

The Sumpter Miner

PUBLISHED EVERY WEDNESDAY BY
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OFFICIAL PAPER OF THE CITY OF SUMPTER



It looks as if panic times were imminent in the East. Speaking of the downward movement in Wall street, Henry Clows says that it represents a shrinkage of fully \$3,500,000,000. He goes on to observe: "So extensive and rapid a shrinkage as this is nothing less than a panic of the severest type; and while concentrated banking interests have, fortunately, been able to prevent a crash and so save the country from vastly worse disaster. It has not been able to prevent a drastic readjustment of credit." The great west bears these premonitory rumblings of a financial crash in the east with more or less complacency. So far, it is unaffected by the conditions in the east. The money has not left the country; it is still in the banks, and the shrinkage in industrial securities merely represents a falling away from fictitious or arbitrary standards. The movement will have a tendency to send capital to other fields for investment, and may help to develop the wonderful resources of the great west.

The capitalist who will undertake the construction of electric lines to the neighboring mining camps tributary to Sumpter will not only impart a substantial impetus to the mining industry here, but will lay the foundation of an enterprise which is bound to yield substantial returns. Sumpter is the center, and natural base of supplies for a large mining country which is practically in its infancy as far as development is concerned. Hundreds of these properties will in the near future become producers. This means heavy shipments of ore and concentrates to the Sumpter smelter, and the handling of an increased amount of supplies. Wagon transportation is slow, cumbersome and involves such a great expense as to cripple the industry, to a certain extent. For instance take the amount of freight handled between here and the Crager Creek, and Cable Cove districts, and this forms a basis on which to estimate the profit which would accrue to an electric line tapping these districts. It would certainly prove a good investment, and the situation presents an attractive field for the man or company who has the capital to undertake the enterprise.

The district attorney at Portland, at the request of the secretary of state, as provided by law, has instituted proceedings against two industrial companies there, to force the collection of the annual license fee imposed by the obnoxious Eddy bill on corporations. These companies refused to pay the fee on the ground that the measure is unconstitutional; because it exempts certain corporations, and also that it imposes

a double taxation. As stated in The Miner several days since, it is the opinion of lawyers here, that in the case of mining companies, the law can be nullified for another reason; that the capital stock of a mining company is no index to the value of the property owned, and that constitutional taxation must necessarily be based on some system of proportional valuation.

One point, which seems to have been overlooked and which The Miner thinks will play an important part, should the law be upheld and the state attempt to force collection of the tax. It is this; a very large per cent of the properties owned by mining companies, probably ninety, are not patented and, according to national and state laws, in order to retain title it is necessary to do a certain amount of work annually. Suppose a company refuses to pay the fee, fails to do the assessment work and resorts to that method, which is known to have been practiced in some districts, relocation, how does the state propose to collect? If it takes possession of a claim while the company's title is unimpaired, it will have to do that work itself, in order to hold the claim and cash in. That procedure would bankrupt the state in five years.

In the light of all these facts and theories, it would seem that a mining company would be throwing money away to pay that unjust tax. Notwithstanding, it is said that the Eddy law has already yielded revenue of more than \$100,000.

The celebrated Gund's—the beer of good cheer—always for sale at Dunphy's The Club

Shoes of all kinds at Neill Mercantile company's.

SUMMONS.

In the Circuit Court of the State of Oregon for the County of Baker.
R. L. Graves, Plaintiff,
vs.
E. J. Dwyer, Viola M. Dwyer,
Ed. Turk and Minot Austin,
Defendants.

