

By California Mail.

The Democratic Convention that assembled in Sacramento on the 22d of June nominated Milton S. Latham, of Sacramento, for Governor, John G. Downey, of Los Angeles, for Lieutenant Governor, John C. Burch, of Trinity, and Charles L. Scott, of Tuolumne, for members of congress, W. W. Cope for Supreme Judge, Charles S. Fairfax for Clerk of the Supreme Court, T. H. Williams for Attorney General, Thomas Findley for State Treasurer, H. S. Brooks for Controller, Horace A. Higley for Surveyor General, A. J. Moulder for Superintendent of Public Instruction, and Charles T. Botts for State Printer.

Long hy speeches were made by Gov. Welles, John Nugent and other candidates, and by many members of the convention.

The proceedings were not very harmonious, but as much so as could have been expected, considering the vast number of aspirants for office who were in attendance with their friends, and who were not slow in setting up their respective claims to the spoils of office.

The San Francisco News gives the following list of Federal office holders who were present at the convention. It is certainly a lengthy list:

"B. F. Washington, collector of the port of San Francisco; P. A. Roach, Appraiser; W. S. Sherwood Assistant Appraiser; B. F. Hillard, Assistant Appraiser; Samuel Marx, Examiner; Frank Tilford, Naval Officer; W. B. Damerow, Surveyor of the Port; S. M. Johnson, Weigher and Measurer; W. H. Bell, Inspector; J. C. Maynard, Inspector, Half Moon Bay; A. A. Porter, Drayman, Custom House; A. French, Inspector of the Port of Oakland; John A. Watson, Collector of the Port of Monterey; P. Downey, Collector of the port of San Pedro; — Battelle, Clerk in the Custom House; Dr. Downey, ex-Collector of San Pedro; Austin E. Smith, Navy Agent; T. J. Henley, ex-Superintendent of Indian Affairs; J. Y. McDuffie, Superintendent of Indian Affairs; Vincent E. Geiger, Indian Agent; D. E. Buel, Indian Agent; J. R. Vineyard, Indian Agent; P. H. Heintzelman, Indian Agent; H. S. Ford, Indian Agent; M. Whipple, Indian Agent; W. McDaniel, Register in the Land Office; E. O. F. Hastings, Register in the Land Office; W. B. Norman, Receiver in the Land Office; Pasqual Bequette, Register in the Land Office; Chas. H. Hempstead, Superintendent in the Mint; R. W. Slocum, Chief Coiner at the Mint; G. Pen Johnson, U. S. Commissioner; P. L. Solomon, U. S. Marshal; J. W. Mandeville, Surveyor General; W. G. Ross, Deputy Surveyor; John Shore, Clerk in the Surveyor's Office; Brice M. Henry, Deputy Surveyor; C. L. Weller, Postmaster of San Francisco; Uriah Edwards, Postmaster of Sonoma; J. D. Fry, Special Post Office Agent; E. D. Beatty, Inspector at Mare Island; and some one hundred Postmasters, and seventy subordinates of the Custom Houses, from various parts of the State."

The News says, "What Britain was to Rome—what Cuba is to Spain—what Algeria is to France—so is California to Washington; a home for Buchanan's favorites, a refuge for young persons and men who have no permanent residence amongst us—sent out to see to it, beyond all hazards, that the Administration is sustained, what acts soever it may commit."

Is it not degrading—most humiliating—disreputable—that the people of this State should thus be made the tools of the Federal power? That Federal money and Federal officers should hold the exclusive control of State politics? Is public honor altogether a myth? Is public integrity a mere name? Has shame lost her blush? Have we no independence of character, or are we forever to permit the pensioned adherents of an alien power to ride rough-shod over us and dictate who shall be our rulers? If the latter be the only alternative left to us, let us bend our necks gracefully to the yoke and acknowledge ourselves mere beasts of burden.

The Convention now assembled at Sacramento is altogether controlled by Federal influences. The people have no voice in the matter. The nominations, our Federal officers believe, will be acquiesced in by the honest yeomanry of the country, but never was a greater mistake made. The people have become tired of dictation and will select men of their own choice."

The result of the election will show whether the people have become tired of dictation or not, we doubt about their having courage enough to throw off the yoke.

The weather in California has been unusually hot, more so than ever before known in that State, in some places, in brick buildings, the thermometer has been up to 118 degrees.

