary to the San Joaquin.

Such is the description of an officer who personally visited the principal theatre of mining operations, who conversed with the persons of chief note concerned in the temptations and precautions, search and with the operative diggers of every sort, and who has transmitted, as the result of his visit, the several specimens of gold and other minerals herein noticed. About seventy miles from South to North, and fifty miles from West to East, these extensive discoveries, in the country, embraced within its extreme point. There is too little known, however, of the geological character, origin and extent of this deposit, to determine the principal points upon which its ultimate value and permanency may turn.

When the deposit of gold in the ravines and valleys have been washed by the spontaneous action of the rivers and floods of centuries? If so, it is certain that these rich deposits will be exhausted in a comparatively short period; and the undisturbed elevated tracts of pebble drift must be relied on to supply the supplies of the country. The undisturbed elevated stratum may yield, will doubtless be less than the valley and gully deposits yield, and may but moderately reward the laborer for his search, if it reward him at all. If, on the contrary, the gorges and valleys have had their outflow from the disintegration of the mountains, and very abundant on the shores of the upper lakes, where it is driven by the wind, but, by the banks of the Sacramento, it sinks at the bottom of the river, and is carried to the sea by winds, and bank banks at higher altitudes. Tools of it to be seen in the mountains, and in the valleys.

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RESTAURANTS, &c.

ST. LOUIS HOTEL, New Orleans. This establishment is now ready for the accommodation of Boarders and the Travelling Public. Through and complete have been the repairs—having an entire new water supply, and a new Furnace. Furniture ALL NEW—selected with a constant care for the comfort of its patrons. T. G. JOHNSON, Proprietor.

FRANKLIN HOUSE, Lake out of New Shell Road. The undersigned has just refitted and opened the above named establishment, and is now ready to receive guests. The house is situated in one of the most elegant and healthy localities in the country. The gardens and grounds will be kept in the best order, and the table supplied with the finest fresh from their own farms. He will also be at all times supplied with every variety of game, and all the delicacies that the New Orleans market affords, together with choice liquors and wines, with good accompaniments. DAN HICKOK, Proprietor.

MURPHY'S RESTAURANT, Bowling and Billiard Saloons—No. 100 St. Charles Street, New Orleans. The Subscriber would respectfully inform his friends and the public that he has made extensive additions to his Establishment, conducted in the most complete and desirable manner in the city. The RESTAURANT will at all times be supplied with the most choice and excellent meats, and a variety of wines, in a style to satisfy the most fastidious epicure. Having a number of excellent cooks, and a first class kitchen, he is prepared to accommodate BOARDERS, with or without Lodging, by the day, week or month. Terms moderate. The BILLIARD SALOON has been recently refitted, and visitors will find the Tables and appointments of this establishment equal to any in the city, and from their central position, is well adapted to the business of the city.

THE BOWLING SALOONS have been constructed with care, and are now open for the reception of visitors, and waiting to give general satisfaction to his patrons, and to make his House worthy of the most liberal patronage. The Billiard Table, will always be furnished with the best of LIQUORS. RICHARD MURPHY, Proprietor.

RESTAURANT & OYSTER SALOON, No. 46 St. Charles Street, corner GRAVIER. This establishment is now open for the reception of visitors, and is well adapted to the business of the city. The RESTAURANT will at all times be supplied with the most choice and excellent meats, and a variety of wines, in a style to satisfy the most fastidious epicure. Having a number of excellent cooks, and a first class kitchen, he is prepared to accommodate BOARDERS, with or without Lodging, by the day, week or month. Terms moderate. The OYSTER SALOON has been recently refitted, and visitors will find the Tables and appointments of this establishment equal to any in the city, and from their central position, is well adapted to the business of the city.

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