

the character of the materials dredged from the channel of said river within the limits aforesaid; and that said materials so removed, consisted almost exclusively of mud, sand and gravel. Deponent further deposes and says that he never saw or heard of any deposit or accumulation of saw-dust in the channels of said Hudson River, which did or could, in his opinion, obstruct or impede navigation on the same, and that he never heard of any complaint from any persons engaged in navigating said Hudson River; that their business had been or was in any way injured or affected by deposits, or accumulation of saw-dust.

Deponent further deposes and says that he has seen in still water and in eddies, small accumulations of sawdust; that in eddies such accumulations of saw-dust were held by accumulation of water logged timber, leaves and other debris previously formed, which served as a nucleus or bar for the retention of said saw-dust, but that in every instance these accumulations of saw-dust, as aforesaid, were of a semi-fluid character, and so nearly of the same specific gravity as water, as to yield to the slightest disturbing cause.

Deponent further deposes and says that, in his opinion, sawdust alone will not and cannot accumulate in the channel of a navigable river in such masses, or of such density, as to prevent, obstruct or impede the navigation of the same.

Deponent further says that the effect of the tide is felt at the said city of Troy, the rise and fall of the water in said Hudson River at said city of Troy, as the direct result of the tides being from twelve to twenty-four inches daily.

Subscribed and sworn to,
before me, this 11th }
day of February, 1871 }

H. SMALLEY.

D. M. GREENE,
Commissioner of Deeds.

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STATE OF NEW YORK, }
WARREN COUNTY. } ss.

GEORGE NELSON, being duly sworn, deposeth and saith, that he resides in Stillwater, in Saratoga County, New York, and is Superintendent of all that part of the Champlain Canal, in the State of New York, southerly of that part thereof of which George Satterlee is Superintendent, and has been such Superintendent for the last year.

Deponent further says that he has resided near said canal and has been familiar with it and its condition, and the business done thereon, for the last thirty-five years. Deponent further says, that in the spring of the year 1870, deponent as such Superintendent, caused that portion of the said canal in his charge, as aforesaid, to be quite thoroughly cleared of the sediment and deposit therein, and deponent superintended the work personally to the extent of his whole time thereon. That said Stillwater is located on the west bank of the Hudson River, about thirty miles below Glen's Falls, in Warren County, New York