

LEGAL BATTLE FOR VALUABLE LAND

Contested Property Is Worth Eight Million Dollars.

DEFENDANT IS PENNILESS

Midway Company Disputes Title to Bessemer Iron Ore Deposits in Northern Minnesota—Case to Come Before Supreme Court.

NEW YORK, June 7.—The Herald says:

Eight million dollars in cash and probably a larger sum in profits, which are now only prospective, hang upon the United States supreme court's disposition of the title to the tract of land known as "Section 30," in the famous Vermilion range in Minnesota.

This suit, after long litigation, has now been brought to a final issue before the tribunal of last resort. Argument has been ordered for October. The case involves a tract which is generally believed to contain the richest deposit of Bessemer iron ore in the world. It is so valuable that the United States Steel corporation, it is said, stands ready to pay \$8,000,000 for the rights which will be awarded to the victor in the long struggle for ownership.

Of all who have hoped to draw riches from the mine since its discovery only two interests have survived the winnowing process of the law. One of the contestants is the discoverer, a man who is practically without a dollar in the world. The other is A. N. Miller, who built the Savoy hotel in this city and who held a controlling interest in it until he sold it to Judge Durgoo, of the New York supreme court. Mr. Miller is accounted a wealthy man.

Frank Eaton, a wandering prospector, in 1884 located the section under dispute by the government of Orville Strain, a half breed Sioux woman. She subsequently gave a deed of the section to Eaton. Examination of the claim showed an outcrop of an exceedingly high grade iron ore extending for a mile and estimated to be worth from \$5,000,000 to \$10,000,000.

This discovery caused keen competition for the property and Eaton's title was subjected to close scrutiny. Various interests sought to acquire it and in 1889, the Midway Company which is controlled by Mr. Miller, obtained title from the secretary of the interior through Frank Hicks, on the ground that Eaton's location was illegal.

Other claims were made but the Midway Company defeated them all, taking the case twice to the supreme court of the United States. Finally Eaton remained the obstacle to its complete control and it began proceedings to have this title, founded on the half breed woman's script, declared void.

Judge Samuel H. Moore, of the Eleventh judicial district, who is now a member of the law firm of Moore & Edson of this city, heard the case and much to the surprise of the Midway Company decided in favor of Eaton. The case was taken to the higher court in Minnesota, which sustained Judge Moore. It has now been carried to the supreme court of the United States.

Though the surface indications point to the conclusion that the mine is one of the richest in the country, not a cent has been expended in working it, while thousands of dollars have been paid in litigation. It is looked upon by experts as the best property in the range which has been made famous by the Chandler, the Soudan, the Tower and the Elymines. The Vermilion mines are chiefly owned by the Minnesota Iron Company in which J. L. Grosinger, now president of the Brooklyn Rapid Transit Company, was formerly interested.

In the Mesala range, about 30 miles away are the Rockefeller iron mines which have already been acquired by the United States Steel Corporation. Eaton, who will be raised from poverty to wealth should the decisions stand which have been given, lives in Duluth. There is widespread interest among men in the final judgment.

MONUMENT TO VICTORIA.

Rumored That American Delegates Will Make Large Subscription.

NEW YORK, June 7.—A dispatch to the Tribune from London says: It is rumored that the delegates of the New York chamber of commerce will make a large subscription to the Queen Victoria memorial fund before they leave London.

The enterprise needs an impetus which would be imparted by foreign sympathy, for interest in it is lagging here owing to the criticism which the general scheme has excited on its artistic side. The American delegates have been discussing the expediency of forming a committee for helping on the work and converting some portion of it into a distinctive American memorial.

OPINION OF LONDON PRESS.

Friendly Comments Made on Chamber of Commerce Banquet.

LONDON, June 7.—Appreciation of the cordiality of the sentiments Americans and British are now so frequently exchanging is the burden of the comments of the afternoon papers on the chamber of commerce banquet. The

St. James Gazette is so friendly that it advocates a display of the stars and stripes alongside the union jack on all the public buildings on July 4, on the same principle that the English university men group the light blue and the dark blue (the Colors of Cambridge and Oxford, respectively) when they meet.

The Globe alone takes exception to the dictum that "commerce is the great peacemaker of the world," and thinks trade rivalry and the desire to secure new markets, are liable to prove sources of trouble.

The Westminster Gazette says: "Mr. Chamberlain said it would be almost worth a great war to see the union jack and the stars and stripes floating side by side. A less martial way of cultivating good feeling between the two races was adopted when the London chamber of commerce entertained the New York chamber of commerce at dinner."

