

SAK HE IS A NOT

Nine Councilmen Are After Chief of Police.

THEY PROTEST TO MAYOR

Hunt's Incompetency Is Suggested Unofficially.

HIS REMOVAL NOT ASKED FOR

Merrill and Foeller Are the Only Two Members Who Did Not Express Lack of Confidence in the Boss of the Patrolmen.

Nine Councilmen yesterday told Mayor Williams that they considered the removal of Chief of Police Hunt would be the only blot upon his administration.

The statement was made as coming from individual members of the Council. Two members, Fred T. Merrill and Max Foeller, did not express themselves. No request was made that Mayor Williams should remove Chief Hunt. Neither was there any answer returned by the Mayor.

Coming from a majority of the Councilmen, with the silent twain saying nothing in the defense of the Chief of Police, the statement had its effect upon the mind of the Mayor, but he gave no intimation of his intentions in reply. He was asked immediately after the Councilmen filed out of his private office yesterday afternoon what was the subject of the interview.

"They simply talked in a general way," said he. "If they wish to tell you that all right, but I cannot." Then he walked to the carriage which the officials had sent as a little New Year's surprise.

Every member of the Council waited upon Mayor Williams soon after the adjournment of the special session yesterday afternoon. When the meeting was over the Councilmen gathered in the cloakroom and there, behind closed doors, decided upon their plan of campaign with the Mayor, who had gone to his office upstairs.

After a few minutes of discussion L. Zimmerman, president of the Council, and B. D. Sigler headed the members to the third floor. Every face was serious with the import of the story they had to tell the Mayor. It was regarded as a most unpleasant duty, but the Councilmen stood up like men and took their medicine.

The doors of the Mayor's office were locked after the arrival of the entire membership of the Council, and the interview lasted nearly an hour. From the appearance of the Councilmen's faces a great load had been lifted from their minds.

There was no spoken word in particular. Each member talked as the spirit moved him, but as there were several good talkers in the Council, the hum of voices was constant. Nine Councilmen, Albee, Bentley, Fiegl, Hummer, Merrill, Foeller, Sigler, Whitting and Zimmerman, expressed themselves in a way not to be misunderstood.

No direct charges were made against Chief Hunt. Mayor Williams was simply but emphatically told that from all sides the Chief of Police was condemned. Officials, the press, the business men, and people of all classes united in declaring him unfit for the responsible office which he held. Such are some of the statements known to have been leveled at the Mayor's head.

What is rumored is that several members of the Council some time ago employed a detective to watch the private operations of Chief Hunt. This is stoutly denied by the Councilmen, who say they will not do it. Nothing of this was told the Mayor, however.

To start the new year aright, and to live up to the New Year's resolutions which they made, the Councilmen, who are members of the Council have stuck to their earlier-going colleagues until a heavy majority was reached, and the expression against Chief Hunt came from practically the entire Council. One or two Councilmen have been openly camping upon the trail of Chief Hunt for several months.

"As far as we can learn your administration has been popular with the people, with the exception of the work of Chief Hunt," was what the Councilmen told the Mayor. "We consider that his removal will effect the only blot upon your administration."

Sig Sichel, one of the two members of the police committee of the Executive Board, learned of the affair from several Councilmen soon after they had left the Mayor's office.

"I haven't a word to say," said he, with, to tell the truth, a sorrowful tone in his voice.

C. F. Beebe was not interviewed.

EACH BAR MUST PAY.

Council Passes Amendment to Liquor License Ordinance.

The special session of the council yesterday afternoon passed Fiegl's amendment requiring additional saloon bars to pay \$600 a year, but did not touch upon the resolution turned down by a majority of the Councilmen, which would require the liquor license committee which treated of family entrances and concert halls.

As Dr. Sanford Whiting had not taken the oath of office within five days after election as Councilman-at-large, as required by the charter, another formal election was necessary.

"Get up and swear, Doc," laughed Bentley, as the new Councilman, elected for the second time, went out with City Auditor Devlin to receive the oath of office.

