

Elks Visit GRANTS PASS

R. L. Darling, H. L. Porter, M. S. Johnson, C. S. Woody, H. D. Reed and E. Casper were passengers from Gold Hill on the Elk Special to Grants Pass this week. The boys were royally entertained and said that they had the best time in their lives. The entertainment was given by the Grants Pass Elks as a return favor to their visiting brethren who had helped to entertain them in the past. The Grants Pass Courier gives a brief story of the affair as follows.

Medford moved to Grants Pass Tuesday evening or at least a large portion of the live part of Medford arrived in the Elk special of four coaches over the Southern Pacific at 8 o'clock and were met by the Grants Pass Elks, the band and private citizens, afoot and in automobiles. After a hasty exchange of greetings a procession was formed, the line of march covering the business portion of Sixth street and a halt made at the opera house, where the band gave an open air concert. The 200 and more Medford and Gold Hill Elks and local members of the order filed into the opera house and were given two hours of fun, the minstrel troupe, recruited from the ranks of the Medford Elks, with singing and dancing, monologues and new jokes—many of them having a local application—opening the program followed by an exhibition in telephony which was a marvel to those who witnessed it.

Shortly after 11 o'clock the company filed into the Josephine Hotel, where a lunch had been prepared, and in a few minutes the viands had disappeared.

The special train left for the south at midnight, bearing a jolly, happy crowd of live ones, the biggest crowd of Medford people ever visiting Grants Pass on any occasion.

No wonder Villa can't be found in Mexico. Dame rumor had it that one of the local Gold Hill sports saw him going thru this city in an auto. Some one please phone headquarters.

Christian Science Services

Regular Christian Science services are held every Sunday morning at 11 o'clock at the Comus Theatre. Everyone invited. The subject for Sunday May 14th "Mortals and Immortals".

Mr. and Mrs. Luthy were in this city Saturday.

Have you ever seen "Cleo Madison"? At the Comus Friday, May 19th.

Mrs. Frank C. Smith of Jacksonville visited here Thursday canvassing for her husband who is a candidate for school Superintendent.

Old Settler Returns

Minor A. Foster of Kanes Creek returned the other day from Michigan where he visited friends and relatives in Grand Rapids, Bay City, Detroit Toledo and Rosford Ohio. He reports that everything there is lovely, business splendid prospects of prosperity are good, but the winters are unbearable to any one that ever visited or lived on this coast and especially in the Rogue Valley where the winters are just cool enough and the summers just warm enough, without extremes and where no matter how hot the day the nights are always cool unlike the wet cold Washington weather or that of California which lacks the ability to be anything definite. After his pleasant visit he was very glad to get back.

Newton W. Borden was in this week looking around and meeting the people he was accompanied by Ralph G. Jennings.

Are you with us or against us when it comes to getting News items. Why not call and get acquainted. The News wants to know everyone.

Work is about finished on the other half of the city street and the crushed rock is settling down fine. It will make a fine street when it is finished.

Dance at Rogue River, Owens Hall, after the show, Thursday, May 18th. Four piece orchestra music.

Ladies Aid Enjoy outing

The Ladies Aid Society of the Methodist Church took autos Wednesday and stole a march on Mrs. B. E. Adams at her homestead near Rock Point. After a short business session the ladies took in the beauties of the homestead and surrounding valley. A delicious luncheon served by the hostess, the exceptionally fine reception and entertainment, and the beautiful scenery, all combined to make the occasion one to be long remembered. Those who attended were: Mesdames Minnie Moore, Nellie Darling, O. Langdell, May Price, D. H. Miller, Mae Avery, Geo. McClelland, Lucy Mee, E. L. Simmons, Ada Iverson, E. E. McIntyre, E. M. Gardner, S. V. McFarren, and C. E. Wharton.

F. Burnet has a few of those old time fly traps for sale. They are the kind that do the business. Get one.

Jack Morrel this week received a new Cadillac 8.

Come early and hear the music Friday, May 19th at the Comus.

TRAIL TALKS

Geo. Adamson and family of Mist Ore arrived here Saturday and are thinking of settling permanently in the Rogue River Valley.

Mr and Mrs. Springer and A. A. Hall returned to their homes at the Ferry this week, after spending the past year at Crawfordsville, Ore.

Died—at Trail, Wednesday night, May 3d, Clyde A. Wise, age 38 years. He leaves his father, John Wise who resides at Trail, and a sister in Pennsylvania to mourn his loss. The funeral services were held at Trail cemetery Friday, Rev. J. E. McDonald officiating.