The Times is rather distressed at the fact that nobody referred to the derby or yacht races, but that the chambers stuck to their commerce with praise-worthy determination, and says that whatever happened in the forenoon, the evening was most correctly spent. The paper adds:

"We are glad to see Lord Lansdowne quoting of those admirable words recently uttered by President McKinley who expressed the hope that our past and increasing prosperity may be fruitful of nothing but good to our elders in the brotherhood of nations."

"The most daring speaker perhaps was Mr. Griscom. He said his country hoped to help build up its shipping trade. They had made a beginning, and, with the co-operation of their government, trusted to soon see their flag flying side by side with that of Great Britain. Considering how frightened some of us have been at this beginning and how little we appreciate co-operation between the state and shipping interests in America, Mr. Griscom was certainly a bold man."

The Westminster Gazette suggests that the banquet may "be regarded as the friendly handshake which precedes a vigorous encounter," and adds: "It served at least to demonstrate that if our American rivals are going to knock us out of time in the markets of the world our merchants mean to take their fate in the best of spirits."

FATAL TO BACTERIA.

Important Antiseptic Discovery of Two Michigan Doctors.

ANN ARBOR, Mich., June 7.—An important antiseptic discovery, upon which Doctors Frederick G. Novy and Paul C. Freer have been working for over a year in their respective laboratories, has just been made public. The new antiseptics are organic acid hyperoxides. In a water solution five one-thousandths of one per cent of active oxygen derived from the hyperoxide is fatal to all bacteria.

The hyperoxide which was used for the experiments in Benzocaine, and this as shown by experiments on dogs can be taken internally in large doses without poisonous effect. The discovery may, it is claimed, lead to the further discovery of the fundamental causes in an important field of medical and surgical science.

TO BE ADOPTED IN ENGLAND.

NEW YORK, June 7.—A dispatch to the Journal and Advertiser from London says: America's art of bibliography is to be adopted in England. The bibliographical society of London has written a request to the Grolier Club, of New York, for its co-operation to that end. Hitherto the bibliographical society has been regarded as infallible. Its rules were not to be disputed. But two Americans, Beverly Chew and A. H. Bierstadt, who were simply book lovers compiled a bibliography for the Grolier Club of English writers from Langland to Withers. The British museum finds that the work is indispensable and offers it as a model.

WILLIAM BOURNE DEAD.

NEW YORK, June 7.—William, Orland Bourne, who was known as the "pioneer of unconditional abolition," is dead at the home of his daughter in Montclair, N. J., aged 82 years. During the civil war, Mr. Bourne was an ardent abolitionist and his songs and poems won for him the title of "poet of freedom." He was one of the early promoters of the Republican party and was an intimate friend of Horace Greeley.

NEW YORK, June 7.—A dispatch to the Tribune from London says: Sydney Fisher, Canadian minister of agriculture, is directing attention to the fine exhibits of the food and forestry products of the Dominion at Glasgow, and to the experimental farms conducted at Ottawa and elsewhere. He asserts that Canadian farmers are more flexible in their methods than English farmers.

He is laying stress on the fact that the Dominion is no longer losing population through immigration across the border, but is attracting settlers from the United States.

THEIR RELATIONS STRAINED.

Bureau of Ordnance and Board of Ordnance and Fortifications at Odds.

NEW YORK, June 7.—The Herald's Washington correspondent says: High explosives have disturbed relations between the bureau of ordnance and the board of ordnance and fortifications. A bitter controversy has been raging between these two branches of the army for more than a year and has been brought to the attention of Secretary Root for final action.

The fortifications law authorizes the

FORMALLY ORGANIZED.

Consolidated Tobacco Company Elect Board of Directors.

NEW YORK, June 6.—The consolidated Tobacco Company, incorporated in New Jersey on Wednesday, was formally organized in this city today by the election of these directors:

James R. Duke, Oliver H. Paine, Thos. F. Ryan, J. B. Cobb, W. W. Fuller, Grant B. Schley, Frank H. Ray, Anthony M. Brady, C. C. Duke, W. R. Harris, P. A. B. Widener, Percival S. Hall, R. N. Duke and Charles F. Hollowell.

The directors organized by electing James R. Duke president, Thos. F. Ryan, first vice-president; J. B. Cobb, second vice-president; C. B. Duke, third vice-president; William Harris, treasurer, and William S. King, secretary. The last named official is in charge of the transportation department of the American and Continental Tobacco Companies and the other elected persons are directors or officers of the same corporations.