An extensive coal mine has been discovered in Tertia Valley in Sacramento county, the seam is said to be sixteen feet thick, and the coal highly bituminous, burning with a brilliant flame, and admirably adapted for generating steam and for parlor grates and stoves. The Union thinks that when the facilities for transportation are arranged, the discovery will add largely to the industrial resources of that country.

The gold mines in different parts of the State are represented as yielding an abundance of the precious metal, as much as in any year since gold was discovered in that country.

[REPORTED.]

PROBATE COURT FOR GREAT SALT LAKE COUNTY.

WEDNESDAY, July 20, 1859, 10 a.m.

Court met pursuant to adjournment. The record of Monday was read by the clerk and signed by the judge.

On application of Mr. Miner the court ordered the case of the people vs. Deloss Gibson to be proceeded with.

Mr. W. G. Mills opened the argument on the motion to quash the indictment.

Mr. Miner opposed the motion.

James Ferguson, Esq., concluded the argument on the motion to quash; contended the name of his client was Deloss Melville Gibson, and he therefore asked for the case to be dismissed.

Court took a recess till 4 p.m.

4 p.m.

The court resumed its session.

Court overruled the motion to quash.

Counsel for defense gave notice that they should except to the ruling.

The court ordered the clerk to issue a venire for twelve good and lawful men, to serve as traverse jurors in the case of the people vs. Deloss Gibson, returnable on the 22d at 10 a.m.

Court adjourned till Friday the 22d at 10 a.m.

FRIDAY, July 22, 10 a.m.

Court opened by the sheriff.

Minutes of Wednesday read, and the record signed by the judge.

The prisoner, Gibson, was brought into court. Mr. Ferguson presented his bill of exceptions, and asked if the subpoenas for witnesses for the defense had been returned.

His honor stated that in consequence of the low fees established last winter, by the Legislature, he found that every officer would take all the advantages of the law they could, in regard to getting witnesses, for an officer could not hire a horse for the whole of what was allowed him for serving subpoenas.

Mr. Ferguson thought that ought to be entered upon the record, and if it was the fault of the Legislature, they ought to be informed of it at their next setting.

His honor presumed that as Mr. Ferguson was a nominee for the legislative council that that body would be informed of it on the first day of the next session in the event of his election.

Mr. Miner asked if subpoenas had been served on the witnesses for the prosecution. He was answered in the affirmative.

The clerk called the names of the persons summoned to serve as jurors, as follows:

Samuel F. Attwood,	J. W. Phippin,
John Nebeker,	Thomas Judd,
Elnathan Eldredge,	Lyman Leonard,
C. M. Donaldson,	Hezekiah Thatcher,
Appleton M. Harmon,	John Bolser,
Jacob Wiler,	James Rollins.

In answer to a question from the defendant's counsel as to how the court would rule in relation to challenges, his honor said that it would be governed by an act of the legislature of last winter, approved Jan. 21, 1859.

Jacob Wiler, J. W. Phippin and H. Thatcher were challenged peremptorily by the defense. Mr. Bolser was excused by the court, not being a citizen of the United States. Mr. Leonard was excused, having expressed an opinion. Mr. Harmon, Mr. Nebeker and Mr. Rollins were excused for the same reason.

Court issued another venire and then took a recess till 2 p.m.

2 p.m.

The court resumed its session.

The venire was returned with the following names annexed:

Robert Burns,	Samuel Malin,
L. A. Ensign,	Alex. McRae,
B. F. Pendleton,	Elliott Hartwell,
Reuben Gates,	Philip B. Lewis,
George Laub,	Wm. H. Branch,
Jacob Gibson,	Royal Barney.

B. F. Pendleton, G. Laub, J. Gibson, W. H. Branch and P. B. Lewis having expressed an opinion as to the guilt of the prisoner were therefore excused. R. Burns did not appear.

Court ordered the sheriff to summon talliesmen until the panel should be filled. The following were accordingly summoned:

Joseph Woodmansee, excused by the court for cause.

Joshua Parker, objected to by prosecution. John Alger, objected to by prosecution. Horace Drake, accepted.

B. Y. Hampton, objected to by defendant. Samuel Turnbow, accepted.

The clerk called the names of the jury as follows:

Elnathan Eldredge,	Saml. Malin,
S. F. Atwood,	Alex. McRae,
C. M. Donaldson,	Elliott Hartwell,
Thomas Judd,	Royal Barney,
L. A. Ensign,	Horace Drake,
Reuben Gates,	Saml. Turnbow.

After which Mr. Ferguson asked to have the subpoena returned before they were sworn.

