

IMPERIAL TO BUILD A REDUCTION PLANT

Start Work Just as Soon as Law
Suits Now Pending Are
Settled.

Captain A. M. Paul, manager of the Imperial in the Cable Cove district, returned yesterday from a two weeks' visit to Salt Lake City. The Imperial company is making arrangements to install a reduction plant as soon as pending litigation in the federal court at Portland is settled. This property has been held up for some time by claim jumpers, but Captain Paul says he will entertain no sort of a compromise proposition but will fight the case to a finish. The jumpers who figure in the present litigation are Charley Hall and T. J. Burbee.

"We have a strong case," says Captain Paul, "and we propose to show these jumpers just where they

stand. They are a detriment to any mining community."

Regarding the new mill he says: "Our present plans are to put in a small plant, say one of about thirty tons daily capacity, and add to it according to the needs of the property as development work is carried further forward. We have a sufficient amount of ore in sight to keep such a plant running for two years. It is not my policy to build an expensive mill to begin with, but rather expend the money on development work, and enlarge the mill, as this seems to warrant. Just as soon as the pending litigation is settled we will start the construction of a mill on the lines I have mentioned."

AN INDUCEMENT TO COMMIT FRAUD

Williamson's Amendment to
Mining Laws Will Vastly
Benefit Opera-
tors.

Jonathan Bourne, a prominent mining operator of Portland, and who has mining interests in other states as well, made the following statement to The Miner in regard to the advantages which the Williamson amendment to national mining laws will bring, and the difficulty under which many mining men of the Pacific coast, and the entire United States as well, have labored under the present act:

"One of the most serious questions the mining men have had to contend with," said Mr. Bourne, "has been in procuring timber, which is absolutely necessary for the operation of the mines, both as fuel for the mills and for construction purposes. The privilege has been enjoyed by the citizens of all states except Oregon, Washington and California, and in my opinion it is only a question of equity that the citizens of these, which rank among the richest states in mineral wealth, be allowed the same advantages. There is no other law in existence at present by which the mining operators of these states can procure timber from the public mineral lands, hence the act of 1878 is an invitation to fraud.

"The act, when approved by congress, was probably intended to

apply to all mineral districts in the United States; but the courts have decided that it applies only as named. At the time the act was passed there had been no mineral discoveries to speak of in Oregon and Washington. This may have been the reason they were omitted from the privileges granted by the act, but this cannot be used as a reason for the omission of California.

"In regard to that part of the act which restricts felling of timber on mining lands to bona fide residents of the states and territories mentioned in the act, it seems to be the intention of the United States government to foster mining development, hence it seems that it would be immaterial whether the mine owner be a resident of that state or not.

"Under the terms of the act itself, it would appear that this is not a very material question—that the timber could be cut by a citizen of the state and sold for use in the state by those operating mines therein. But such is not the construction given the act by the Commissioner of the General Land Office and Secretary of the Interior. By the rules and regulations of the department (circular of August 5, 1886, section 3), it is prescribed that 'no person, firm or corporation felling or removing timber under this act shall sell or dispose of the same or the lumber manufactured therefrom to any other than citizens and bona fide residents of the state and territory where such timber is cut.'

"An amendment to a later act stipulates that 'in any criminal prosecution or civil action by the United States for a trespass on timber lands' of certain states and territories (by act of March 3, 1901, the provisions of this act were extended to Oregon, Washington and California), 'or to recover timber or lumber cut thereon, it shall be a defense if the defendant shall show that the said timber was so cut or removed from the timber lands for use in such

state or territory by a resident thereof for agricultural, mining, manufacturing or domestic purposes, under rules and regulations made and prescribed by the Secretary of the Interior, and has not been transported out of same.' By a circular of March 17, 1898, the Commissioner of the General Land Office and the Secretary of the Interior have construed this law as applying to non mineral lands.—Pacific Miner.

FARMERS SUE FOR HALF A MILLION

Claim Coeur d'Alene Mines
Have Ruined Farms.

Damages for \$546,500 will be demanded by twenty-one farmers of Shoshone county, Idaho, from the owners of several large mines in the Coeur d'Alene in suits which will be filed in the federal court at Moscow, Idaho, sometime this week. The farmers, all of whom have as signed their claims to Elmer Doty, claim that by reason of dumping debris in the south fork of the Coeur d'Alene river their farms have been irretrievably damaged. W. T. Stoll, of Spokane, and Judge Edwin McBee, of Rathdrum, are attorneys for the farmers.

It is contended by the farmers that in former years when the Coeur d'Alene river overflowed its banks, it left a sediment that was beneficial to the overflowed land. It is claimed now, however, that about 3,000 tons a day of debris is being thrown into the south fork, and that the channel is being rapidly filled up. Whereas, it is claimed, the river used to overflow once a year, now, in the filled condition of the channel, the slightest freshet causes it to overflow.

It is claimed that after the water, which mixes with lead in the process of concentration, flows back into the river, it renders the water absolutely poisonous, so that when the land is overflowed it leaves a sediment, which destroys vegetation and ruins the soil. It is also claimed that for stock to drink the water of the river means certain death. The valley of the Coeur d'Alene, it is pointed out, used to be a fine hay country. Now, it is alleged, its productiveness has been destroyed.

The defendants in the suit will be the Empire State-Idaho company, the Federal Mining & Smelting company,

the Bunker Hill & Sullivan company, and the owners of the Morning, the Gold Hunter, the Hecla and the Frisco mines.—Spokesman-Review.

DRILLED INTO SHOOT AT THE LAST CHANCE.

Manager Lilley, of the Baby McKee company, operating the Last Chance, came in Saturday. When he left, he says, his men had just drilled into an ore shoot on the 100 foot level.

The round had not been shot, however, before he came away, and therefore he knows nothing of the extent or value of the body. Mr. Lilley is crowding things right along at the Last Chance.

BIDS CALLED FOR.

Sumpter, Ore., Feb. 24, 1904. Sealed proposals will be received by the recorder of the city of Sumpter until 8 o'clock p. m. April 1, 1904, for the furnishing of all material for and the construction of a sewerage system in the city of Sumpter, Oregon, in accordance with the plans and specifications on file in the recorder's office. The total estimated cost of the system is placed by the city engineer at \$15,000.

A certified check for the amount of 2 per cent of the bid, made payable to the city treasurer, must accompany all bids as evidence of the good faith of the bidder.

The council reserves the right to reject any and all bids.

S. S. START, City Recorder.

ADMINISTRATOR'S NOTICE.

Notice is hereby given that the undersigned has been duly appointed by the County Court of the State of Oregon, for the County of Baker, administrator of the estate of Samuel I. Jones, deceased. All persons having claims against said estate are hereby required to present the same to me, properly verified, as by law required, at the office of Chas. H. Chance, attorney-at-law, First National bank building, Sumpter, Baker County, Oregon, within six months from the date hereof.

Dated this 24th day of February, 1904. ALVIN P. JONES, Administrator of the Estate of Samuel I. Jones, deceased.

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