

MONTHLY COUNCIL MEETING

Special Engineer Jones Reports on Street Work

The Council held its regular monthly meeting Monday night, and attended to considerable business. C. P. Jones, special city engineer reported on the street work on Mill street and Perkins Ave., and reported the work well done and very carefully following the plans. The report was accepted. The engineer then presented his report on the North Creek work which was tabled. This report showed many differences existing between the plans and specifications and work, some of which were for the better, others not, the principal fault being with the depth at which the pipe was laid, it not being laid deep enough.

The finance committee approved the following bills which were ordered paid.

Willamette Valley Co. lights for month	\$22.25
Brown Lumber Co. lumber for street work	24.34
Western Oregon, election tickets	2.50
C. P. Jones, special engineer	25.00
F. Rodgers, gravel for road	1.50
Veatch & Schmutz, transfer lumber	2
H. E. Underwood, marshal	60.25
H. C. Hart, Weber street contract final payment	152.10
L. Taylor, engineer	22.15
J. E. Young salary	8.33
G. B. Pletcher, nightwatchman	60

J. T. Allison gravel for road 12
W. S. Benne, street work 30
Griffin & Veatch, water pipe repairs 11.34
A petition was presented asking for a sidewalk on the south end of Weber street.
The council then adjourned to meet Nov. 19, when ordinances will be ready assessing the cost of street improvements to the property owners also fixing a per annum opera house tax.

The Nugget Press

The press on which the Nugget is printed was bought in New York of R. Hoe & Co. and is what is known as a Hoe Railroad press. It was put on board a sailing vessel and was brought around Cape Horn in the early days and was the first press ever used by the San Francisco Chronicle. In 1868 Buick & Byers of Roseburg bought it and moved it to Roseburg where it was run by handpower, a giant Frenchman coming in each week to turn the press, as he was the only man in the county that was big and strong enough to do it. In February of 1903 Wm. C. Conner brought it to Cottage Grove where it has since done good service for the Nugget and Leader, now being run by a gasoline engine.

Postponed a Week

The ladies of the W. C. T. U. had planned a reception to the teachers of the Cottage Grove school and to the school board at the home of Mrs. Frank Wheeler on Saturday night, but have decided to postpone it to Saturday night the 17th at which time all members of the W. C. T. U. will be on hand to receive the teachers and the board and give them a royal good time.

BOHEMIA MINING NOTES

And General Mining News Gathered from Exchanges.

W. A. Hogate is down from the hills after driving the big four-horse team during the summer. He found the continual driving over the roads injured him and so he quit work and will probably do something around town.

Bert Woods and Ernest Purvance who have been at work at the Vesuvius for several weeks came down Saturday.

The big Vesuvius four-horse team is kept busy hauling in supplies to the Vesuvius mine. It takes a great deal of supplies to keep a big crew supplied not alone with food, but with material to work with, to carry in hardware powder, etc. The team will be kept at work just as long as it can haul in, and that may be the best part of yet.

Bell Boy Skips With Guests Grip.

Wm. St. Clair, a bell boy at the Graham hotel skipped out last Saturday noon with a grip of a Mr. Rust, a lumberman stopping at the hotel. Mr. Rust had put his grip in the back of the office for safe keeping without letting the proprietor, Mr. Long know, and the boy took the grip and lit out for the south. Mr. Rust was especially exercised at his loss and because of some solid gold buttons and small keepsakes. The police were notified and Tuesday morning the boy

was arrested in Grants Pass after having disposed of a few of the things in the hatchell, but with it still in his possession. He was brought back that night.

F. D. Wheeler went to Drain on Tuesday on business.

Banker King left for a trip to Yoncalla with his wife on Tuesday.

Manager McCormick of the Curtin-Spur Lumber Co. was a visitor in town on Tuesday.

Remember the regular Saturday night dance at the Opera house Nov. 10th. A cordial invitation extended to all.

Dan Minogue was in town Tuesday from Alen. The Chambers mill is shut down for a few days through the breaking of a casting in the feed.

The Ditson Lumber Co. expected to be able to commence sawing next week, but have been delayed by the non-arrival of machinery that they have to put off the date.

Rev. A. J. Armstrong who is now stationed at Lakeview, Oregon, writes that he likes his charge there very much indeed. His many friends here will be glad to know that he is doing well there.

The Japs at Blackbutte had a big holiday last week and laid off for the day, to celebrate. Great quantities of foreign casks, three sack of special rice, and casks of their national liquor were disposed of during the day.