The court replied that, if the subpoena was not returned by the time the witnesses for the prosecution were examined, the court would wait a reasonable time.

The jury were then sworn.

Mr. Miner called for the arraignment of the prisoner.

Mr. Ferguson asked the indulgence of the court till they were ready to go to trial.

The judge replied that he supposed that the prisoner's witnesses would be in court long before all the witnesses for the prosecution were examined.

The prisoner was then arraigned, and the indictment read to him by the clerk.

Probate Court in and for Great Salt Lake County, Utah Territory, June Term, A.D., eighteen hundred and fifty nine. Hon. Elias Smith presiding.

The People of the United States in the Territory of Utah vs. Deloss Gibson. ss. Indictment for murder.

The grand jurors of the United States, in the Territory of Utah, in and for the body of Great Salt Lake county, good and lawful men, duly empanelled and sworn to inquire in and for said county, do upon their oaths find and present that one Deloss Gibson, late of said county, yeoman, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the twenty sixth day of May, in the year of our Lord eighteen hundred and fifty nine, in front of the house known as the Empire House, on East Temple Street, in Great Salt Lake City, in the county aforesaid, with force and arms in and upon the body of James Johnson, in the peace of God and of the Territory of Utah, and of the United States, then and there being, feloniously, wilfully, deliberately, premeditatedly and of his malice aforethought, did make an assault, and that the said Deloss Gibson a certain pistol of the value of one dollar then and there charged with gunpowder, and one leaden bullet, which said pistol he the said Deloss Gibson in his right hand then and there had and held, then and there feloniously, wilfully, deliberately, and premeditatedly, and of his malice aforethought did discharge and shoot off, at, to, upon, and against the said James Johnson, and that the said Deloss Gibson with the leaden bullet aforesaid, out of, and from the pistol then and there, by the force of the gunpowder aforesaid in said pistol as aforesaid, by the said Deloss Gibson discharged and shot off as aforesaid, then and there feloniously, wilfully, deliberately and premeditatedly, and of his malice aforethought, did strike, penetrate and wound him the said James Johnson, in and upon the left side of him the said James Johnson, a little above the left breast of him the said James Johnson, giving to him the said James Johnson then and there with the leaden bullet as aforesaid, so as aforesaid shot off and discharged out of and from the pistol aforesaid, by the force of the gunpowder aforesaid, in the pistol aforesaid, by the said Deloss Gibson, then and there in his the said Deloss Gibson's right hand, had and held as aforesaid, in and upon the left side of him the said James Johnson, a little above the left breast of him the said James Johnson one mortal wound to the depth of ten inches, and to the breadth of one half of one inch, of which mortal wound the said James Johnson instantly died. And so the grand jurors aforesaid, upon their oaths aforesaid, do say that the said Deloss Gibson, him the said James Johnson, in manner and form and by the means aforesaid, then and there feloniously, wilfully, deliberately, and premeditatedly, and of his malice aforethought, did kill and murder, against the form of the statutes of said Utah Territory, in such case made and provided, and against the peace and dignity and government of the said Territory and of the United States.

JOHN VAN COTT, Foreman.

A. MINER, Prosecutor for Great Salt Lake County.

Mr. Miner suggested that it was getting late, and that the testimony should all be heard in one day, if possible, therefore he preferred that no witnesses should be examined until to-morrow.

The judge said that the attorneys might, if they chose, open the case to the jury, and then the court would adjourn.

Mr. Miner addressed the jury on the part of the prosecution, and Mr. Ferguson for the defense.

The judge instructed the jury relative to their duty during the trial, and then ordered the officer to adjourn court till to-morrow at eight o'clock a.m.

SATURDAY, JULY 23, 8 A.M.

Court opened by the sheriff; jury called; all present.

Jeter Clinton, Esq., Louis W. Simmons, Martin Luce, Myron Brewer, Charles Harrison and Nephi Packer were severally sworn and testified on the part of the prosecution, after which the court took a recess till 2 o'clock.

2 P.M.

Court resumed its session. John Hill, Doctors France and Anderson, John B. Kimball, and Israel Ivins were sworn and testified on the part of the people and then the prosecution rested.

Court took a recess till 6 o'clock.

6 o'clock p.m.

Court resumed its session.

The Counsel for defense asked for time to get their witnesses. The Judge stated that the subpoena that had been issued called for one witness only and he was in court and could be introduced as a witness by the defense if desired.