To E. J. Dwyer, Viola M. Dwyer and Minot Austin, the above-named defendants:

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 24th day of December, 1903, which is the date of the last publication of this summons, as prescribed in the order made by the County Judge of Baker county, State of Oregon, for the publication hereof; and if you fail so to appear and answer said complaint, the plaintiff will, at the expiration of said time, apply to the court for the relief prayed for in the complaint herein, namely: That judgment be entered against said defendant, E. J. Dwyer, for the amount due on the promissory note set forth in said complaint, attorney's fees and costs, to wit: The sum of \$113 with interest thereon from the 18th day of January, 1902, at the rate of 10 per cent per annum, the further sum of \$50 as attorney's fees to be allowed by the court herein, and the costs and disbursements of this suit, and that the same be decreed to be a first and prior lien upon the property described in said complaint, and in the mortgage therein set forth, to-wit: Lot 4 in Block 1 in Sumpter Heights, McEwen's Addition to the town, now City of Sumpter, as the same is shown on the plat thereof, of record in the office of the Recorder of Conveyances of Baker county, Oregon, and that in said decree it be ordered that said property be sold in the manner provided by law for the sale of real property under execution, and that the proceeds thereof be applied to the costs of said sale, the costs and disbursements of said suit, to the payment of said \$50 attorney's fees, and the residue or so much thereof as may be necessary, to the payment of said sum of \$113 with interest at 10 per cent per annum from the 18th day of January, 1902.

And if said property does not sell for enough to satisfy said decree, that plaintiff have judgment and execution against the defendants for any deficiency remaining due on said judgment after the application of the proceeds of said sale thereto, and that it be decreed that the plaintiff or any one claiming by, through, or under him, may be one a purchaser at said sale, and that the Sheriff issue to such purchaser a certificate of sale and put him into immediate possession of said premises, and that the defendants herein and all persons claiming by, through, or under them or either of them be forever barred and foreclosed of all equity of redemption in and to the above described property. This suit having been brought to foreclose the mortgage on said property given to said plaintiff by the defendants, E. J. Dwyer and Viola M. Dwyer, on the 18th day of January, 1902, to secure their promissory note of even date therewith of \$100, bearing interest at 10 per cent per annum until paid.

And you are further notified that on the 20th day of October, 1903, the Hon. W. W. Travillion, Judge of Baker county, Oregon, made an order that service be made by publication in the SUMPTER MINER of said summons, and that the date of the first publication thereof is October 21st, 1903, and that the date of the last publication is December 23rd, 1903.

J. C. RICHARDS,
Attorney for Plaintiff.

SUMMONS.

In the Circuit Court of the State of Oregon for Baker County.
S. Rusk, Plaintiff,
vs.
Oregon King Gold Mining Company, a Corporation,
Defendant.

To Oregon King Gold Mining Company, a corporation, 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 action on or before the 24th day of December, 1903, the same being the last day of the time prescribed in the order duly made and entered in the above entitled action of the 14th day of October, 1903, by the Hon. W. W. Travillion, Judge of the County Court of Baker county, Oregon, for the publication of this summons; and if you fail so to appear and answer for want thereof, the plaintiff will apply to the above entitled Court for judgment against you for the sum of \$217.60 and interest thereon at 6 per cent per annum from and after the 10th day of September, 1903, and for an order for the sale of attached property, and for his costs and disbursements of this action and for accruing costs.

And you are further notified that October the 21st is the first date of publication of this summons, and the date of December 23, 1903, is the last date of publication thereof.

C. H. MCCOLLOCH,
Attorney for the Plaintiff.

NOTICE.

United States Land Office,
La Grande, Oregon, October 7, 1903.

Notice is hereby given that the Aztec Land and Cattle Company, Limited, whose postoffice address is 15 Broad Street, New York City, did on the 7th day of October, 1903, make application to select, under the act of June 4, 1897 (30 Stat., 36), the following described tract:

The southeast quarter of the northeast quarter of section 28, tp. 9 S. R. 37 E.W.M., in Baker county, State of Oregon.

That the purpose of this notice is to allow all persons claiming the selected lands, under the mining laws, or desiring to show it to be mineral in character, an opportunity to file objections to such selection with the officers of the U. S. Land Office, at La Grande, Oregon, within thirty days after the 14th day of October, 1903, so as to establish their interest therein or the mineral character thereof.

E. W. DAVIS, Register.

NOTICE OF APPLICATION FOR VACATION OF STREETS AND ALLEYS.