The Rumell ordinance providing for stone cross-walks was amended so as to agree with the cement sidewalk ordinance providing that repairs should be more than one-sixth of the original cost of the walk.

The Oregon Water Power & Railway Company was given the right to erect a semaphore pole at Hawthorne avenue and East Water street. This had been requested by many East Side residents, who feared an accident between the street cars and the Southern Pacific trains.

The foot of Stark street has been decided upon as the location of the fireboat slip. The Executive Board wanted to know if the ground belonging to the city at that point could be used for this purpose. City Attorney McNary will look into the case.

A. F. Fiegl stated that, in his opinion, a wharfboat would be preferable to an engine-house for the firemen of the fireboat, as a floating house would not be affected by floods.

BLACKSMITH THREATENED HIS WIFE.

D. J. Porter, the Gaston blacksmith, who tried to commit suicide Christmas morning, was last night brought to the county seat on a charge of having threatened the life of his wife. Justice Bagley has placed his bail at \$500, in default of which

Porter is confined in the county jail. Porter has been drinking heavily and he is a physical wreck. His examination has been set for next Wednesday.

SOON TO HAVE FIREBOAT.

The "George H. Williams" Will Be Launched in a Month.

Three months hence the fireboat will be receiving its last touches. The hull is almost done. It will be launched at the yards of the Portland Shipbuilding Company, in South Portland, in a month. The hull is very stanchly built. It is already planked and almost caulked and will soon be painted. Charles H. Nelson, secretary of the Portland Shipbuilding Company, said yesterday that the launching will take place early in February.

The propelling engines under construction at the Willamette Iron Works are nearing completion. The boiler and pumps are to be shipped from the East this month.

Fire underwriters a year ago promised reductions in insurance rates, in case Portland should secure a good fireboat. Since that time the question has arisen whether the underwriters will grant those reductions for a wooden boat such as is now building. At the time the underwriters promised the reductions they did not specify a steel boat, nor did the question of steel enter the discussions. The reductions were to be as follows:

From the river up to and including east side of First street, about 10 per cent.

East side of First, about 9 per cent.

East and west side of Second and east side of Third, about 5 per cent.

West of Third, about 1 per cent.

The fireboat will be named George H. Williams.

POLICE CARE FOR INJURED.

Victims of Accidents Are Given Aid Promptly.

A number of accidents yesterday gave the police considerable work, but none of them were of a serious nature.

George W. Fuly was knocked down by a wagon at Third and Alder streets. A bad gash was cut in his face, but his injury was not serious enough to necessitate his going to a hospital.

S. Alexander fell 19 feet from the sidewalk on the East Side and was carried to the station in the patrol wagon. Dr. Homer J. Kearney dressed his injuries and the patient was sent home with a broken rib.

Mrs. Nora Devern, who has a farm in Clackamas County, did not get home yesterday. As she was crossing a street-car track in East Portland she was struck by a car and knocked from the wagon. Her injuries were not of a serious nature.

Frank Ghorman was taken to St. Vincent's Hospital with a seriously injured leg. He had fallen from a train near Baker City, giving his leg a bad wrench.

MAY HAVE ROBBED SALOON.

Two Suspects Arrested on Complaint of Hillsboro Man.

John Ford and John Hurley were arrested last night by Officer Day, Walter Hogaboom and Vaughn on a charge of robbing Wiley's saloon at Hillsboro the night before. W. V. Wiley, who owns the saloon that was robbed, was in the city last night and expressed his willingness to make a complaint against them.

The saloon was robbed between 12:30 in the morning, at which time it was closed for the night, and 6 o'clock. Both of the men now under arrest were in Hillsboro for the night and left on the early morning train. The saloon was robbed of about \$40, all in small change. At the Quimby Hotel last night one of the clerks reported that the men under arrest had given him \$4 worth of nickels for larger money. The slot machines in the saloon had been opened and robbed, and it is thought that this was money taken from the slot machines.

LOCKSLEY HALL.

