

either washing away the soil or covering it with sand, K. was liable for such injury: *Richardson v. Kier*, 34 Cal.

Ravine adopted as part of Ditch.—A ditch-owner may only adopt a ravine, which is also a natural watercourse, as part of his line of ditch to the extent of the capacity of his ditch to convey water. If an injury result from an overflow of the water of such ravine, not occasioned by its use as part of such ditch, the ditch-owner will not be responsible therefor: *Id.*

Where K. discharged water from his ditch above R.'s land in such place that it naturally would, and did, flow over and upon and injure R.'s land, K. is responsible for such injury; nor can K. shield himself from this responsibility because he may have sold this water at such place to miners, by whom it was used for mining purposes before, in the course of its flow, it reached R.'s land and occasioned such injury: *Id.*

In such case, the fact that the miners so using the water contributed to and enhanced the injury sustained, and are joint tortfeasors with K., will not relieve K. from his liability or affect its measure: *Id.*

LIST OF NEW LAW BOOKS.

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