Claude Moore, Jeff Pearce and A. Olson attended the funeral of Clyde Wise Friday. R. T. Willets made a trip to the Valley Wednesday returning home Saturday.

Ethel Tucker was a Medford visitor Thursday and Friday.

Rev. Sharp of Medford held services at Elk Creek last Sunday. There was a good attendance and a nice time.

PROSPECT

A good rain fell over this district Friday assuring a good grass year. The cattle range is far in advance of recent years at this season.

Prospect gave another splendid entertainment last Saturday night, where a large crowd gathered and passed upon the program as being a grand success followed by a dance which lasted until the wee small hours Sunday morning.

Grandma Nye who was recently quite ill at Roseburg arrived at her home with her daughter Mrs. Elsie Phipp last week. Another daughter, Mrs. J. A. Florey of Eagle Point accompanied their mother from Roseburg.

A school and literary combined entertainment will be given at Laurelhurst school Saturday, May 6th. This promises to be the event of the season. A picnic dinner will be held on the school grounds followed by a home talent play, which will be very entertaining and includes many of the young people of the combined schools.

The eighth grade examination was given in the Nye school Thursday and Friday where F. A. Broomfield is teacher.

The John Grieve road camp that has been established at Skookum Gorge near the power plant, expects to move down near Ben Higginbotham's next week.

A crew of six men and teams have been doing some good road work between Cascade Gorge and Prospect the last few days.

A. A. Flynn, the General Superintendent of the Southern Pacific Rail Road visited this city on business Thursday.

The Willamette iron works sent foreman Pohler and assistants Riggs and Nicholson here to erect a one hundred foot stack and tanks of various sizes for the Portland Beaver Cement plant. Work commenced Thursday.

Hugh Porter and wife went to Medford Saturday.

Vernon and Ivon Smith went to Medford Saturday.

MAY JURY NOE and SMITH

Cleanest Docket of many years

The jury list for the May term of circuit court has been drawn and is printed herewith. The citizens on the list must report at the county court house at Jacksonville at 10 o'clock on the morning of May 22. Judge Calkins will preside over the term of court.

The most important criminal case to come before this term of the circuit court will be the case against Smith and Noe of Gold Hill, whom it will be remembered were arrested at Gold Hill some weeks ago.

Two men held in the county jail on forgery charges will be tried and a number of civil cases.

The grand jury will make an investigation of the liquor cases tried in the Ashland police court.

Another important case is the appeal of the judgement against Ransie Rouse, of Ashland, who was fined \$200 in the local police court on a charge of distributing a liquor circular in violation of the Oregon law. The list of petit jurors is as follows:

Horace I. Pelton, Sams valley; H. L. Gregory, Central Point; Henry Applegate, Barren; Thomas J. Bell, Jr. Talent; L. B. Haskins, Medford; C. E. Moore Prospect; Chas. W. Roberts, Phoenix; G. F. Pierce, Eagle Point; R. R. Mullin Medford; C. F. Young, Medford; C. N. Tuttle, Central Point; J. R. Vincent Sams Valley; M. A. Dickerson, Medford; J. M. Rader, Phoenix; M. S. Thompson, Climax; F. O. Cochran, Central Point; P. F. Swayne, Watkins; F. M. Adams Central Point; J. H. Patterson, Medford; Otis B. Steward, Rogue River; Orville H. Good, Phoenix; Noah Norcross Rogue River; John Vaughn, Central Point; E. C. Gardner, Talent, and the following citizens of Ashland: J. G. Hart, Mark True A. V. Whitney, Oscar D. Low, J. D. McKinney, Albert C. Joy.

of this jury list all but two are farmers or fruitgrowers, the exceptions being Mr. Bell the Talent druggist, and R. R. Mullin of Medford, who is a plasterer.

The grand jury will convene on the fifteenth of this month and is composed of S. S. Smith of Medford, E. T. Staples of Ashland, W. H. Jordan of Applegate, Ed. M. White of Climax, Lane Wyland of Beagle, W. F. Yocum of Ruch, and W. Matney of Applegate. This jury will meet to investigate the cases now on the docket and get them in shape for the circuit court. They also inspect the county buildings, offices, poor farm, jail and so forth and make full report to the court before being dismissed.

On Monday, May 22, the first seven jurors drawn from the list of petit jurors will form the new grand jury. They will elect a foreman and prepare to care for the work left over from the former grand jury.

Methodist Church Services

Sunday School 10: A. M.
Regular preaching services 11: A. M.
Evening services 8: P. M.
Junior League 2:30 P. M.
Senior League 7: P. M.
Prayer Meeting Thursday 8: P. M.