It was decided at the first meeting of the directors to offer four per cent 50 year gold bonds of the company to the stockholders of the American and Continental Tobacco Companies on the basis of \$1 in bonds for each share of stock. In the case of the American Company this offer is equal to \$2 in bonds for each dollar par value of stock, so that stock is of the par value of \$50 a share.

In addition American Tobacco common stockholders who accept this offer will receive one-half per cent in cash in adjustment of the dividend accruing upon their stocks to August 1, on which date the bonds of the Consolidated Company begin to draw interest. A formal offering of the bonds to the stockholders of the American and Continental Tobacco Companies will be made through a trust company within a few days.

All of the stock deposited with the trust company will at once be placed on the trust indenture securing the bonds as securities for the same.

The bonds can be issued only to take up the two classes of stock mentioned and for no other purpose. At no time can the issue of bonds exceed the amount of stock deposited. The bonds besides being a lien upon the shares deposited, will also be a lien upon the \$30,000,000 cash capital of the company and whatever property may be acquired and on the earnings of the company.

An officer of the company stated that a considerable more than a majority of the common stock of the American and Continental Companies has already been pledged for exchange into the hands of the consolidated company. This same official made it clear that in the consolidation the preferred shares of the American and Continental Companies are not disturbed.

By control of these concerns the consolidated company will also control the American Cigar Company, 50 per cent of the capital of that corporation being held by the American and Continental Companies.

HELD FAKE INQUEST.

Ex-Deputy Coroner Who Held Inquest on Body of Marie Defenbach Located.

CHICAGO, June 7.—The Tribune says: Just as the conspiracy trial of Dr. Under Wayland Brown and Frank Smiley is drawing to a close and the lawyers arguments are being made, John Weickler, the ex-deputy coronor who conducted what the prosecution has characterized as a "fake inquest" over the body of Marie Defenbach, has been located not far from Chicago and will be produced later in court if possible.

Judge Tuiley, the trial jurist, has been anxious to secure Weickler and ask him about those "six empty chairs" that are said to have served as a jury in the inquest.

The state's inference, of course, would be that had Marie Defenbach died, a natural death there would have been no necessity for a "fake" inquest. It is not known what steps will be taken to bring Weickler back and he may not return in time for the present trial which will go to the jury tomorrow.

CANADIAN FARMERS.

They Are Said to Adopt New Methods Quicker Than English Farmers.

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secretary in his discretion to purchase for \$100,000 the right to manufacture thorite, an explosive for filling shells and the Isham shell, a projectile in which the explosive galathea can be fired. The board of ordnance and fortifications, presided over by General Miles, has recommended that the secretary of war acquire the patents upon the explosive shells named.

The board of which Major Robert Birney is president, has been conducting tests at Sandy Hook. These explosives included thorite, maxinite, lead-rock and others. Its report has just been received, but General Bullington declines to make it public. It is known, however, that the board reports that "after exhaustive trials of thorite as a shell filler, including field, edge and sea coast shell, it is found that a reasonable degree of efficiency cannot be obtained and the board therefore recommends that the tests be discontinued. In the event of trials made with high explosives, thorite and the thorite mixture have been both tested, with unfavorable results as compared with other explosives."

Maxinite seems to have pleased the board more than thorite. The board of ordnance and fortifications thinks maxinite influenced the ordnance board in its conclusion. In the case of the Isham shell an ordnance board found that "the Isham projectile is not best adapted to the ends sought and fills no present or prospective necessity of the service."

TO BE PUT ON EXHIBITION.

Lock and Key to the Sacred City of Peking.

NEW YORK, June 7.—According to a Washington dispatch, the national museum at that city will soon place on exhibition the lock and key to the front gate of the sacred city in Peking. The gate is immediately in front of the imperial residence. The Chinese inscription on the lock will be translated.

The lock is an iron cylinder three feet ten inches long. Extending from the cylinder is an iron rod bent back that it might pass through the gate hasp and into the lock guide. In the lock are four tumblers. The key is of iron and is about four feet long. The lock and key were sent through Minister Conger as a gift to the national museum by the Rev. W. T. Hobart, a Methodist missionary in China.

PREPARATIONS FOR SHAMROCK.

She Will Be Docked at Erie Basin on Her Arrival.

NEW YORK, June 7.—David Barrie, Sir Thomas Lipton's representative in this country, has made arrangements for docking Shamrock II at Erie Basin on September 15 or 16 for her official racing measurements.

He has also visited the Morse Iron Works and made preparations for the reception of the challenger on her arrival. On reaching this side she will go to the Morse Iron Works to have her ocean rig removed and her racing clothes fitted.