The Popular Resort at Seaside, Open Throughout the Year.

Locksley Hall is not an unfamiliar name to those who visit the Oregon Coast. This well-known hotel at Seaside is open the year around. It is there one may find the most comfortable and pleasant place to stay during the winter months and share with them the hospitality and comfort afforded by this popular hotel.

Locksley Hall is unlike the average so-called summer hotel. It has an air peculiarly its own, and one which is felt by every guest, be his stay long or short. There is a generous hospitality extended to all. The conveniences of a modern hotel, a select menu and all that can contribute to the comfort of the guest are here united. The furnishings are attractive and the hall in the spacious dining-hall is unequalled.

Readers of the New Year's Oregonian, tourists and others, will be pleased to learn that Locksley Hall will still continue to keep its present high degree of excellence during the coming season. Many improvements will be added. Those desirous of full information regarding this most popular of all the Oregon beach resorts may address, Locksley Hall, Seaside, Or.

A VOICE FROM SHANIKO.

Santa Claus Makes a Delivery for Ellers Plano House.

SHANIKO, Or., Dec. 28, 1903.—Ellers Plano House, Portland, Oregon.—Gentlemen: The piano you sent me arrived promptly and in good shape. It is a beautiful instrument and has come up to my every expectation.

The instrument was put in my house while my wife and I were gone to a Christmas tree and was a complete and very happy surprise to her. She is, as can well afford to be, proud of so fine an instrument.

I can heartily speak in favor of your agent also, that the Ellers Plano House will make good any contract made by their authorized representatives.

Yours very respectfully,

(Signed) N. M. LANE.

The instrument referred to was a Chickering ordered by Mr. Lane in the early fall. A duplicate of this piano in white mahogany (Prima Vera) was shipped yesterday to Mount Angel College, having been selected by Father Domhine, the eminent musical authority.

PERSONAL MENTION.

Representative J. M. Hamsbrough, of Roseburg, is at the Imperial.

Dr. and Mrs. J. D. Thompson, of Winlock, are guests at the Imperial.

E. P. Marshall, the well-known Pendleton politician, is stopping at the Imperial.

Antone F. Overman and his bride, who were married here yesterday, are registered at the Imperial.

The many friends of Frances Sheehy, who is in Chicago, will be pleased to learn that she is safe, her parents having received a telegram from her yesterday.

Mr. and Mrs. W. E. Tallant, of Astoria, came up last evening for the football game and are at the Portland. Mr. Tallant was a famous Coast athlete before he became a capitalist and shows a keen interest in athletics.

NEW YORK, Dec. 31.—(Special.)—F. S. Shaw, of Seattle, registered at the Imperial today.

WITH LIBERAL HAND

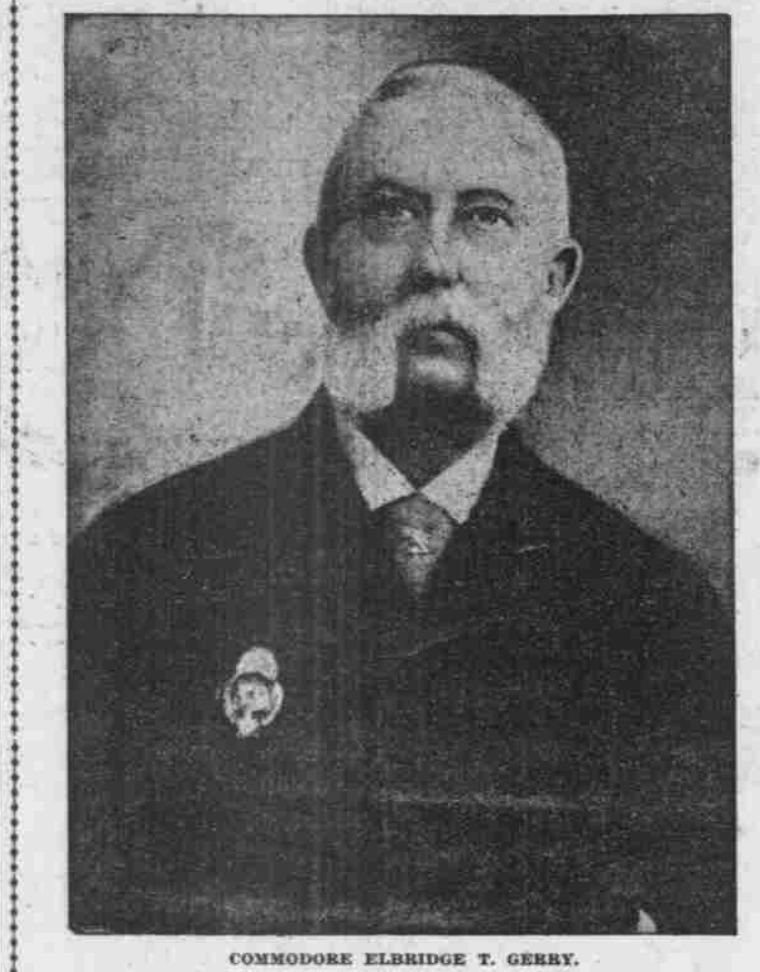
Commodore Gerry Gives to Portland Charities.

