

THE LAW OF THE APEX.

Occasion of a Warm Discussion At International Mining Congress.

At the annual session of the International Mining congress, held last week in Butte, the committee on resolutions recommended—on the resolution introduced by S. L. Dignowity, of Utah, indorsing the Kearns bill, providing for the amendment of section 2322 of the revised statutes to do away with extra lateral rights—the indorsement of only the first part of the bill providing for the abolishment of extra lateral rights now in force.

The committee also recommended that the second part of the bill, providing that only one claim can be located in a district by a single individual, be not indorsed.

Discussion waxed warm over the Dignowity resolution indorsing the Kearns bill. Dignowity asked that his resolution receive immediate attention. A motion followed to adjourn, which was lost. W. H. Weed, of Washington, moved the adoption of the resolution, which was seconded and carried. This caused much excitement, and Jacobs, jumping to his feet, loudly declared that he understood that the motion was simply to get the matter before the congress for consideration. Over a dozen delegates were on the floor simultaneously during the discussion. The chair held that the motion was to get the bill before the house. Delegate Neill, of Utah, then moved a reconsideration of the vote passing the resolution, which was carried.

Delegate Martin, of South Dakota, explained that the idea of the bill was to change the law of the apex so that a locator would own the surface of the claim and all within the end and side lines extended vertically downward. The last part of the bill, providing for a single location in a district, had been disapproved.

He contended that the subject of extra lateral rights had been discussed for years, and it had been fruitful of litigation. He had heard of experts who had been unable to determine the true apexes of ledges. The present location area is 600 by 1500 feet, and the proposed amendment provided for a location of 1500 by 1500 feet.

Mr. Neill, of Utah, said that at present a locator, to have a valid claim, must have mineral in place. A series of claims would entirely cover the apex and a person trying to make a location below, in direction of the depth, could not make a valid location on the vein that apexed in the original claim, and in its dip entered beneath the surface of the second claim, for the reason that the mineral could not be found in place. He said that if the Kearns bill was adopted it would require marked changes in the mining laws relative to location of claims.

Delegate Joseph, of Utah, was unalterably opposed to the resolution. He said it gave the prospector 52½ acres and if it did not limit his possession in a mining camp it would shut out a great deal of prospecting. The evident purpose of the bill, he declared, was to throttle prospecting and give everything to the capitalist.

Mr. Dignowity, the author of the resolution, said that he could not see where the proposed law could injure the miner or locator. They could take up 1500 feet square and locate as many claims as they liked. Under the existing law, he said, they could escape the work of the following year and afterward relocate in another name, and nothing was done to

the property. He said the abuses benefited the lawyers and not the miners. The present law originated with the millionaires, and he referred to the owners of the Comstock, who, he said, located the apexes and drove everyone else out.

The congress finally refused to endorse the Kearns bill.

The congress selected Deadwood, South Dakota, as the place for the next annual meeting. J. H. Richards, of Idaho, was elected president, against Colonel John Temple Grayson, of Oregon. The Butte papers published an excellent picture of Colonel Grayson, and spoke of him in terms of highest praise.

The Making of Two Good Mines.

C. J. Johnson, secretary of the Eastern Oregon Mining & Milling company, operating on the Climax mine, near Granite, has received word that the main working tunnel has encountered rich ore when in over 200 feet. Assays made in Spokane of the ore show it to run from \$54 to \$78.40 to the ton. The main working tunnel has been run in on a crosscut vein and has been in ore all the time, but the find of such a rich body is encouraging to the Spokane owners and work will be rushed as rapidly as possible for the main vein, which is ahead about 450 feet. It is expected that the tunnel will be finished by the first of next year, when the company will install a big stamp mill to handle the free milling ore of the mine. On the Scandia Tunnel property, operated by a Spokane company, the long tunnel is now in 1700 feet, and is expected to reach the first vein in about thirty days. The tapping of this ledge will determine to a great extent the values of the ore bodies at depth. The deepest mine in the district is the North Pole, at a depth of about 1200 feet. The Scandia Tunnel will be next, with a depth of over 1000 feet. All of the mines on Quebec hill are working.—Spokane Chronicle.

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The O. R. & N. Co. has just issued a handsomely illustrated pamphlet entitled, "Oregon, Washington and Idaho and their resources." People in the east are anxious for information about the Pacific northwest. If you will give the O. R. & N. company agent at Baker City a list of names of eastern people, who are likely to be interested, the booklet will be mailed free to such persons. Yours truly, A. L. Craig, General Passenger Agent.

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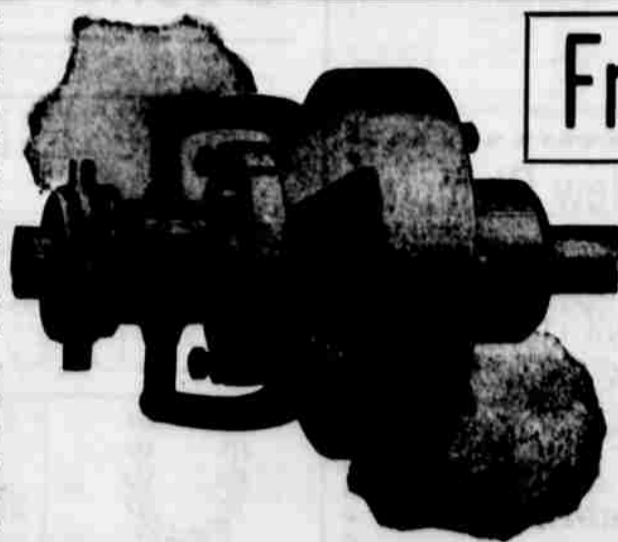
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