Mr. Ferguson stated that they did not want the individual named in the subpoena and who was in court for a witness but three other persons whose names were unknown to the prisoner and his counsel at the time the subpoena for witnesses on the part of the defense was called for, but he was informed that they had

been notified by the prisoner's brother and would be in attendance on Monday next.

The court observed that before a continuance could be had under such circumstances it must be made to appear that the evidence of those men was material and asked the counsel for Defense what they expected to prove by them, to which Mr. Ferguson replied, That they expected to prove that the prisoner at the bar had been heretofore afflicted with temporary fits of insanity.

Mr. Minor for the prosecution said that he was willing to admit that those persons would testify in court that the prisoner had been thus afflicted if that would satisfy the opposite counsel.

After considerable arguing by the attorneys the court ordered the case to proceed, whereupon Mr. Minor addressed the jury for the prosecution.

Mr. Mills opened the argument for the defense and Mr. Ferguson concluded it.

The Judge instructed the jury in the law and in relation to their duty, after which they retired and, in about one hour and a quarter, returned a verdict of GUILTY. The Counsel for defense gave notice that they should file a motion to set aside the verdict and ask for a new trial.

The jury was discharged and the court adjourned till Monday at 8 a.m.

MONDAY, 25.

Court met pursuant to adjournment. The case of Richard Gill vs George J Taylor was called up. Plaintiff not appearing, Mr. Stout moved for a non-suit. Court ordered the case dismissed at the cost of the plaintiff. Court took a recess till 5 p.m.

5, p. m.

The court resumed its session.

The counsel for prisoner presented a bill of exceptions to the ruling of the court in relation to witnesses for the defense, in the case of the people vs. Gibson, which the Judge refused to sign then, and never in its present form.

Mr. Miner, counsel for the prosecution being absent, the court adjourned till to-morrow at 8 a.m.

TUESDAY 26, 8, a. m.

Court met as per adjournment. The proceedings of Saturday and Monday not having been fully recorded by the clerk, the court took a recess till 5 o'clock.

5, p.m.

Court resumed its session.

The Record of the proceedings of the 22nd and 25th was read and signed by the Judge.

Adjourned till to-morrow at 9, a. m.

The Battle of Montebello in June, 1800.

It is interesting to mark the similarity, doubtless in great part intentional, between the opening of the Italian campaign by Napoleon in 1800, and by Louis Napoleon in 1859. The following is an account of the first battle of Montebello, from Abbot's Life of Napoleon:

The following laconic and characteristic order was issued by the First Consul to Lannes and Murat:

"Gather your forces at the River Stradella. On the 8th or 9th at the latest, you will have on your hands fifteen or eighteen thousand Austrians. Meet them and cut them to pieces. It will be so many enemies less upon your hands on the day of the decisive battle we are to expect with the entire army of Melas."

"The prediction was true. An Austrian force advanced, eighteen thousand strong. Lannes met them on the field of Montebello. They were strongly posted with batteries ranged upon the hill sides, which swept the whole plain. It was of the utmost importance that this body should be prevented from combining with the other vast forces of the Austrians. Lannes had but eight thousand men. Could he sustain the unequal conflict for a few hours, Victor, who was some miles in the rear, could come up with the reserve of four thousand men. The French soldiers fully conscious of the odds against which they were to contend, and of the carnage into the midst of which they were plunging, with shouts of enthusiasm rushed upon their foes. Instantaneously a storm of grape-shot from all the batteries swept through his ranks. Said Lannes, 'I could hear the bones crash in my division like glass in a hail storm.'

"For nine long hours, from eleven in the morning till eight at night the horrid carnage continued. Again and again the mangled, bleeding, wasted columns were rallied to the charge. At last, when three thousand Frenchmen were strewn dead upon the ground, the Austrians broke and fled, leaving also three thousand mutilated corpses, and six thousand prisoners behind them. Napoleon, hastening to the aid of his lieutenant, arrived upon the field just in time to see the battle won. He rode up to Lannes. The intrepid soldier stood in the midst of mounds of the dead, his sword dripping with blood in his exhausted hand, his face blackened with powder and smoke, and his uniform soiled and tattered by the long and terrific strife. Napoleon silently but proudly smiled upon the heroic General, and forgot not his reward. From this battle Lannes received the title of Duke of Montebello, a title by which the family is distinguished to the present day. This was the opening of the campaign."

Noel says that formerly the Children of Israel pitched their tents—but now asphaltum is used.