

# BAILLIE SAYS HENDRYX AIMS TO ANUL CONTACT

Frank Baillie, general manager of the Columbia Gold Mining company, defendant in a suit for \$50,000, filed by Harry T. Hendryx, successor to the Geiser-Hendryx investment company, has furnished the following statement to The Miner for publication:

"The Columbia Gold Mining company holds the Tabor Fraction under and by virtue of articles of agreement, now on file in the county recorder's office in Baker City. These articles are public records, and are accessible at all times to the general public.

"The suit filed by Mr. Hendryx—Mr. Albert Geiser is no longer interested—contains six prayers: (1) For immediate possession by the plaintiff of the property involved, the Tabor Fraction; (2) for annulment of the existing contract; (3) for an accounting of ores extracted by the Columbia Gold Mining company, from the Tabor Fraction; (4) for recovery of \$50,000, alleged to be due from the Columbia Gold Mining company on account of ores extracted from the property in question; (5) for an injunction restraining the Columbia Gold Mining company from further operation of the Tabor Fraction under the existing contract; and (6) for the appointment of a receiver

for the Tabor Fraction, pending adjudication of the above claims.

"A copy of the complaint has been served upon me, and the matter is now in the hands of my attorneys. I knew nothing of the suit until the papers were filed in Baker City and I was asked over the telephone by a Baker City newspaperman for a statement. Until thus notified I believed that our contract with the Geiser-Hendryx company was mutually satisfactory.

"Touching the merits of the case, I leave that for the public to judge and the court to determine. The main object of the suit, of course, is to annul our existing contract and regain possession of the Tabor Fraction. I need hardly add that the Columbia Gold Mining company has lived up to the terms of the agreement, in the matter of ore extraction and complete accounting therefor. We are willing and prepared to carry out our part of the contract until it dissolves of itself."

H. T. Hendryx, plaintiff in the above suit, returned this morning from Baker City. Accumulated business of pressing nature so occupied his time that he could not talk with a Miner reporter.

"My complaint filed Tuesday explains itself," he said.

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

United States Land Office,  
 La Grande, Oregon, February 6, 1905.  
 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,

ELVA MILLS,  
 of Sumpter, county of Baker, state of Oregon, has this day filed in this office her sworn statement No. 3270, for the purchase of the NW 1/4 of Section No. 33 in Township No. 9, South, 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 Chas. H. Chance, U. S. Commissioner, at his office in Sumpter, Oregon, on Wednesday, the 3rd day of May, 1905.

He names as witnesses: Walter J. Mills, Cato J. Johns, Byron Weatherford and Margaret Johns, 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 3rd day of May, 1905.  
 E. W. DAVIS, Register.

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MARGARET JOHNS,  
 of Sumpter, county of Baker, state of Oregon, has this day filed in this office her sworn statement No. 3276, for the purchase of the SE 1/4 of Section No. 32, in township No. 9 south, 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 Chas. H. Chance, U. S. Commissioner, at his office in Sumpter, Oregon, on Wednesday, the 3rd day of May, 1905.

He names as witnesses: Cato J. Johns, Walter J. Mills, Elva Mills, Byron Weatherford, all of Sumpter, Oregon.  
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 E. W. DAVIS, Register.

## ESTRAY NOTICE.

Taken up, at the ranch of Henry Panning, near Whitney, last spring, two 2-year-old colts, one grey, branded "C" on left shoulder, and on bay branded S. Owner may regain property by paying expense of their keeping since the date of their taking up.

HENRY PANNING,  
 Whitney Ore.

December 30, 1904.

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CATO J. JOHNS,  
 of Sumpter, county of Baker, state of Oregon, has this day filed in this office his sworn statement No. 3277, for the purchase of the NE 1/4 of Section No. 32, in Township No. 9 South, 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 his office in Sumpter, Oregon, on Wednesday, the 3rd day of May, 1905.

He names as witnesses: Walter J. Mills, Margaret Johns, Byron Weatherford, Elva Mills, 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 3rd day of May, 1905.  
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WALTER J. MILLS,  
 of Sumpter, county of Baker, state of Oregon, has this day filed in this office his sworn statement No. 3278, for the purchase of the NW 1/4 of Section No. 32, in township No. 9 south, 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 his office in Sumpter, Oregon, on Wednesday, the 3rd day of May, 1905.

He names as witnesses: Cato J. Johns, Margaret Johns, Elva Mills, Byron Weatherford, all of Sumpter, Oregon.  
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 E. W. DAVIS, Register.

G. S. L. Smith came over from Susanville the 1st of the week, making a trip to Canyon Monday. He thinks there is scarcely more than one-third the usual amount of snow on high mountains, but the ground is well watered and unfrozen, so that it will go to the best possible use. Loss of range stock is far below the average, and the absence of carcasses on the hills has driven coyotes to be unusually numerous and daring in the settlements.—John Day News.

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