

## SUMMONS.

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

FRED FONTAINE,  
Plaintiff,  
VS.  
N. H. THIBAUT,  
Defendant.

SUMMONS.

To N. H. Thibault, the above named defendant:

In the Name of the State of Oregon you are hereby required to appear and answer the complaint filed against you in the above entitled cause on or before the 8th day of July, 1903, which is the last day of the time prescribed in the order made by the County Judge of Baker County, State of Oregon, for the publication of this summons. And if you fail so to appear and answer, judgment will be taken against you for the sum of Two Thousand Seven Hundred and Five and 94/100 (\$2705.94) Dollars, with interest thereon at the rate of ten per cent per annum from the 1st day of March, 1903; the further sum of \$200.00 attorney's fees, and the costs and disbursements of this action, and for the sale of the following described real property attached on the 13th day of May, 1903, and for the sale of the personal property attached on the 15th day of May, 1903, by the Sheriff of Baker County, Oregon, in the above entitled action at the request of plaintiff, to satisfy the above named judgment of plaintiff, to-wit:

The following described real property, situate, lying and being in the County of Baker, State of Oregon, to-wit:

The Don Juan Do Do—Do Do No. 2 quartz mining claims and Don Juan mill site as shown in M. S. 339 in the office of the Surveyor General of the United States for the District of Oregon;

Also the Don Juan mill site lode claim which adjoins the foregoing claims and is described in the notice and amended notice of location thereof recorded in Vol. I of records of quartz locations at pages 366 and 380 respectively, in the office of the recorder of conveyances of Baker County, Oregon;

Also the Susan D. and Big Canadian lode mining claims, situate about 1 1/2 miles south and west from the Don Juan mining claim above described, in Tp. 10, S. R. 35 E. W. M. in Baker County, Oregon, and adjoining the Phoenix mine, as the same were located by John Duquet in June, 1901, and the notices of location thereof recorded in the office of the Recorder of Conveyances of Baker County, Oregon, on July 18th, 1901;

Also the Belle Ville lode mining claim, situate about 1/2 mile east from the Don Juan claim above described and as described in the notice of location thereof recorded in the office of the Recorder of Conveyances of Baker County, Oregon, in the Book of Quartz locations Vol. R. at page 160;

Also Walter Hill quartz mining claim as described in the notice of location thereof recorded in the office of the Recorder of Conveyances of Baker County, Oregon, in book of quartz mining locations Vol. M. at page 56;

Also the Greenwood water right as located by G. T. Kelly, J. H. Allen, Charles Allen and E. Kelly on the 15th day of July, 1895, and as described in the notice of location thereof recorded in the office of the recorder of conveyances of Baker County, Oregon, in Vol. D of water rights at page 388;

Together with all improvements

thereon, and the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the rights, privileges, and franchises therewith usually had or enjoyed.

The quartz mining claims above mentioned constitute what is commonly known as the "Don Juan" mine, being situate on the slope of Greenwood gulch about eighty rods northerly from Phoenix mine, in Tp. 10 S. R. 35 E. W. M., Baker County, Oregon.

Also the following described personal property, situate, lying and being in said County of Baker, State of Oregon, to-wit:

One frame office building, situated at the Don Juan mine together with the contents thereof, consisting of office furniture, gold scales, beds, etc., as described in the Sheriff's return on the attachment herein; one small chicken house and pig pen combined, also four chickens and including all personal property in said office, cellar, and chicken house.

One log boarding house, together with the contents thereof, consisting of stoves, dining room furniture, cooking utensils, & as the same is more fully shown in said Sheriff's return, and including all personal property in said boarding house.

One frame bunk house building, one cross cut saw, one stove and pipe, 7 beds, said property being located in said bunk house.

25 cords of wood situated at the Don Juan mill.

One 10-stamp mill building, one steam mill engine complete (Erie make), together with all belts, pulleys, and all equipments, one 75 horse power (Erie make) boiler, complete, encased in stone, together with all pipe and all equipments of said boiler, one wood track containing about 75 feet T. Rail (more or less) and one wood car; one vice, two mill lamps, one hammer, one pipe wrench, one gas pipe cutter, one gas pipe wrench, one square, one auger, 5 five gallon cans part filled with oil; one rope and windlass, one box old iron scraps, one hand lamp (large size); one feeder pump complete for boiler, one heater connected with said boiler, one pick, one sled, one ax, one Williams Concentrator complete including table and frame, one lot of ore sacks, 18 sacks of concentrates, 2 copper mill plates size 6x12 feet; one 10-stamp mill complete with stamps and dies including frame and all equipments therewith; 2 five stamp batteries, one wrench, one lot of tools, one crock and contains about 15 pounds of quicksilver; one mortar, one gold pan, one straight wrench, one lot of old iron shoes and dies, a lot of old tabbets, 2 hoppers or feeders, one heating pipe 14 inch and about 60 feet long, one rock crusher, one grindstone, one ore car, one log chain, one lot of steel drills and underground mining tools situated in said ore car; chain blocks and rope, 5 boxes of giant powder, one pipe and vice, one roll of packing, one grindstone, one iron grisly, all of said property is located in the mill of said Don Juan mine, and including all personal property in said mill.