J. P. Morgan has purchased the most complete collection of original manuscripts and private letters of Robert Burns, the scotch poet, extant and has brought them to this country.

IOWA COMPANY LOSES SUIT

Judge Harris Decides in Favor of Defendants.

In the Circuit Court of the State of Oregon for Lane County.

Iowa Gold Mining Company, a corporation, Plaintiff, vs Charles Otterson, John Anderson, Reub Thom, Alex Lundberg, A. W. Zinkler, O. H. Toplin, J. H. Timmons and Jack Morgan, Defendants—Decision.

The above cause came on for trial, the plaintiff appearing by its attorneys Williams & Bean, and the defendants appearing by their attorneys Medley & Johnson.

Pursuant to a stipulation duly entered into between said parties hereto, the said trial was had before the Court without the aid of a jury.

The witnesses of said parties were duly sworn and testified and upon completion of the taking of testimony said cause was closed and thereafter the undersigned judge of said court accompanied by John M. Williams, of attorneys for plaintiff, and J. S. Medley, of attorneys for defendants, together with other persons, viewed the premises which are the subject of the controversy and of the above entitled action.

Based upon the stipulations, pleadings and evidence herein, the Court finds the following facts:

1. That plaintiff is a corporation organized and existing by virtue of the laws of the State of Oregon.

2. That the defendants were on the 13th day of June, 1904, citizens of the United States of America, or had declared their intention to become such.

3. That prior to the 12th day of September, 1899, D. J. Gover, a citizen of the United States of America, entered upon the unappropriated public domain, in the Bohemia Mining District, Douglas County, Oregon, and discovered mineral bearing rock in place, and on the 13th day of September, 1899, duly posted a notice of location of the Iowa Mining Claim, which said notice contained all that is required by the laws of the United States and of the State of Oregon, and thereafter said D. J. Gover duly marked the boundaries of said claim and caused the required location work to be done and caused a copy of the location notice to be recorded in the Records of Mining Claims for Douglas County, Oregon.

4. Said Iowa Mining claim is particularly described as follows:

Commencing at the location notice posted on the said Iowa Mining Claim, run in a westerly direction 500 feet to the west end center stake, and commencing at said location notice run in an easterly direction 1000 feet to the west end center stake, thence at right angles in a southerly direction 300 feet to the S. E. corner stake, thence at right angles in a westerly direction 1500 feet to the S. W. corner stake, thence at a right angle in a northerly direction 600 feet to the N. W. corner stake, thence in an easterly direction at a right angle 1500 feet to the N. E. corner stake, thence at a right angle in a southerly direction 300 feet to the east end center stake. Said claim is located on the main ridge between City Creek and Horseheaven Creek and the Steamboat trail runs through the same near the center thereof and said claim is about one-half mile south of the Calapoola Companies property.

5. That on the 20th day of November, 1899, said D. J. Gover conveyed all his interest in said Iowa Mining Claim to the plaintiff, which said conveyance was duly recorded.

6. That plaintiff caused the annual assessment work for the year 1900 to be done, which said assessment work consisted of clearing away for tent, facing up for tunnel, building trail and driving tunnel all of the aggregate value of \$100.00.

7. That plaintiff caused the assessment work to be done for the year 1901, which said assessment work consisted of opening cuts and driving tunnel of the aggregate value of \$100.00.

8. That plaintiff caused assessment work for the year 1902, to be done, which said assessment for the year 1902, was of the aggregate value of \$100.00, and consisted of driving tunnel, lowering bottom of tunnel and doing surface work.

9. That all the work done on or for the benefit of said Iowa Mining Claim in the year 1903, making the most liberal allowance warranted by the evidence, was the work of three men for the period of three days, worth, at the most, not to exceed forty five dollars.

10. That on or about the 13th day of June, 1904, the defendants Charles Otterson, John Anderson, Reub Thom, Alex Lundberg, A. W. Zinkler, O. H. Toplin and J. H. Timmons located a mining claim called the King David mining claim, and posted thereon a notice of location, which said notice was in conformity with the laws of the State of Oregon; and that within thirty days thereafter said locators duly marked the boundaries of said claim and within sixty days from said 13th day of June, 1904, to-wit: on the 9th day of July, 1904, caused a copy of the notice of location to be filed and recorded in the office of the County Clerk of Douglas County, Oregon, together with an affidavit showing the performance of the location work required by law, which said lo-

cation work was done within said period of sixty days.