VISITOR PLAYS SANTA CLAUS

Homes and Hospitals Receive One-Hundred-Dollar Checks as Christmas Remembrances of the Noted Philanthropist.

The story has just leaked out of how Commodore Elbridge T. Gerry, who has been in Portland several weeks visiting his son who is ill at St. Vincent's Hospital, played Santa Claus on Christmas.

GIVES LIBERAL DONATIONS TO PORTLAND CHARITIES



COMMODORE ELBRIDGE T. GERRY.

and distributed \$100 checks with a liberal hand. Late Thursday afternoon a carriage drove up to the Children's Home on Corbett street, and a young man, who rang the bell, selected an envelope from the box now under arrest in Hillsboro the same to Mrs. Stearns, the matron. It was found to contain a check from Mr. Gerry for \$100, "to buy the children a Christmas dinner," the note said. The surprise was no greater than the joy which the liberal donation gave and the management of the Home is much pleased and encouraged by the gift.

The Baby's Home was the next place visited by the mysterious young man with the bunch of envelopes, and here he left another hundred for the babies. Then the Boys' and Girls' Aid Society was visited, and Superintendent Gardner being much surprised and pleased also. Mr. Gerry, who is intensely interested in the kind of work this society does, said he had heard of Mr. Garrison in New York, and he thought he would give the boys and girls some Christmas cheer. The Patton Home for the Aged was not neglected, but the old folks there made happy with funds for a big Christmas dinner.

At the two hospitals the same generous spirit was displayed by Mr. Gerry, and the St. Vincent's Hospital received a check each came in for a check of the same denomination. As in the other cases these were accompanied by notes saying the amount was to provide a dinner for the patients. St. Mark's Church received the same amount in the contribution box on Christmas day. Rev. J. E. Simpson, the pastor of St. Mark's, is an old acquaintance of Mr. Gerry's, having met him in New York some years ago. Mr. Gerry is the senior warden of the Church of St. Edward the Martyr in New York City, and it is said that he gives largely to the support of this church.

The beneficent spirit displayed by Mr. Gerry in his graceful acts of charity is much appreciated by Portlanders. It is an unusual feature for a stranger to display such substantial interest in local institutions. Expressions of gratitude and appreciation are heard on every hand, and Mr. Gerry will ever be gratefully remembered by the institutions which have so benefited through his admirable generosity.

Mr. Gerry made these donations in the quietest manner possible, evidently intending that the matter should not be made public. The managers of the institutions which received the checks were much astonished yesterday when told by representatives of The Oregonian that Mr. Gerry's generosity was known. The story once out each of the beneficiaries confirmed the receipt of the amounts stated and all were profuse in their expressions of gratitude.

Peter Gerry will probably leave the hospital tomorrow and join the family at the Portland Hotel. If he continues to improve he will be taken to New York in the near future.

