

EQUITY WINS THE KEYSTONE CASE

A decision rendered by Judge Eakin, of La Grande, settles, so far as the circuit court is concerned, the suit brought by the Keystone Mining & Milling company against the Equity Copper & Gold Mining company, which case was referred to W. J. Coleman, the court reporter, who took the testimony in Canyon City last fall.

The suit was brought by the Keystone company to enjoin the Equity company from taking ore from either the Oregon or Colorado quartz claims, and for damages.

Judge Eakin, in his findings of fact and conclusions of law, says that "the testimony is very conflicting and unsatisfactory as to any line or corner of the Keystone. That there is no conflict between the Colorado and the Keystone mining claims. That the Oregon conflicts with the Keystone only about 150 feet at the south end of the Oregon, and that none of the workings of the Oregon mining claim are on the Keystone."

The court further finds that the plaintiff is not entitled to any injunction against the defendant, nor to

any damages, and that the complaint should be dismissed.

This case involves titles to prominent quartz properties in the Quartzburg camp and establishes right of W. J. Hughes et al, to property over J. Frank Watson, et al.

Attorney Hicks, of Canyon, represented Mr. Hughes, while N. C. Richards, of Sumpter, was attorney for Mr. Watson.

The Geiser-Hendryx Investment company, of Sumpter, held an option on the Keystone from the Portland owners, who were Watson, Felton and Weed, bankers. The contract for sale was based on the original Keystone location. Geiser & Hendryx, after an investigation, alleged that the Equity company was mining what was considered Keystone ore. The matter was called to the attention of Watson et al, who instituted suit, for a permanent injunction. As a result of the adverse decision, H. T. Hendryx, as successor to the Geiser-Hendryx Investment company, will permit a forfeiture of their option. When seen by a Miner reporter this morning, Mr. Hendryx said: "We pass."

STOCKTON-BADGER EVIDENCE ALL IN

Considerable interest, locally, centers about the suit of the Badger Mining company against the Stockton Mining company, final evidence in which was submitted last week before a master in chancery at Portland. A decision is not expected for some time, as the case involves some nice points of law.

The Badger company seeks to establish its right to a half interest in the Stockton claim, the principal property of the Stockton company. The claim adjoins the side line of the Badger claim, the vein of the latter and also of the Bull of the Woods property cutting through the Stockton. The Badger company alleges that it has purchased the rights of William Moran, who, several years ago, bought a half interest in the Stockton, on the condition that he was to do certain development work. The Stockton owners state that Moran drove a tunnel, found nothing, and abandoned his interests, which were later preserved from lapsing to the government by H. H. Ames, A. J. Simmons and associates. It is said that the affidavit of Moran has been secured by the Stockton management in defense of its title, while on the other hand, the Badger company exhibits a deed from the same individual.

The Badger, owned by an allied company to the famous Bunker Hill and Sullivan concern of Coeur d'Alene and Alaska fame, is one of the best mines in eastern Oregon. It is developed to a depth of 700 feet by a vertical shaft and exhaustive drifts, and is equipped with a 70-ton concentrator, compressor plant and mine machinery. It has produced for several years a remarkably rich grade of galena gold ore, and is said to have on the 700 foot level the best grade of ore yet opened in the mine.

While the workings of the Badger were only to a depth of 500 feet, the Stockton management secured an order of the federal courts for permission to examine the underground workings. At that time the surveyor found that the 500 level drift was up to the Stockton line, but there did not seem enough evidence for the beginning of a suit. The surveying party reported that a rich Badger shoot was pitching toward the Stockton. The last year the Badger management sank to the 700 level, where remarkable galena has been mined. Quickly on this development came the report that the company and bought the old interest of Moran and would establish its title. This suit is the result.

Owners of the Stockton express their belief that the Badger has found the main shoot pitching into their ground, and that this suit is the commencement of an effort to get control of the adjacent property, so as to permit mining therein. H. H. Ames, one of the principal owners, whose brother, G. G. Ames, Portland attorney, is conducting the defense, was there and gave his testimony recently. He brought some of the ore that was said to come from the 700 level of the Badger, proving that it is exceptionally high grade. Mr.

Ames also said that a rumor was current to the effect that the Badger, on the 700 level, had gone across the line and was taking out Stockton ore. But until the suit for title is adjusted no new order for an examination will be asked. However, when this litigation ends, it is the expressed purpose of the Stockton owners to determine if the Badger is encroaching, and if so, to demand a settlement and accounting.

MINING NOTES.

The necessary appliances were received last week by the John Day electric light company to enable them to extend their line to Canyon City at once.

Sawmills are being installed at the Copperopolis and Standard mines, where new and commodious buildings will be erected as soon as lumber can be secured.

A movement is on foot to change the present stage route between Flynn's station and Prairie City to run from Flynn's station via Quartzburg to Prairie City.

