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SUTRO

**CALIFORNIA MONOPOLISTS AGAINST
THE SUTRO TUNNEL**

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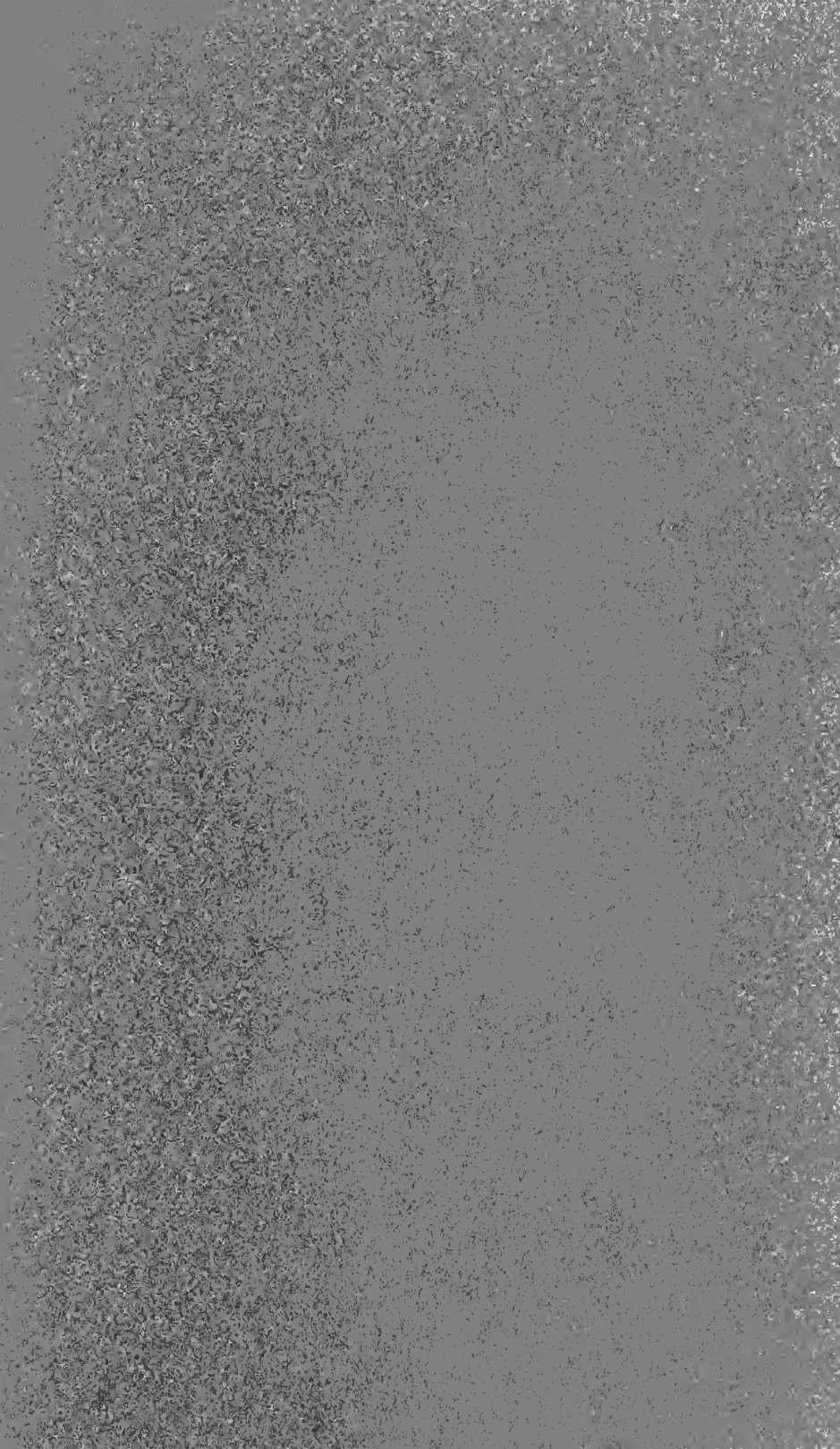


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Sutro, Adolph Heinrich Joseph

m/k
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THE CALIFORNIA MONOPOLISTS

AGAINST THE

SUTRO TUNNEL.

\$200,000 RAISED FOR CORRUPT PURPOSES.

