

### The Miners' Appeal.

The Miners' Association, during the last days of the session of the Legislature, presented the following petition, which, however, did no good, as the Cross bill, which was drawn to give them relief, was defeated.

To the Assembly of California;—The last hours of the session of the Legislature for 1885 find the bill introduced into your honorable body to enable the miners to continue their industry legally without injury to any and benefit to all, not yet reported from the committee, and by the aid of the irrigators, defeated in the Senate; and representing, as we do, the miners of the State, our sense of duty impels us to make one last appeal for protection and justice at your hands. No question of more vital importance was ever presented to the Legislature of any State in the Union. We come asking for bread for the vast constituency we represent; will you give them a stone? Hear us for our cause; turn not a deaf ear to the supplications of the thousands and tens of thousands whose now happy homes will be made desolate by non-action on your part. The day has come when the per diem of the members of the Legislature must stop; but is there no pay except in dollars? Is not the approval of one's own conscience, the gratitude of men, the smiles of women and the happiness of innocent children sometimes worth more? As those who step somewhat outside the bounds of duty to obstruct and defeat all consideration of these bills will forever receive the condemnation of every true friend of California—30 will those who now sacrifice something in the cause of justice receive at the hands of the people the ever welcome plaudit, "Well done, good and faithful servants." Will you adjourn and go to your homes without even hearing the cause of those we represent?

You know that thousands upon thousands of people went upon the bleak and arid mountain sides of the forbidding Sierra Nevadas, and into the depths of the most desolate canyons, in search of the royal metal, gold, because it could not be found elsewhere—and, under what they thought the laws of the State and of the nation, constructed enormous reservoirs to store water; built thousands of miles of canals to divert and carry this water, over the roughest portion of the State, to their mines; they lived in flimsy huts or in caves, or in the open air, or in tents affording insufficient shelter from the burning sun of summer and the snows and freezing blasts of winter. They were poorly clad and lived on the coarsest food, not enough, in many instances, to support life while they were digging ditches, building reservoirs, running long tunnels, turning rivers from their beds, and waited for the opening, and developing their mines—out of which beautiful homes have been made and large and prosperous local communities have been built up—our State created, and the gold furnished and distributed with a lavish hand, even to the extent of the support of our Government in its hour of trial.

These people have demonstrated that California can be made to sustain a nation.

That this way, pointed out by these miners, millions of capital was invested in mining enterprises throughout the State, and wealth in solid gold was created to the extent of 1,500 millions or more of dollars.

But now comes an interpretation of law that these facts and doings of the miners and their diversions of water and its use, are wrong and illegal—that a man who has not lived in the State for a generation, and who happens to own a few acres of land bordering upon one of these streams, has the right to have this stream run past his land undiminished in quantity and unpolluted in quality, and to preserve that right, all mining must cease—the beautiful homes must go to ruin, the prosperous communities must leave and the mining districts must be left untenanted and desolate, except by a few Chinamen. Schools and churches must be closed and the miner and his family must seek a new home.

Is this the judgment of the California Legislature? The people we represent are an intelligent,

cultivated, earnest, hard-working, law abiding people. They are non-producers of everything, except gold, that they eat or wear or consume, and as such are a desirable population for our farmers and manufacturers to find a market among. They wish to proceed by legal methods and deprecate one idea of being driven to resort to other measures to protect their property and all they hold dear.

Hundreds of suits involving the destruction of their property and the absolute ruin of thousands, have been instituted to compel them to close their mines and shut off the life-giving water, without which they cannot be worked.

Suppose the final order comes, and the officers of the law attempt to do an act that will desolate the country? Will free-born American citizens submit to such a wrong? Would not blood mingle with the waters" that flow out over and into the mines? In such a contest would not cowardice itself throw away the scabbard?

These people are willing to pay all damage lawfully awarded to any one on account of the diversion of water, or from their mining operations, but they ask that no one shall be allowed to deprive them of the use of the water or their mines, or levy tribute on them.

Is it unreasonable that they ask you to fix some mode of procedure for determining what they shall do, how much they shall pay in doing so, to those who claim to be damaged through their operations and their use of their water?

Is it unreasonable that they ask you to fix some rules for distributing this cost among themselves? This is all that the bill introduced into your Honorable Assembly and defeated in the Senate proposes to do. We ask you to bring it up and give it consideration. So great an interest as that we represent cannot and should not be ignored.

If this measure has not been brought forward faster, it has not been the fault of its friends; neither has it been the fault of those whose very existence may depend upon your action. We have spoken thus far in behalf of our present population; but we add to this a prayer for the future of California. We beg that you will not, by non-action, destroy for years the bright future of our State.

We are credibly informed that the eyes of all the East, as well as of Europe, are upon us in this matter, and that we need not expect any immigration of honest miners to add to our population and wealth, or any investment of either home or foreign capital to develop our well-known and most valuable mineral deposits, unless you enact laws under which mining will be legally possible.

Very Respectfully, The Miners' Association., San Francisco, March 5, 1r85.  
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