H. O. Hyatt, superintendent of the Oregon-Iowa company, operating the famous old Morris silver mine, in the Greenhorn mountains, passed through Sumpter today en route to Bourne on a business trip.

Albert Loy and son, Sam, came down from the Cracker Creek hills yesterday, returning this afternoon. They are developing a big ledge at the head of Big Cracker and are being encouraged by a magnificent surface showing.

The mail service between Prairie City and Comer has been increased from a tri-weekly to six times a week service. This gives the mining camp at Quartzburg about as good a mail service as that enjoyed by any part of Grant county.

The circuit court of Grant county has decided the case of the First National bank of Tekama, Nebraska, vs. the Little Giant Gold Mining company in favor of the plaintiff, by awarding judgment for \$38.44 and costs, and declaring the plaintiff's mortgage valid. Sale is ordered under foreclosure.

Ed. Butze, Jr., superintendent of the Little Cracker mine, above Bourne, returned this morning from Baker City, where he has been in attendance upon the bedside of his father, who was reported to be dying a few days since, which report was, fortunately, untrue and he is now much improved.

On March 7 a deed was filed for record in Grant county, showing the sale of a one-sixth interest in the Psyche, Venus, Missing Link and Independence quartz claims by J. T. Donnelly, the Baker City baker, to Bela Kadish, now of Goldfield, for \$4100, and the transfer of another sixth interest in the same property to Fred D. Fuller, of Sumpter, as trustee, for a like consideration.

Petition for Liquor License.

Bourne, Oregon, February 24th, 1905.

To the Honorable County Court of the County of Baker, State of Oregon:

We, the undersigned, do hereby respectfully represent that we constitute a majority of the legal voters of Bourne precinct, County of Baker, State of Oregon, and do hereby respectfully petition your Honorable Body to grant to George Wright, Sr., a license for the period of three months, commencing April 1st, 1905, and ending June 30th, 1905, to sell spirituous, malt and vinous liquors at retail, at what is commonly known as the Halfway House, in Bourne precinct, County of Baker, State of Oregon, said Halfway House being situated on the Sumpter-Bourne wagon road about three miles southerly from Bourne, in said County and State.

And we further respectfully represent that said Halfway House is not within a mile of any mine.

H. C. Neidermark, Wm. Weigand, Joseph Davis, W. B. Palmer, A. F. Raymond, N. M. Johnson, Dan Farry, C. P. Williams, Don Patterson, Jake Green, J. Weiderham, James Gillillio, John Sorath, J. J. Mullett, D. W. Couzens, F. H. Stevenson, Gus R. Baird, W. H. Baelste, Daniel Cahill, Jas. F. Denpay, Tom Naughton, J. M. Charles, J. H. Sellers, W. J. Grillington, J. T. Rusk, L. R. Rusk, A. H. Brown, W. J. Evans, W. D. Sprunt, G. R. Penz, John Orwell, E. Beecraft, N. Eastham, R. A. Moore, J. S. Miller, Gus Nelson, Ed Ginsley, Pat McGinnius, H. Metz, J. W. Fleagle, J. Gilles, J. D. Covlin, T. L. Downey, H. K. Caddy, Harry Bates, John Brown, T. Stomper, D. V. Ringland, B. R. Woods, H. Love, P. C. Ainsworth, W. C. Carrell, W. B. Byron, W. S. Lamb, Ed Morgan, B. M.

Kenna, O. D. McDonald, W. J. Rorerberston, F. Lloyd, Guy Harris, Joe Cobb, Wm. Baeler, J. T. Mahoney, E. O'Harra, Matt Markmann, W. McDonald, C. H. Burns, Mevlin Graham, I. E. Bass, C. O. DeForest, John Paddeok, C. S. Kear,

Notice is hereby given that the undersigned, George Wright, Sr., will, at the first day of April, 1905, term of the County Court of the County of Baker, State of Oregon, or as soon thereafter as he can be heard, apply for a license to sell spirituous, malt and vinous liquors at the Halfway House, in Bourne precinct, Baker County, Oregon, for the period set forth in the foregoing petition.

GEORGE WRIGHT, Sr.

Spring Millinery Opening.

Mrs. E. L. Sullivan, of Baker City, will be at Hotel Sumpter for two days, Monday and Tuesday, April 3 and 4, with a full line of spring millinery, including the celebrated gage hats.

Beautiful Gage Hats.

Mrs. E. L. Sullivan, the Baker City modiste, will display a complete line of spring millinery at Hotel Sumpter for two days, April 3 and 4.

A Grant county mining deal last week was the purchase by John G. Nealen of the Powell Consolidated placer claim of Geo. Hagny and Bessie Powell for \$650, and the giving by Mr. Nealen of a bond for a deed to the same property to W. R. Cunningham for the same figure.

Gage hats and the latest and most stylish spring millinery will be displayed on April 3 and 4, at Hotel Sumpter by Mrs. E. L. Sullivan, of Baker City.