THE PRESS TO BE DEBAUCHED.

CONTEMPLATED ATTEMPT TO SELL THE HONOR
AND GOOD FAITH OF THE AMERICAN PEOPLE.

When about to perpetrate an iniquity, the California Bank ring has made it an invariable rule to first hire the venal press, and commence a general outcry of "Stop thief!"

This is the course which has just been adopted after it was decided to make another onslaught on the vested rights of the Sutro Tunnel; this time backed up by a subscription of \$200,000 in gold coin, as will appear from the sworn copy of an agreement entered into by a number of the mining companies in the Comstock Lode, hereto annexed.

The first step taken was to buy up the Virginia City and Gold Hill papers, which, towards the end of January last, immediately after the date of the annexed agreement, commenced a perfect tirade against the Sutro Tunnel, in order to prepare the public mind somewhat for what was to come.

Since that time it has been the common topic of conversation on the Pacific coast, that the *California Bank ring*, at this session of Congress, would make another desperate attempt to repeal the vested rights of the Sutro Tunnel Company, for it had evidently been determined upon to bring about that result, if *the power of money*, brought to bear by a combination of the great *monopolies and corpora-*

tions on the Pacific coast, could be made to accomplish such a result.

Below will be found copy of an agreement sworn to by a resident of San Francisco, well known and of the highest respectability, from which it appears that \$200,000 have been raised by the mining companies on the Comstock Lode to litigate the claim of two dollars per ton on the ore raised from the Comstock Lode, *said to be preferred* by the Sutro Tunnel Company.

This agreement bears on the face of it that it is intended for *corrupt* purposes, for—

1. Two hundred thousand dollars are not required for litigating a suit in the law courts of Nevada.

2. No litigation can possibly be commenced, for no claim whatever has as yet been presented by the Sutro Tunnel Company, nor will there be any for several years to come, and not until the Tunnel shall have been penetrated *three miles of solid rock* additional to what is done, in order to reach the Comstock Lode.

3. The examination of the names of the persons selected as trustees to manage this litigating fund shows conclusively that the mining companies are used as a *mere blind*, for these five persons represent the five great *monopolies*, who are determined to break up the Sutro Tunnel at all hazards:

1. Mr. J. C. Flood represents the Virginia City Water Company, in which his firm are the principal owners.

2. Mr. R. F. Morrow represents the stock jobbing mining ring, whose manipulations are mainly carried on by the California Bank ring.

3. Mr. J. D. Fry, a relative of Mr. Ralston, the president of the Bank of California, represents that institution.

4th. Mr. Benjamin Peart represents one of the Nevada mill rings; and

5th. Mr. I. L. Requa represents the Virginia and Truckee Railroad Company and the Union Mill and Mining Company, both owned by the managers of the Bank of California.

With these brief remarks the agreement itself is hereby submitted for perusal.

ADOLPH SUTRO,
General Superintendent.

WASHINGTON, *March* 19, 1874.

SAN FRANCISCO, *January* 12, 1874.

Meeting of the Board of Trustees of the Ophir Gold and Silver Mining Company.

Present: Messrs. Grayson, Locan, Hall, Hassey, Lissack, and Peart.

The President presented the following report, viz :

It is hereby agreed by the undersigned, Mining Companies owning mines upon the Comstock Lode, in Storey county, State of Nevada, that they will, and hereby do, jointly employ R. S. Messick, of Virginia City, and C. J. Hillyer, of Washington, as their attorneys at law, to institute and carry to a final decision, under the direction of the committee hereinafter provided for, such legal proceedings as may be necessary to secure a final judgment denying the validity and estopping the enforcement of the claim wrongfully preferred by the Sutro Tunnel Company, to a royalty of two dollars per ton upon the ore raised from the mines of said companies, or any claim upon the part of said Tunnel Company to charge said mines in any manner other than in accordance with the terms and stipulations of contract made or to be made between it and the Mining Companies respectively.

J. C. Flood, R. T. Morrow, J. D. Fry, Benjamin Peart, and J. L. Requa are hereby appointed a committee to manage said litigation, and from the fund hereinafter provided for to defray the expenses of the same, including the fees of said attorneys, and of such other attorneys as, upon the approval of said Messick and Hillyer, the committee may deem it advisable to employ.