Notice is hereby given that the Sumpter Townsite Company, Ltd., a corporation, will at a regular meeting of the Common Council of the City of Sumpter, Oregon, to be held on the 19th day of November, 1903, present to said council its petition praying for the vacation of certain portions of certain streets and alleys, situate in and running through the Sumpter Townsite Syndicate's Second Addition to the town, now City of Sumpter, Baker county, Oregon, the parts of streets and alleys to be vacated being shown on a plat prepared by C. H. Fenner, engineer, entitled, "Plat of the Sumpter Race Course," on file in the office of the City Recorder of the City of Sumpter, and are more particularly described as follows, to-wit:

That portion of the alley running through Block 16, and being a strip on the east side of said alley, extending from the south line of Lot 22 to a point 20 feet north of the south line of Lot 16 in said Block 16, and embracing within the outer circle of the Sumpter Race Course as shown on said plat thereof above mentioned, the portion of said alley being marked in red on said plat; that portion of First street embracing within the outer line of said race course as shown in said plat, and extending from a point on the west side of said street, 101 feet north of the southeast corner of Block 20, to a point 115 feet south from the northeast corner of Block 16, and on the east side of said street extending from a point 120.5 feet north of the southwest corner of block 28 feet to a point 26.5 feet south of the northwest corner of Block 17; that portion of the alley running through Blocks 28 and 27, extending from a point 28.5 feet north of the south line of said Block 28 to the north line of said Block 17; that portion of Second street extending from a point on the west line of said Block 28 to the north line of Block 17, and on the east side of said street from a point 247 feet north of the south line of Block 27, to the north line of Block 18; that portion of the alley running through Blocks 27 and 18, extending from a line 200 feet north of the south line of Block 27 to the north line of Block 18;

That portion of Third street extending from a point on the westerly side of said street 109.5 feet from the southeast corner of Block 27, to the northeast corner of Block 18, and on the easterly side of said street from a point 183 feet northerly from the southwest corner of Block 26 to the northwesterly corner of Block 19;

That portion of the alley running through Blocks 26 and 19, extending from a line drawn across said alley 177 feet north of the south line of Block 26, to a line drawn across said alley four feet south of the northeasterly corner of Lot 6 in Block 19; that portion of Fourth street extending from a point on the westerly side thereof, 208 feet from the southeast corner of Block 26, to a point 101 feet south of the northeast corner of Block 19, and on the easterly side thereof from a point 240 feet north of the southwest corner of Block 25, to a point 231 feet south of the northwest corner of Block 20;

That portion of the alley running through Block 20 inclose 1 within the outer circle of said race course track as shown on said plat, extending from a point 7 feet north of the southeast corner of Lot 23 in said Block 20, to the south line of said Block 20; that portion of the alley running through Block 21 embracing within the outer circle of said race course as shown on said plat extending from a point 12.5 feet north of the southeast corner of Lot 2, in Block 21, to the north line of said Block 21; that portion of Elm street extending from a point on the northerly side thereof at the southwest corner of Lot 16 in Block 16 easterly to a point on the south line of Block 20, 8.5 feet westerly from the southwest corner of Lot 16, in said Block 20, and on the south side of said Elm street extending from a point 25 feet easterly from the northwest corner of Lot 20 in Block 20 easterly, to a point on the north line of Block 21, ten feet westerly from the northwest corner of Lot 10 in said Block 21; all of said streets and alleys being as shown on the plat of the Sumpter Townsite Syndicate's Second Addition to the town, now City of Sumpter, of record in the office of the Recorder of Conveyances of Baker county, Oregon, and said portions of said streets and alleys to be vacated being shown on the plat of the Sumpter Race Course above mentioned, prepared by C. H. Fenner, and now on file in the office of the Recorder of the City of Sumpter, Baker county, Oregon, and the parts thereof to be vacated being outlined in red lines on said plat.

Dated this 8th day of October, 1903.
SUMPTER TOWNSITE COMPANY, LTD.
By W. C. CALDER, Secretary.

TIMBER LAND, ACT JUNE 3, 1878—NOTICE FOR PUBLICATION.

United States Land Office,
La Grande, Oregon, Sept. 28, 1903.

Notice is hereby given that in compliance with the provisions of the act of congress of June 3, 1878, 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.

