

LEE EXONERATED.

He Is Decried Guiltless of Extortion.

NO ASSESSMENT, BUT A GIFT.

He Thought That His Duties Wanted to Help Him Pay His Election Expenses.

License Collector George W. Lee will retire from office on July 1 without a legal stain on his character, should nothing unfortunate transpire between now and then.

The indictment was filed about one month ago and contained charges of a grave nature. Lee was accused of having extorted four monthly installments of \$25 each from twelve deputies, in consideration of which they were permitted to retain their offices.

When the case first came up for trial Attorney Richardson interposed a demurrer on Lee's behalf, and Judge Garber promised to rule on this demurrer on the day set for the trial, on the stipulation that the defendant should have his answer ready and the case proceed to further delay should the demurrer be overruled.

District Attorney Barnes came up from Santa Cruz to try the case, and when it was called up yesterday no further continuance was asked for.

Proceedings opened with Attorney Richardson calling upon the court to sustain the demurrer. In support of his contention counsel cited the case of Mayor Kallio, who, as a member of the Board of Election Commissioners, demanded an assessment of \$25 from Clerk W. P. Lewis.

In this case a demurrer to a similar charge was sustained, and the decision of the lower court afterward affirmed by the Supreme Court. On these grounds, therefore, the court was asked to dismiss the case.

However, Judge Garber took a different view and ordered the case to proceed. Peter Kelly, one of the deputies, was the first witness called. He testified to his appointment at a salary of \$125 per month, and to only having received \$100 for the first four months of the present year.

He said that Deputy James B. Hart went around to all the deputies and said that Lee was in debt \$1700 on his election expenses and that something should be done to help him out. So a meeting was held, where it was unanimously agreed to subscribe 10 per cent of the salaries toward paying off Lee's indebtedness.

On the next day Deputy R. Fitzgerald came to them and said, "Twenty-five dollars a month goes, or nothing," and after that they were completely satisfied with the arrangement.

"Why, then, did you pay \$25 per month when you had previously agreed to pay only 10 per cent?"

"Because we understood that it meant paying \$25 or get out of the job."

"To whom did you pay the \$25?"

"At first to Hart. Then we were told to pay Hart, so we centered on McLaughlin."

"Did you ever talk of the matter to Mr. Lee?"

"No, sir."

"Did Fitzgerald tell you you would be thrown out of office if you did not pay the money?"

"He called us a lot of chumps, and I took the hint. I have been long enough in politics to take a hint when I hold an official position."

"Did you tell Mr. Hart about it?"

"No. I might as well have talked with Mr. Lee."

"Have you and Lee been antagonists in politics, and is there not a feeling between you and Lee?"

"No, sir. I am a Republican. I have always been in harmony with Lee and I have helped him out in many ways."

William F. Fitzgerald corroborated the last testimony, and said that he paid the \$25 assessment most unwillingly, but he was afraid of losing his position if he did not pay.

James D. Brown, an outside deputy, followed. He said that he knew it was no use objecting to the assessment, but some always understood that Hart was acting under orders from Lee.

"Did you, at your meeting, say anything about resigning?" asked Barnes.

"We did."

"Why did you not go out of office?"

"Because we thought it better to receive \$400 or \$500 than nothing."

HYDRAULIC MINES.

The Recent Move of the Valley People.

RALSTON AND YALE TALK.

The State Anti-Debris Association Charged With Having Flopped in the Matter of Mining.

In yesterday's CALL was printed a set of resolutions adopted by the executive committee of the State Anti-Debris Association, at its meeting in Sacramento on Monday in regard to the operation of the Caminetti law.

The object of these resolutions, as set forth in the body of the resolutions, was to record the position of the Anti-Debris Association on the Caminetti law.

Yesterday a reporter of THE CALL sought an interview with W. C. Ralston, secretary of the State Miners' Association, for the purpose of seeing how the views of the anti-debris people, as set forth in the resolutions, might be regarded by the miners, and those supposed to be guarding their interests.

Mr. Ralston was inclined to consider the decided action of the anti-debris people as playing directly into the hands of the miners, and said that he did not believe the action taken at Sacramento would be looked upon with favor by even the majority of the anti-debris people themselves.