TACOMA REPORTS NEW TUNNEL.

But Local Officials Scout Idea of the Northern Pacific's Building.

From Tacoma comes the report that the Northern Pacific is contemplating boring a new tunnel through the Cascade Mountains that it may have a better grade to haul freight over from the East into Seattle. The difficulties presented by the present road over the mountains are well known. Railroad operation over the grade is very expensive and troublesome. It is for this reason, it is said, that the company desires to secure a more nearly level track if it is possible to do so.

The report from Washington says that a line has been surveyed and a new site for a tunnel has been located about three miles north of Stampede tunnel, which is now in use. It is estimated that boring this tunnel and making the necessary changes in line, the grade can be reduced to a profitable degree. The new tunnel if built will be about 150 feet lower than the present one, thus avoiding a rise and drop of nearly a third of a mile in the road. It is estimated that the saving in cost of handling freight brought about by this reduction in grade would pay the interest on the cost of construction.

Northern Pacific officials of this city,

when asked about the reported change in line, said that they knew nothing of it. In fact, they scouted the idea that any such undertaking will be commenced. The expense, they say, would be too great to justify it. "I think it safe to say that the Northern Pacific will build down the north bank of the Columbia, before it builds any more tunnels through the Cascade Mountains," laughingly remarked an official.

Had Friends in Chicago Fire.

The report of the great theater fire in Chicago brought sad news to several local railroad men. It has been learned that friends and acquaintances suffered through the terrible accident. Some of them are missing, and others were severely burned.

A telegram received at the O. R. & N. offices yesterday brought the information that the wife and family of Chief Clerk Secrest, of Traffic Director Stubb's office, are among the missing.

In H. Trumbull, commercial agent of the Illinois Central, was anxious for the safety of relatives, but a telegram received yesterday, relieved all fears. He was informed that none of his relatives suffered by the fire. He, however, learned that two friends were in the fire, Miss Backman, daughter of Harry Backman, who was burned to death, was a close friend of

COURT ISSUES WRIT

City Authorities Must Close Gambling,

OR MAKE A GOOD EXCUSE

Municipal Association Wins First Victory in Mandamus Proceeding—Case Will Be Appealed to the Supreme Court.

The gambling laws must be enforced by the police authorities. Judge Cleland so decided yesterday in the case of R. Livingston and other members of the Municipal Reform Association against Mayor Williams, Chief of Police Hunt, Municipal Judge Hogue and the members of the Executive Board. The court by its decision sustained the allegations made in the complaint that a monthly license system and informal arrests is not an enforcement of the laws for the punishment and suppression of gambling. An alternative writ of mandamus was ordered issued to compel the officers either to act as the statutes and ordinances direct, or to appear before the court and show cause why they do not do so.

The decision of Judge Cleland was concurred in by Judges Frazer and George, and Judge Sears dissented. In the afternoon Martin I. Pipes, counsel for Mr. Livingston and the other petitioners, filed an alternative writ ordering the defendants to obey the law in accordance with the court's decision, and one copy each was served by Penumbra Kelly, Deputy Sheriff, upon Mayor Williams, Chief of Police Hunt, Judge Hogue and City Auditor T. C. Devlin for the members of the Executive Board.

Judge Cleland in his decision considered a demurrer to the mandamus petition as having been filed and overruled it. The defendants can now if they so desire file an answer setting forth any defense they may have. If the defense is found to be a good one, the petition will be dismissed, but on the other hand if the allegations in the petition are established, the writ of mandamus will be made peremptory. If it is disobeyed by the officers they are subject to arrest and imprisonment.

Mayor Williams and the other officers included in the writ may decide to interpose a formal demurrer to it, ask the court to overrule it, and then appeal at once to the Supreme Court. This would do away with the necessity of a final hearing. Judge Cleland in deciding the case said:

"It is alleged in the petition that it is the duty of the defendants to suppress gambling, and that it is made their duty to do so by the city charter and ordinances and the statutes of the state. It is also stated that gambling is openly carried on with the knowledge of the defendants, and that the defendants have conspired together to permit gambling to be carried on. These allegations disclose a failure and neglect to perform official duty against which a mandamus will lie to compel the officers to act as the law requires."