The Baccalaureate sermon for the graduating class of the high school will be preached in the Methodist church Sunday evening next, by the pastor. Morning services, "Mothers and the Church." The mothers day program will also be held in connection with the Sunday School. A special program will be given and efforts will be made to make the service delightful and instructive. Everybody invited, particularly mothers. Special music, flowers and a hearty welcome.

FOUND by P. L. Wait, a ladies coat and scarf on the road toward the Cement plant on Sunday April 30th. The loser can redeem same by calling at this office and paying for this advertisement.

U. S. MINING STATUTES

Extracts from the Ruling Cases Decided in United States and State Courts

COMPILED BY A. E. KELLOGG

Inquiries will be answered in these columns, but they must be confined to subjects treated in former issues.

Section 2319, Revised Statutes

All valuable mineral deposits in land belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase and the lands in which they are found to occupation and purchase by citizens of the United States and those who have declared their intention to become such under regulations prescribed by law and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the law of the United States.

Mineral lands open to purchase

By this section all minerals and all public mineral lands, both surveyed and unsurveyed, are declared to be free and open to exploration and occupation by all citizens of the United States and those who have declared their intention to become such, under regulations prescribed by law and according to local customs and rules of miners.

Lands within the bounds of a Mexican or Spanish grant in New Mexico are open to exploration and purchase within the meaning of this section of the statute. This section provides for the disposition alike of lode and veins, and of placer deposits. This section is not broad enough to include lands lying below ordinary high tide. Mineral lands are not subject to acquisition under the home stead laws. This section declares that all mineral deposits are free and open to exploration and purchase under regulations prescribed by law and according to local customs or rules of miners in the several mining districts. The fact that a mining rule was adopted and kept on foot as the law for a considerable period of time would be prima facie evidence that it was in force at one time and being in force once a presumption would arise that it continued in force until it is shown to have fallen into disuse and other practice generally adopted and followed.

(Next week we will treat on "Lands Valuable for Mineral").

Miners' Rules and Regulations.

Question: What is the attitude of our courts in reference to Miners rights, their rules and regulations, in defining our mining statutes?

Answer: - Morton vs Solambo Copper Company, 26 Cal. 527-33., is one of the ruling cases defining Miners' Rights and the court has this to say of same, to wit: "Prior to the time of the enactment of the Federal mining laws there had sprung up throughout the mining states local customs and usages in mining where governed in the acquisition, use and forfeiture or loss, of mineral lands. It should be noticed here, perhaps, that the word "forfeiture" is not used in its common law sense as used and understood by the miners who were the framers of our mining laws. These customs differed in different localities, and varied to a greater less extent, according to the character of the mines. They prescribe the acts by which the right to a mine a particular piece of ground could be secured and its use and enjoyment continued and preserved; and by what non-action on the part of the appropriator such right should become forfeited and lost and the ground become, as at first, public land and open to the appropriation of the next comer. They were few, plain, and

simple and well understood by those with whom they originated. They were well adapted to secure the end designed to be accomplished and were adequate to the judicial determination of all controversies touching mining rights. These customs and usages were the fruit of the times, demanded by the necessities of the communities, which, tho living under the common law, could find therein no clear and well defined rules for their guidance applicable to the new condition by which they were surrounded and were forced to depend upon remote analogies of doubtful application and unsatisfactory results".

These rules and customs, naturally and from the fact that they were the only legislation, if it might be so termed, by which the miners' in the acquisition and use of mines and mining claims, were governed prior to the passage of the Federal mining laws, were very generally respected and were applied not only to the miners themselves, but also by the courts; and indeed they have been spoken of by many of the courts as the common law of mining.

CORRESPONDENCE

Sardine Creek

The peaches and pears are all thought to have been killed by the heavy frosts of the last few mornings.

D. K. Luthy who has been critically ill for the past week or so is slowly improving.

Mrs. McCoy of Salem is visiting her parents D. K. Luthy's.

Something broke at the Quartz Mill which makes Mr. Everett look rather serious as he was having a very successful run.

A pedro party at D. R. Rings Friday night, all had a very pleasant time. Ray Ring has a bicycle so now he can sit down to walk.

G. W. Miller returned from Talent where he has been staying the past winter.

Foots Creek

by Amy Koester

There will be a memorial service at the Foots Creek Sunday School the 28th of this month. Everybody invited.

The Koester brothers were business visitors in Rogue River this week.

Miss Katharine Cook who has been visiting in Medford returned to her home last week.

Mr. and Mrs. Lance were week end visitors in Medford last week bringing Miss Guanyaw home with them.