The first meeting of said committee shall be held upon a call by a majority of its members, and it shall organize by the election from its members of a president and a treasurer, and by the appointment of a secretary. All subsequent meetings shall be held upon an order by the president or by a majority of the committee. The committee shall have power to fill vacancies occurring in its own membership, and a majority of the committee shall constitute a quorum for the transaction of all business.

For the purpose of defraying the expenses of said litigation, the said committee are hereby empowered to levy by resolution assessments from time to time, as may by it be deemed necessary, upon each of the undersigned companies, provided that each assessment shall be levied upon all the companies at the same time, and provided, further, that the total amount of all the assessments levied shall not exceed for each of said companies, respectively, the amount herein set opposite the name of said companies, to wit:

Name. -	Amount.
Alpha Consolidated-----	\$1,200 00
Bacon Mill and Mining Company-----	80 00
Best and Belcher-----	2,188 00
Belcher Silver Mining Company-----	43,680 00
Bullion-----	2,500 00
Caledonia-----	2,000 00
Central-----	1,080 00
Chollar Potosi Mining Company-----	7,000 00
Confidence Silver Mining Company-----	1,000 00
Consolidated Virginia-----	39,960 00
Consolidated Gold Hill Quartz Mill and Mining Company-----	213 00
Crown Point-----	48,000 00
Empire Mill and Mining Company-----	250 00
Exchequer-----	800 00
Gould and Curry-----	4,500 00
Hale and Norcross-----	3,600 00
Imperial Silver Mining Company-----	2,500 00

Name.	Amount.
Kentuck -----	2,250 00
Ophir Silver Mining Company-----	8,316 00
Overman Silver Mining Company-----	9,600 00
Savage Mining Company-----	5,680 00
Segregated Belcher Mining Company-----	2,500 00
Sierra Nevada Mining Company-----	2,000 00
Yellow Jacket Mining Company-----	7,683 00
Challenge Consolidated Mining Company-----	750 00
Eclipse, Winter, and Plato Consolidated Mining Company-----	750 00
Central-----	1,500 00
French Gold Hill Mining Company-----	
	\$201,580 00

And provided further, That the assessments shall only be levied at such times and in such amounts as shall be needed to defray the legitimate expenses of such litigation, and that the aggregate amount of each assessment shall be apportioned between the said companies substantially (omitting small fractions) in the proportion of the amounts above placed opposite the names of the companies.

Each of the undersigned companies agrees to pay to the treasurer of said committee the amount of each assessment levied upon it as above provided within thirty days from the time of receiving from the secretary of said committee written notice of the levying of said assessment.

Each of the said companies further agrees to permit the use of its name as plaintiff in any suit or legal proceeding which said committee shall deem it advisable to commence for effecting the purpose above stated, and that its name shall not be withdrawn without the consent of said committee, provided that the entire expenses of such suit or proceedings shall be paid by said committee from the fund above provided for, and that the committee shall have the entire direction and management of the same.

On motion of Hassey, seconded by Grayson, it was unanimously

Resolved, That the president and secretary of this company be, and they are hereby, authorized and directed to make and execute, in the name of this company, a contract or agreement in accordance with the foregoing instrument, binding this company, in connection with other companies on the *Comstock Lode*, to litigate the claim of the Sutro Tunnel Company to collect a royalty upon ores raised from mines of said companies on said Comstock Lode.

(Signed) JOS. MARKS,
Secretary.

STATE OF CALIFORNIA,
City and County of San Francisco. } ss.

Before me, F. J. Thibault, a notary public of the State of California, in and for the city and county of San Francisco, duly commissioned and sworn, personally appeared Joseph Aron, who, being duly sworn, deposes and says: That he is a stockholder in the Ophir Gold and Silver Mining Company, a corporation having its place of business in the city of San Francisco, State of California; that he has examined the record-book of the said Ophir Gold and Silver Mining Company; and that the foregoing is a true copy of the minutes of a meeting of the Board of Trustees of said company, held at the office of said company in the city of San Francisco, State of California, on the twelfth (12th) day of January, 1874, as it appears in and is entered upon said record-book.

JOSEPH ARON.

Subscribed and sworn to before me this eleventh day of February, 1874.

[SEAL.]

F. J. THIBAULT,
Notary Public.