Judge Cleland said the majority of the court were of this opinion, and ordered the alternative writ issued requiring the officers to perform their duty or show cause why they should not.

The decision is a decided victory for the members of the Municipal Reform Association, quite a number of whom were present in court and received the announcement with smiles of satisfaction. Alternative writs of mandamus are generally issued when applied for on the showing made in the petition, but because of the importance of this case the court thought it was better to hear an argument and have legal authorities presented before taking action.

CITY WILL APPEAL AT ONCE.

Wants to Find Out How Much Control Courts Have Over It.

An appeal will be taken to the Supreme Court immediately from Judge Cleland's decision overruling the demurrer. City Attorney McNary stated yesterday that his instructions are to this effect. This action is not to avoid having the case brought into court, but to determine through the Supreme Court how far a mandamus may be issued to compel officers in performing the functions of their office.

"The appeal will perhaps be taken immediately," said Mr. McNary. "None of the officials are averse to having the case heard in court and are not seeking to avoid it. Of course, it would result in hastening a final ending of the case should a direct answer be filed to the mandamus proceeding, but the officials think that before their answer is filed they should have the decision of the Supreme Court as to how far the court may control the action of municipal officers in administering the laws of the city by mandamus."

Chief Hunt stated that the overruling of the demurrer occasioned him no surprise. The chief of police, in fact, he is longer susceptible to any such emotion as surprise, and in this particular case is ready for whatever comes.

THEY OVERSHOT THEMSELVES

H. E. Noble Asks Sheriff to Make Out His Certificate at Ten Per Cent.

H. E. Noble, one of the brokers who bid in property at the 1902 tax sale held this morning, yesterday instructed the Sheriff to fill in all of his tax certificates at only 10 per cent interest. Mr. Noble asserted that he was not one of the crowd who attempted to buy in property at exorbitant rates of interest, and he expressed his views of the subject to an Oregonian reporter yesterday as follows:

"The tax payers of the recent sale have certainly oversteered the mark, and instead of realizing the unconscionable rates of interest bid, they will more than likely find their purchases involved in useless legal proceedings. In fact, he is longer susceptible to any such emotion as surprise, and in this particular case is ready for whatever comes."

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"I consider the first class most unfortunate. The tendency of the Legislature and courts in recent years has been more favorable to tax titles. The law of 1901 exempted the tax a first lien on the property and otherwise protecting the purchaser would make a title based on a legally-conducted sale an excellent title, and has resulted in great good to the county and state, as evidenced by the small list of delinquents as compared with former years. The one great weak-

"To Err is Human"

Not to Err—Elgin.

The man who is always right on time is the man who carries the

ELGIN WATCH

Every Elgin Watch is fully guaranteed. All jewelers have Elgin Watches. "Timekeepers and Timekeepers," an illustrated history of the watch, sent free upon request to ELGIN NATIONAL WATCH CO., ELGIN, ILL.

ness of the law was in leaving the rate of interest to be bid unlimited; this has not been taken advantage of heretofore by bidders to exact unreasonable interest, but the Legislature at the recent special session fixed the maximum rate at 10 per cent, which perhaps was the incentive for the high bidding at the late sale. The rate fixed is too low, as no one can afford to buy generally at that rate or less, and assume the work and risk incident to the business. Under that rate the pendulum will swing the other way and, instead of eight columns of delinquents advertised, as contained in the last list, we will again see 50 or more, as in years past."

Says Information is Defective.

Information filed by the District Attorney in the State Circuit Court in criminal cases must be verified, says John F. Logan, attorney. For the reason that there is no verification to the information against the defendant, the court yesterday held that information must also be verified. He called the attention of the court to the decision of the Supreme Court of Missouri, which quashed informations against Butler and other St. Louis hoodlums because the information lacked verification.