Henry Woolridge and wife spent Sunday with the R. E. Cook family.

Mrs. Poyer and daughter of Birdseye Creek and Muriel Mathews called on Mrs. Anderson Sunday.

The Misses Carl and Koester called on the Short family Sunday afternoon.

Miss Elsie Courdale of Birdseye Creek has been visiting Grant Wertz and family the last week.

Floyd Lance is working at the Cement plant in Gold Hill at present.

Mrs. Lance and Cook called on the Woodcock family Tuesday on a matter of business.

One of our enterprising citizens is installing an electric pumping plant on the river some distance below the Riverside store.

On the ninth and tenth the temperature at Foots Creek fell to 23 degrees above.

Ed Koester who has been working on Birdseye Creek for some time returned home Wednesday.

Albert Mathis and sister, Annie, were in Rogue River Wednesday.

Mrs. Mathews and daughter Juanita called on Mrs. Anderson Wednesday.

Bert Koester killed a fine big bob cat Tuesday.

Mr. Burkhardt of Rogue River lost two acres of beans and a neighbor lost fifteen hundred tomato plants by the heavy frost last week.

Don Dimick entertained at a party on the occasion of his seventeenth birthday.

Ed Koester and mother were in town Thursday.

Amy Koester the News representative and writer of the above items visited this office with her mother Thursday and we enjoyed their call very much in spite of her reticence, caused by a combined ear ache and tooth ache. From here she went to interview the doctor and later departed for Rogue River to attend the Glee Club Concert and visit Reuben Koester her brother.

WHOOPEE

GOLD HILL vs TALENT

9 to 6

The Gold Hill Beaver Cement team motored to Talent last Sunday and succeeded in besting the Talent boys in a 9 to 6 score. The game was closely contested from the first and at the ninth inning Talent was leading by one run. This was when the Beaver Cementers got busy. With the bases full the Talent pitcher hit a batter thus forcing a run which tied the score. The other three on bases were registered at home in due style making the score 9 to 6 in favor of Gold Hill, and which the Talent bunch were unable to change with their last chance at bat. Both sides used two pitchers during the game Lacey and Whaler for Talent and Miller and Caster for Gold Hill. Keen rivalry has always existed between these two teams making the games extremely interesting. As usual a big bunch of Gold Hill fans were in evidence.

Nurse will take confinement cases in her own home. Terms very reasonable. Call on or write -Mrs. Grace Sears, Gold Hill Oregon.

SAVE YOURS! Dont neglect your scalp until your hair is past saving.

The Gypsies who were halted by Chief of Police Hutson one day this week were held until three of their number were picked out as the ones who had been implicated in a stealing case. They were brought before Justice Smith who fined the trio \$50 and costs. Prosecuting Attorney Kelley represented the State.

J. M. Roberts was in town Thursday doing a little campaign work.

Recall petitions are being circulated in Gold Hill and vicinity having for a purpose the invoking of a special election with the object of recalling the entire County Court of Jackson County. The editor of the News being a new man here is not qualified to say if the past actions of the Court merit this move.

Last week we made a brief mention about the danger in buying country butter that is not wrapped according to the pure food laws of the State of Oregon. Be sure the wrapper is printed with Bitter wrapper ink either blue, red or yellow as those are the only colors that can be had. Don't use butter that has been wrapped in a wrapper printed with a cheap composition of Rubber Stamp Ink or Indelible pencil. You may poison your whole family, as butter is one of the easiest foods known to take on outside poison. Safety First.

Chills and Chickens bring the laughs for Friday, May 19th at the Comus.

It's A Boy

On May 4th Arthur Keates arrived to make his home with S. A. Dusenberry and wife. Mrs. Dusenberry and the newly arrived son are doing nicely at the Sacred Heart Hospital in Grants Pass while "pepa" is anxiously awaiting their arrival at Locust View.

Miss Mary Young will give a piano recital at the Lynn Smith residence. The main feature will be the two piano selections. So far there are seven participants to demonstrate her system next week.

Mrs. B. E. Adams conducted the eighth grade examination at the Rock Point school Thursday and Friday. Several of the fifth grade pupils took the eighth grade spelling and passed the test with good credits. Among those who passed the examinations were: Robt Adams Elmer Knott and Harris Pater.

The dance held last Friday evening was well attended despite the cold weather. The music was fine and the floor is getting well down in fine shape. We saw Johnnie Reed on the floor several times.

M. S. Johnson was a Medford visitor last Monday on business.

A "Mothers Atoneament" shows Cleo Madison in her best. Friday May 19th at the Comus Theatre.