"This action," said he, "has been forced by a few hotheads and soreheads, who have all along wanted to make a sneak of this kind, but have been held back by the fair-minded ones."

"What the miners have all along desired was to get the Anti-Debris Association to clearly define its position on the Caminetti bill. They must have either taken one side or the other, and have not been so drawn up as to preclude the possibilities of half-way measures. The Anti-Debris Association now stands in the position of having no opinion, and the action taken when the measure was proposed to have Congress decide the all-important question of whether hydraulic mining could be resumed or not."

"The anti-debris people have gone on record time and time again as favoring the rehabilitation of hydraulic mining, provided it could be done without injury to the streams in the Sacramento Valley. They cannot deny this fact at this late date, and say that the association has never encouraged the building of dams, if restraints could be made to restrain the work of the association would end."

The Anti-Debris Association has practically favored all the legislation that has been had upon the matter. Before the final passage of the Caminetti bill in Congress, the association, believe it or not, was added to the bill. The association and Congressman Berry were both consulted in regard to all the provisions of the bill, and both sides so that the bill might conform to the ideas of all parties as far as possible.

"Now, the matter is that the Caminetti bill is not satisfactory to either side, but the miners have been content to go ahead and try working the mines under the provisions of the law, and the result of the trial determine their future action."

"But the anti-debris executive committee, composed of a lot of ranchers, none of them understanding anything about engineering or mining, have virtually said that they cannot trust the engineers sent up by Congress to investigate the matter and ascertain what the law really means."

"The anti-debris committee says that its members, but more about the engineers than the experts who were called to testify before Congress in regard to these things, and the committee is a set of grangers who have no fair and valley mud clinging to their clothes."

"And they have the boldness to assert all this after having agreed to abide by the provisions of the law, and yet they themselves were instrumental in formulating these grangers say that dams cannot be built that will restrain the debris. The law says that the dams must be of a permanent character and of sufficient strength to restrain the debris, and the engineers say that they must be passed upon by expert government engineers."

"Why are the anti-debris people not willing to allow the miners to make a trial of the operation of the law, and then, before passing such a decided opinion upon its operation? Simply because there are a number of members of the Anti-Debris Association who have other interests arising from other causes than that of injury to the rivers of the Sacramento Valley. There are budding operations behind the matter some of which are in the hands of the people of California, too."

"The resolutions state that the association reserves the right to appeal to the courts if by the operation of said bill hydraulic mining should be resumed to the injury of the association."

"There is a little appeal the association can have from the courts in the matter because the Supreme Court has already had a tussle with the hydraulic miners, and the court has handed down by the Supreme Court of the State is that if the operation of the mines can be resumed without injury to the navigable streams then the courts will have no objection to the resumption of operations."

"The action of the executive committee on Monday was simply intended as a menace to the miners, of the case will react. It will serve to show the people of the State how the Anti-Debris Association has gone back on all its former pledges and stands, and is in a position of direct opposition to its former actions."

Charles G. Yale of the Mining and Scientific Press was also seen by a CALL reporter and he said that the statement of Mr. Ralston in regard to the matter.

"In thus presenting its position on the operation of the Caminetti bill, the Anti-Debris Association has shown in the face of Congress, the California State Legislature, the Board of Trade, Chamber of Commerce and Board of Supervisors of San Francisco, the same of Sacramento and other cities, and Governor Markham," he said.

"Besides this, the present action is in opposition to the action of the association before the passage of the Caminetti bill. I, for one, am glad that the association has shown its hand. The people of California can now see both sides of the case and ascertain the true inwardness of the thing."

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"The anti-debris people have said that they would work in conjunction with the State Miners' Association, but they have shown no inclination to do so. The influence of the miners' association is great and is constantly increasing while that of the Anti-Debris Association is waning. Even the merchants of Sacramento are withdrawing their support from it."

"The Miners' Association has nearly 3000 members and it is due to the association that so much has been accomplished. The favorable action of County Supervisors, Boards of Trade, Chambers of Commerce and other bodies is due to the action of the association. The State Legislature, the Mining Congress and the trans-

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