11. That said King David claim is particularly described as follows: Beginning at location notice and running four hundred and fifty feet westerly to west end center; thence back easterly 1500 feet to east end center stake; thence 300 feet northerly to N. E. cor. stake; thence 1500 feet westerly to N. W. cor. stake; thence southerly 300 feet to west end center; thence 300 feet southerly to S. W. cor. stake; thence easterly 1500 feet to S. E. cor. stake; thence northerly 300 feet to east end center; thence westerly 1500 feet along center to location notice and place of beginning; this claim is situated on Steamboat Ridge, between Horseheaven and City Creeks about 1/2 mile easterly from the Oregon-Colorado Gold Mining Company in Douglas County, State of Oregon.

12. That on the 29th day of October, 1904, in the Circuit Court of the State of Oregon for Douglas County, in a cause wherein Charles Otterson, John Anderson, Reub Thom, Alex Lundberg, A. W. Zinkler, O. H. Toplin and J. H. Timmons were plaintiffs and the Iowa Gold Mining Company, a corporation, D. J. Gover, Manager of said corporation and D. J. Gover were defendants, an order of injunction was duly issued enjoining defendants therein from trespassing, mining and removing ore and committing waste upon the King David mining claim, and said order of injunction was served on D. J. Gover when on the ground of said mining claim, on or about the 4th day of November, 1905, and thereafter on the 29th day of September, 1905, a decree was duly made and filed in said cause to the effect that the complain be dismissed and that defendant recover its costs therein incurred.

13. That plaintiff herein caused four men to work on said Iowa claim from on or about the 30th day of October, 1904, until about the 4th day of November, 1904, when said men stopped work because of the order of injunction mentioned in finding No. (12).

14. That after September, 29, 1905, D. J. Gover and one Hooper attempted to enter upon the ground of the Iowa mining claim for the purpose of doing assessment work for plaintiff for said Iowa location, but were prevented by threats of bodily harm made by defendant Jack Morgan, and defendants have ever since prevented plaintiff from causing work to be done thereon.

15. That the answer herein alleges "that the said King David mining claim covers, embraces and coincides with the ground and premises mentioned in plaintiff's complaint and described as the Iowa Mining Claim", and the reply herein alleges that "plaintiff admits that the claim the defendants call the King David claim coincides with the boundaries of the said Iowa Mining Claim."

16. The defendants herein caused trail and other improvements and work to be made and done on and for the benefit of said King David Mining claim in the year 1905, of the value of more than \$100.

17. That defendants are and were at the time of the commencement of this action in possession of the ground embraced within the boundaries of said King David Mining claim and plaintiff demanded possession of said premises but defendants refused to deliver possession thereof to plaintiff.

18. As conclusions of law arising from the foregoing facts the court finds:

1. That a forfeiture of the Iowa Gold mining claim resulted from a failure to do the annual labor for the year 1903 and plaintiff not having resumed labor prior to the location made by defendants, the location by defendants, the of the King David mining claim was made upon vacant and unappropriated ground.

2. That the defendants, Jack Morgan, are the owners of and entitled to the possession of the King David mining claim. L. T. Harris, Judge.

Based upon the findings of fact and conclusions of law filed herewith in the above cause it is hereby ordered, considered and adjudged that plaintiff is not entitled to the possession of the ground embraced within the King David lode mining claim; that the defendants Charles Otterson, John Anderson, Reub Thom, Alex Lundberg, A. W. Zinkler, O. H. Toplin and J. H. Timmons are entitled to the possession of the premises within the boundaries of said King David claim, particularly described as follows: Beginning at location notice and running four hundred and fifty feet westerly to west end center; thence back easterly 1500 feet to east end center stake; thence 300 feet northerly to NE corner stake; thence 1500 feet westerly to NW corner stake; thence southerly 300 feet to west end center; thence 300 feet southerly to SW corner stake; thence easterly 1500 feet to SE corner stake; thence northerly 300 feet to east end center; thence westerly 1500 feet along center to location notice and place of beginning; this claim is situated on Steamboat Ridge, between Horseheaven and City Creeks about 1/2 mile easterly from the Oregon-Colorado Gold Mining Co. in Douglas County, State of Oregon; that said last named defendants are the owners of said King David Mining claim and said ownership is subject only to the laws of the United States of America and the laws of the state of Oregon, appertaining to unpatented lode mining claims located upon the public domain of said United States of America; and that defendants recover their costs and disbursements incurred herein. L. T. Harris, Judge.

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