One tramway about 300 feet long more or less, 600 feet more or less of 2 and 1/2 steam pipe, 1200 feet more or less of T. rail, 600 feet more or less of 6 inch stove pipe, one 1400 pound ore car all of said property is located in said tramway.

One Knowles pump, one 40 horse power boiler, R. & C. make, one ore bucket, one blacksmith shop

(log) one anvil, one bellows, a lot of blacksmith tools, a lot of old iron, one bar of 7 inch steel about 10 feet long, said property is located in said blacksmith shop.

One work shop including one heating stove and pipe.

One assay office and contents, situated at said Don Juan mine, 5 links of stove pipe, 2 bedsteads, one pair springs, 2 shovels, one sink, 2 axes, one gold pan, one hammer, one bucking board, one mortar, one stove and pipe, one saw, one wash tub one square one chair 10 pks soda a lot of acid bottles one furnace 2 boxes of pulp 50 bricks one box cuppels said property is located in said assay office and including all personal property in said assay office. All of said personal property situated at the Don Juan mine in the Greenhorn district, Baker County, Oregon.

And for the sale of the following described real property attached on the 16th day of May 1903 by the Sheriff of Grant County Oregon in the above entitled action at the request of plaintiff to satisfy the above named judgment of plaintiff to-wit:

The May Queen quartz mining claim as located by D. D. McLeod on the 29th day of October 1901 and as described in the notice of location thereof recorded in the office of the County Clerk of Grant County Oregon in Vol. M. of mining records at page 14. Said claim adjoining the northeast end line on the south side line of the Golden Star claim.

Also the Ollie Van quartz mining claim as located by James Gahan on the 1st day of January 1902 and as described in the notice of location thereof recorded in the office of the County Clerk of Grant County, Oregon, in Vol. M. of mining records at page 292 thereof, said claim being situate about 1/4 of a mile northeast of the Don Juan mine.

Also the Moscow quartz mining claim as located by James Gahan on the 18th day of August 1900 and as described in the notice of location thereof of record in the office of the County Clerk of Grant County, Oregon, in Vol. K at page 490, and all said above described property attached by the Sheriff of Grant County lying and being situate in the County of Grant and State of Oregon.

And you are hereby notified that on the 19th day of May 1903 the Hon. W. W. Travillion County Judge of Baker County Oregon made an order that service of summons in this action be made upon you by publication of this summons and that the date of the first publication of this summons is May 20th 1903 and the date of the last publication thereof is July 8th 1903.

N. C. RICHARDS,  
Attorney for Plaintiff.

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TIMBER LAND, ACT JUNE 3, 1898.—NOTICE FOR PUBLICATION.

United States Land Office,  
La Grande, Oregon, June 10, 1903.  
Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1898, entitled "An act for the sale of timber lands in the states of California, Oregon, Nevada, and Washington Territory," as extended to all the Public Land states by act of August 4, 1892,

LEWIS A. ALBEE,  
of Whitney, county of Baker, state of Oregon, has this day filed in this office his sworn statement No. 2594, for the purchase of the w 1/2 ne 1/4 and n 1/2 s e 1/4 of section No. 7, in township No. 10 south, range No. 36 E W M, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before Chas. H. Chance, U. S. commissioner at Sumpter, Oregon, on Monday, the 24th day of August, 1903.

He names as witnesses: William H. Mead, of Spokane, Washington; Alfred H. Huntington, of Baker City, Oregon; Leonard Sims and James Warren, of Whitney, Oregon.

Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 24th day of August, 1903.

E. W. BARTLETT, Register.

NOTICE FOR PUBLICATION.

Department of the Interior,  
Land Office at La Grande, Oregon, June 27, 1903.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Register and Receiver at La Grande, Oregon, on August 9, 1903, viz: H. E. No. 10,945, by

CHARLES M. HINDMAN,  
of Whitney, Oregon, for the w 1/2 n w 1/4 Sec. 22 Tp. 10 S. R. 36 E W M.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Emory Proebstel, Freeman Scott, Wendell N. Proebstel, of Whitney, Oregon; and J. E. Stephenson, of Haines, Oregon.

E. W. BARTLETT, Register.

NOTICE FOR PUBLICATION.

Department of the Interior,  
Land Office at La Grande, Ore., June 27, 1903.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Register and Receiver at La Grande, Oregon, on August 9, 1903, viz: H. E. No. 11,009, by

EMORY E. PROEBSTEL,  
of Whitney, Oregon, for the e 1/2 ne 1/4 Sec. 15, e 1/2 se 1/4 Sec. 10 Tp. 10 S. R. 36 E. W. M.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Charles M. Hindman, Wendell N. Proebstel and Freeman Scott, all of Whitney, Oregon, and J. E. Stephenson, of Haines, Oregon.

E. W. BARTLETT, Register.

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