TO ANNUL CONTRACT.

Suit Filed Against Board of Commissioners of East River Bridge.

NEW YORK, June 7.—Mayor Van Wyck and members of the East River bridge commission have been notified of a suit which may tie up the work on the main span of the new structure.

This suit has for its object the annulment of the contract made with the Pennsylvania Steel Company for constructing the main span. This company was the lowest of three bidders and got the contract for \$1,121,000. The contract has been signed but has not been certified by Controller Coker.

A NEW ANTAGONIST.

Champion Jeffries to Battle in Court for Possession of Oil Lands.

LOS ANGELES, Cal., June 7.—Jim Jeffries has gone to Fresno to battle in the courts for possession of oil lands worth a large sum. He bought the lands last November for \$20,000 on an option, held by an attorney of this city, but Fresno parties invested in the same section two days afterward and began operations on the land. The case will come up for trial in a few days and the champion, his brother John and their attorney, will be upon the scene to protect his interests.

HAS SAN JOSE SCALE.

NEW YORK, June 7.—A special to the Times from Newburgh, N. Y., says: Superintendent Weed of the Downport Park is removing a large quantity of shrubbery from the park which has been found infested by the San Jose scale. There are over 200 in number and have been condemned by the state department of agriculture which is on a tour through the Hudson valley. The trees principally affected are the fruits planted for their foliage, etc. The shrubs removed are burned. The inspector has gone to Cornwall to inspect stock there.

RODY OF E. A. JONES FOUND.

NEW YORK, June 7.—A dispatch from Richmond, Va., tells of the finding of the body of F. S. Jones, an attaché of the American legation at Buenos Ayres, who was drowned in a creek near Shadwell, Albemarle county, nine months ago. The body had washed down the stream two miles. Mr. Jones was a native of Louisiana, was educated abroad and spoke several languages. For several years he was an interpreter in the state department.

DISTRIBUTING IMMIGRANTS.

Western Passenger Association Decides to Give California a Share.

CHICAGO, June 7.—The advisory committee of the immigrant bureau of the Western Passenger Association held a meeting here and took action in regard to a number of questions relating to immigrant business. The far most important action was a re-arrangement of the distribution of the immigrant business to California. Owing to the extension of the Santa Fe to San Francisco it has become necessary that the Southern Pacific be brought into membership. A committee consisting of John Sebastian of the Rock Island, George T. Nicholson of the Santa Fe, W. B. Kniskern of the Chicago & Northwestern, and E. L. Lomax of the Union Pacific, has been appointed to take up the matter.

Consideration was also given to a proposition to appoint a European representative to keep the roads advised as regards the immigrant situation in Europe.

ASKS FOR MARKET VALUE.

NEW YORK, June 7.—Importers of seeds, bulbs and plants have asked that the customs appraisers furnish them with information from time to time as to the market value of such goods at the places from where they are shipped for export to this country; so that they may be able to have their importations invoiced at a correct valuation and not be required to pay occasional fines for under valuing their goods, which they say cannot be avoided and is not done with intent on their part to defraud the government.

HENNESSY A SICK MAN.

SAN FRANCISCO, June 7.—Railroad Commissioner T. J. Hennessy, of Missouri, who has been ill at the Palace hotel since his arrival here, is suffering from a serious attack of pneumonia and has been removed to a private hospital. His condition is said to be critical.

POSTOFFICE ROBBERED.

ALBUQUERQUE, N. M., June 7.—Information has reached this city of the robbery of the postoffice at Rincon, N. M., by two masked men who forced the postmaster to open the money drawer and hand out \$100. The men escaped.

WON PLACES IN THE FINALS.

NEW YORK, June 7.—In the semi-final matches of the women's singles in the King's county lawn tennis tournament, Miss Marion R. Jones, daughter of Senator Jones, of Nevada, and Miss Jessie Moore, ex-national champion, won places in the finals.

SILVER MARKET.

NEW YORK, June 7.—Silver, 59 1/2.

EXCHANGE PLACE, BOSTON, MASS.

SOMETHING NEW.

Just published by the Southern Pacific Co. is a pamphlet upon the resources of Western Oregon, which includes an excellent map of the state, and contains information on climate, lands, education, etc., existing industries and their capabilities. Attention is also directed to such new fields for energy or capital as promise fair return. This publication fills a need long experienced by Oregonians, in replying to inquiries of eastern friends. Copies may be had of local agent Southern Pacific Co., or from C. H. MARKHAM, G. P. A., Portland, Ore.

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