The District Attorney signs informations, but the court yesterday contended that information must also be verified. He called the attention of the court to the decision of the Supreme Court of Missouri, which quashed informations against Butler and other St. Louis hoodlums because the information lacked verification.

Arraigned in Criminal Court.

E. L. Parsley, charged with larceny in a three-story house, was arraigned in the State Circuit Court yesterday, and allowed until Saturday to plead. The information states that Parsley stole \$35 from R. H. Wright.

James S. James, charged with burglary in breaking into the Cosmopolitan saloon, was arraigned and granted until Saturday to plead.

W. T. Shaw was arraigned and allowed until Monday to plead to a charge of stealing a coat and hat from Herbert F. Kenney.

Frank Lapoleau was arraigned on a charge of robbing a freight car at Hawthorne and was allowed until Monday to plead.

Court Notes.

The District Attorney has filed an information against Morris Mazuravsky charging him with larceny by bailor of \$500 from Ernest Borwick.

An information was filed in the State Circuit Court yesterday by District Attorney John Manning, against Edward Clark, charging him with burglary in breaking into the Cosmopolitan saloon.

The will of Alexander H. Hogue, deceased, was admitted to probate in the State Circuit Court yesterday. The property, valued at \$1000, is bequeathed to Mary T. Thomas, the wife, who is named as executrix without bond.

An information charging murder in the first degree was filed against Dave G. Van Houten, the slayer of Albert Young, in the State Circuit Court yesterday by District Attorney John Manning. Van Houten is confined in a cell in corridor No. 2 in the County Jail. Dan J. Malarkey and John F. Logan will appear as his attorneys.

SWUNG UNDER BOXCAR.

Ethel Lemmon Loses Leg While Trying to Board Freight Train.

Ethel Lemmon, the 3-year-old son of E. L. Lemmon, of Salem, will go through life maimed as a result of a shocking accident which befell him yesterday morning. The lad attempted to swing on to a boxcar of a Southern Pacific freight train by catching hold of the lower rod of the iron ladder that runs up the sides of the cars. In the effort he swung his right leg under the car and it crashed by the wheels just above the ankle.

The boy was carried to the home of his grandparents at 435 East Sixth street. Dr. E. L. Irvine was summoned and at his instructions the leg was amputated by Dr. J. K. Locke, the leg was amputated just below the knee. The boy was resting comfortably last evening.

DEATH OF ROSETTA BARKER.

She Came Across the Plains to Oregon With Her Parents in 1852.

Mrs. Rosetta Barker, pioneer, aged 64 years, died Wednesday night at the home of her mother, on the Columbia slough road, east of the home of B. Reynolds. Mrs. Barker came to Oregon when a child in 1852 with her parents, and they settled on the Columbia slough. The funeral will be held at 1:30 this afternoon.

East Side Notes.

Installation of the officers of Summer Post and Women's Relief Corps. G. A. R. will be held Friday night in the hall of the latter on Grand avenue and East Pine street.

Mayor William Shindler, of Milwaukee, says that the property-owners there are signing up the petition for electric lights. It is proposed to put in large arc lights at a cost of \$130 per set.

The effort made to take a slice from Russellville school district and attach it to the Montavilla district did not succeed. It was proposed to take a strip about half a mile wide of Montavilla, including the Mansfield property.

MINES OF RICH PROMISE.

Vesuvius, Oregon-Colorado and Riverside Groups' Bright Future.

The Vesuvius, Oregon-Colorado and Riverside groups of mining claims in the Bohemia District are attracting widespread attention and some great developments are expected to be made public within a short time.

The Vesuvius group consists of 15 locations on which 3500 feet of tunneling has been done, and the work has been done in the greater part of which large veins of free-milling ore have been encountered. A tunnel to tap the veins at a depth of 800 feet will be driven this winter. A five-stamp mill is located on this property, but this will be replaced by a new mill in the Spring. The other improvements consist of a sawmill with a capacity of 7000 feet