



THE SUMPTER MINER

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SALE OF THE RED BOY IS ORDERED

To Take Place in Ninety Days And Lowest Bid Considered Will Be \$80,000.

In the suit of O. O. Benson against the Red Boy Consolidated Gold Mines company, which came before Judge Robert Eakin yesterday in Baker City, the court ordered the sale of the property on a notice of ninety days. N. C. Richards, attorney for Receiver Thompson, returned this morning and it is from him that the facts additional to those which appeared in the Democrat today were learned. The matter came up on citation why the sale should not take place, and as there were no objections urged, it was so ordered.

It was stipulated that the lowest bid which will be considered is \$80,000, a sum which will cover all indebtedness of the Red Boy company,

and also outside expenses. Each bid must be accompanied by a cash deposit equal to ten per cent of its face. The entire indebtedness of the Red Boy company, represented by claims presented to date, amounts to 58,000 and some odd dollars. An appearance of the creditors in the action was made to the extent of an aggregate amount of \$54,000, the bulk of the indebtedness.

Receiver Thompson rendered his account of expenses to date, and was allowed to borrow \$1,500 to meet expenses for the current month.

According to the ninety day notice, the sale of the property will fall early in May. No specific date has yet been fixed.

WILL DO EXTENSIVE DEVELOPMENT WORK

E. S. and C. E. Platts, of Baker City, owners of the Platts group being developed by the Geiser-Hedryx company in the Rock Creek district, and A. G. Wintz, of Ellensburg, Washington, who is interested with the Platts brothers in other Rock Creek property, came in on this morning's train. They will be here several days looking after their interests. C. E. Platts is just back from Lokout on the Snake river, where he also has mining property.

The partners have several other claims in the Rock Creek and adjoining section, and contemplate extensive development work during the summer months.

SENATOR HEYBURN'S BILL ON THE TRIAL OF MINING CASES

United States Senator Heyburn, of Idaho, recently has introduced a bill in the senate to amend section 2326 of the revised statutes of the United States relative to mining claims.

This bill provides that actions brought in support of adverse claims filed against any applications shall be deemed actions of law and tried as other actions at law are tried in the jurisdiction where such suit arises.

"The object of this," said Senator Heyburn, in speaking of his bill, "is that the question of fact may be determined by jury, rather than upon depositions or testimony taken before masters in chancery. Under a ruling by the United States circuit court for the Ninth circuit such cases are considered to be on the equity side of the court. Under the present operation of the law the jury and the

court never see the witnesses upon whose testimony the controverted questions of fact are to be determined, and the testimony of thoroughly unscrupulous witnesses, who have the skill to be plausible, is as potent as that of the witness who knows and tells the truth.

"All men look alike on paper, and a jury selected from the vicinity where the controversy arises can more accurately pass upon controverted facts than a court sitting at a distant point and hearing a case upon testimony taken before the examiner where everything is admitted subject to objection. The courts have held that the statutes, as at present enacted, do not sufficiently provide for trial by jury in such cases."

EASTERN SITUATION

A. L. McEwen, of McEwen, Arthur & McEwen's Testing and Sampling works, returned this morning from Detroit, Michigan, where he went on important mining business. Regarding this Mr. McEwen has nothing to make public, but the inference is drawn that a deal of more than ordinary consequence is pending. Relative to eastern conditions he says: "It sounds more or less hackneyed or trite to say that there is all sorts of money in the east for legitimate mining investments, and that acuteness of the financial stress is past, since this is about the usual phraseology employed by the average man returning when he submits himself to a newspaper interview. It is a fact, however, and describes the state of affairs which exists.

"When a western mining man goes east with a cut and dried proposition which carries merit on its face, he may be assured that he will gain a hearing, and not only a hearing but a substantial money backing. Those eastern business men are very exacting in the matter of having everything just right before they lend their support. They want the most minute detail fully set forth, but when they are shown that a mining proposition has the earmarks of merit they are ready to invest. And there's plenty of money. The country is full of it.

"There is a feeling, too, among business interests that the coming presidential campaign is not going to be much of a financial disturber. Speaking of politics, the Hearst boom is taken more seriously in the east than it is in the west. A good deal is heard about Mr. Hearst's chances of securing the democratic nomination, and the impression obtains that he has a greater backing than ordinarily supposed."

NEW MILL AT THE VIRGINIA

Parker Rotary to be Replaced by Ten Stamps in Short Time.

Equipment Shipped From Denver And Will be Here in a Few Days.

A. B. Ernst, general manager of the Virginia, is authority for the statement that the Parker rotary mill, now on this property, is to be replaced at once by ten stamps. Mr. Ernst was on the train this afternoon on his way to Baker City to see about transferring the new machinery. The equipment was shipped from Denver, January 14, and Mr. Ernst thinks it should be through in a few days.

The Parker mill was not a success. When it was first started up some of the parts broke causing delay. After they had been renewed and another trial made, the mill still did not give satisfaction. Mr. Ernst thinks if he had time to adjust the plant it might yet be made to do good work, but he prefers putting in a small plant to treat the ore from development operations. The new mill will be installed at once and an effort will be made to have it running by March 1. Lumber needed to make the necessary changes in the buildings has been ordered, and will arrive in a few days.

Mr. Ernst regretted very much the serious accident which occurred at the Virginia a short time ago. He had news, he says from Weeden, the injured man, at Baker City before he left the mine. Weeden is getting along nicely and will, it is thought, recover. Mr. Earnest will probably visit his home in Seattle before returning.

Return Thanks.

We take this opportunity of thanking all parties who have aided us by word and deed in performing the last sad rites over the remains of our late brother, J. W. Riess, and for the kindly offices in assisting in the care of James Weeden, both victims of the Virginia explosion.

A. E. RUTTER,
President Greenhorn Miners' Union,
No. 132.

Tim Dawson, Tom Murphy, R. Driscoll, Ira Lemon, committee.