

MAIDEN'S DREAM LAW SUIT FINALLY DECIDED

Cato Johns Awarded The Two Quartz Claims And Placer Ground De- clared Vacant.

The case of Cato Johns against the Gray's Peak Mining company to test the rights of property was decided in the circuit court at Baker City last Friday. The virtual effect of the decision was to award the two quartz claims in controversy to Mr. Johns, allow him to hold the buildings under the execution, and to declare the one placer claim involved vacant, on the ground that the assessment work had not been performed.

The history of the case briefly is that Cato Johns and other creditors sued out an attachment against the Gray's Peak property, known as the Maiden's Dream group, including the claims mentioned together with a five stamp mill and buildings. There was litigation among the creditors and finally a settlement was reached by the others taking the five stamp

mill under a vendor's lien. Various extensions were given to satisfy the execution, until December 30, 1903, the property was sold and bid in by Cato Johns at \$2,000.

After the issuance of the execution the claims were relocated by Andy Stinson, the largest stockholder in the Gray's Peak company, on the ground that the assessment work had not been done, and the present suit was to test the rights of property. A nice point of law came out which is of interest to mining people. While it was shown that the actual assessment work had not been performed, by Mr. Johns but he had kept a watchman on the property for six months, which according to law, it is held, can be counted as assessment work.

Mr. Johns returned from Baker this morning.

LISTEN LAKE AT ST. LOUIS FAIR

J. Win Wilson, manager of the Listen Lake, came in from the property last night and reports work progressing, but somewhat hampered by the snow. The snow, he says, is about six and a half feet deep there.

The shaft, Mr. Wilson says, is now down seventy-five feet and is five or six feet out of the vein. The foot wall has been cut through. The policy is to continue sinking to the 100 foot level and some few feet below for a dump, and crosscut again. The crosscut above went over twenty-four feet in vein matter without reaching the opposite wall.

Mr. Wilson brought in with him fifty pounds of fine copper ore, which will be turned over to Fred Mellis for the Oregon St. Louis mineral exhibit. The Listen Lake has already contributed 250 pounds of ore to this collection.

Watson Will Succeed Grayson.

Headquarters of the American Mining congress, which will hold its session in Portland in July, was to have been opened today. Irvin Mahon, secretary of the association, has not been in communication with the local members for two weeks. The cause of the delay is not known. Just when headquarters will be established is undecided. The successor to the late Colonel John T. Grayson, as third vice president of the association, will probably be J. Frank Watson, president of the Merchants' National bank of this city. His name has been suggested by the board of directors.—Journal.

WILL OPEN ASSAY OFFICE AT RASTUS

W. C. Kelman, of Bourne, who is interested with William Fleegle, W. B. McCarty, and Marion Beckwith, in Mount Rastus mining property, left today to open up an assay office at Rastus City. Mr. Kelman operated in the Rastus district last fall, supervising the location work on the claims held by himself and associates. He is going back to continue work and also open an assay office in connection.

Mr. Kelman is an old Cripple Creeker, formerly having charge of an assay office in the Cripple Creek district. He has great faith in Rastus and proposes staying with it.

FORTY-NINE JIMMIE GAVE HER THE GUITAR

The recent death of Forty-Nine Jimmie recalls to the memory of a lady now residing in Sumpter an incident connected with that historic character, that causes her expressive face to soften into lines of pleasant retrospection. She says:

"It was over at Prairie City in the early days, when I was a little girl, six or seven years of age. No, I will not tell you just how many years ago that was—it would add nothing to the interest of this story. If you have nothing more to say, I will resume. Well, as I said, I was a little girl, and that is why I happened to be attending an auction sale of a

merchant who was closing out to move with the stampede of argonauts somewhere over into Idaho.

"Among the articles being sold was a guitar. A store carried everything in those days. We had a broken instrument in the house; the sounding board was cracked and only two strings remained; but it was the joy of my youthful life. I would pick on that pair of strings by the hour, imagining that I was producing sweetest music.

"When this guitar, bright with varnish, was offered for sale, I longed for it with an intensity that you men do for some gaudy brand of alleged fame. We, my little companion and myself, spoke of its beauty, admired it extravagantly in our childish way. However, no hope entered my heart that so superb a thing could ever be mine.

"A rough miner standing near began to bid on it against someone in another part of the room, whom I could not see. The bidding was lively, but the old miner never wavered and it was finally knocked down to him at an absurdly high price. He pulled out his buckskin bag, poured gold dust into the scales until they balanced weights placed in the opposite pan, picked up the instrument in its shining black wooden case and handed it to me, with the remark: 'Here little girl, this is for you,' and walked out of the store.

"Never since have I been so overwhelmed with surprise, gratitude and happiness. The first thought that entered my bewildered mind was that I had never read of any fairies in that rough guise. That guitar is still one of the sacred souvenirs of childhood in my old home in another state, and will continue to be one of my most valued treasures."

CONCENTRATES GO INTO THE CREEK.

A load of concentrates from the Golconda, drawn by four horses, was wrecked at the bridge this side of Hanover yesterday afternoon. It was M. McGee's team that was doing the hauling. When the driver got on the bridge, the sleigh began slipping sidewise and before it could be stopped, over it went, driver, horses, concentrates, and all to the bottom of the creek, twelve feet below.

Fortunately neither driver nor horses were hurt. The sleigh, however, was somewhat wrecked and the concentrates spilled in the bottom of the stream. The driver went up this morning with a team to try to fish out the concentrates and complete the delivery.

P. D. Estes, road supervisor for the road between here and the California, sent a team and force of men on this morning to get the snow off the bridge and put things in shape. The only difficulty is the fact of the snow's packing on the bridge in such a way to render it sideling making it possible for sleighs and sleds to slip off. The structure is staunch as ever. The matter will be looked after by Mr. Estes.

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