BYRON WEATHERFORD,
of Sumpter, county of Baker, state of Oregon, has this day filed in this office his sworn statement No. 2809, for the purchase of the 1/4 of section No. 24 in township No. 10 S., range No. 38 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 Charles H. Chance, U. S. Commissioner at Sumpter, Oregon, on Saturday, the 13th day of December, 1903.

He names as witnesses: Charles Gardner, John Calhoun, James Worley, of McEwen, Ore.; Alvin P. Jones, of Sumpter, Oregon.

Any and all persons claiming adversely the above described lands are requested to file their claims in this office on or before said 13th day of Dec., 1903.

E. W. BARTLETT, Register.

TIMBER LAND, ACT JUNE 3, 1878—NOTICE FOR PUBLICATION.

United States Land Office,
La Grande, Oregon, Sept. 28, 1903.

Notice is hereby given that in compliance with the provisions of the act of congress of June 3, 1878, 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.

CHARLES H. SCHEPSTER,
of Whitney, county of Baker, state of Oregon, has this day filed in this office his sworn statement No. 2900, for the purchase of the 1/4 of section No. 24 in township No. 10 S., range No. 38 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 Charles H. Chance, U. S. Commissioner, at Sumpter, Oregon, on Saturday, the 13th day of December, 1903.

He names as witnesses: Marshall K. Young, Walter H. Silvertooth, Joseph R. Walker and William Palmer, all 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 13th day of Dec., 1903.

E. W. BARTLETT, Register.

TIMBER LAND, ACT JUNE 3, 1878—NOTICE FOR PUBLICATION.

United States Land Office,
La Grande, Oregon, Sept. 29, 1903.

Notice is hereby given that in compliance with the provisions of the act of congress of June 3, 1878, 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.

JOSEPH R. WALKER,
of Whitney, county of Baker, state of Oregon, has this day filed in this office his sworn statement No. 2901, for the purchase of the 1/4 of section No. 24 in township No. 10 S., range No. 38 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 Charles H. Chance, U. S. Commissioner, at Sumpter, Oregon, on Saturday, the 13th day of December, 1903.

He names as witnesses: Marshall K. Young, William Palmer, Burton W. Miller, James Warren, all 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 13th day of Dec., 1903.

E. W. BARTLETT, Register.

TIMBER LAND, ACT JUNE 3, 1878—NOTICE FOR PUBLICATION.

United States Land Office,
La Grande, Oregon, Sept. 28, 1903.

Notice is hereby given that in compliance with the provisions of the act of congress of June 3, 1878, 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.

ELIZABETH RICHARDS,
of Sumpter, county of Baker, state of Oregon, has this day filed in this office her sworn statement No. 2901, for the purchase of the 1/4 of section No. 24 in township No. 10 S., range No. 38 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 her claim to said land before Charles H. Chance, U. S. Commissioner, at Sumpter, Oregon, on Saturday, the 13th day of December, 1903.

She names as witnesses: Van Rensselaer Mead, Ralph Mead, Walter L. Sparks, Byron Weatherford, all of Sumpter, Oregon.

Any and all persons claiming adversely the above described lands are requested to file their claims in this office on or before said 13th day of Dec., 1903.

E. W. BARTLETT, Register.

TIMBER LAND, ACT JUNE 3, 1878—NOTICE FOR PUBLICATION.

United States Land Office,
La Grande, Oregon, Sept. 28, 1903.

Notice is hereby given that in compliance with the provisions of the act of congress of June 3, 1878, 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.

WALTER H. SILVERTOOTH,
of Whitney, county of Baker, state of Oregon, has this day filed in this office his sworn statement No. 2902, for the purchase of the 1/4 of section No. 24 in township No. 10 S., range No. 38 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 Charles H. Chance, U. S. Commissioner, at Sumpter, Oregon, on Saturday, the 13th day of December, 1903.

He names as witnesses: William Palmer, Charles H. Schepster, Joseph R. Walker, Marshall K. Young, all 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 13th day of Dec., 1903.

E. W. BARTLETT, Register.