

WINDMILLS CASE

Commissioner Hermann Rules Against Company.

TUNNEL WORK NOT GOOD CAN'T APPLY ON PERFECTING A PATENT.

It Was Sought to Have the Improvements in a Tunnel Some Distance Away From a New Group of Claims Apply on Securing a Patent—It Won't Do.

Commissioner Binger Hermann of the general land office is sending out rulings at such a rapid rate these days that mine and claim owners seeking patents are constantly kept guessing as to where they will land.

The Anchor Mining company of Park City is just now in the toils for, under a ruling dated March 1 and served on the officers of that company only a few days ago, mine claims No. 3590 made on July 31, last year, for the Gill Edge group of six claims, in Snake Creek district, will unless an appeal is taken by May 1, be canceled.

The group in question lies a considerable distance south of the compact group of claims constituting the Anchor company's possession, and is owned by other parties, but through which the Anchor company owns a right of way, intervenes.

In making its application the Anchor company sought to apply, as the statutory \$500 worth of improvements for the six claims certain portions of a drift run from its main workings in the direction of the Gill Edge group a distance of nearly 900 feet.

In December last the matter was called to Commissioner Hermann's attention by an officer letter which stated: "This ruling actually benefits the claims attempted to be appropriated to the group as the statutory expenditure of \$500 for the development of each location do not appear to be a proper credit, therefore, no patent can be granted."

The claimant was then cited to show cause why the entry should not be canceled, and on March 7 the manager of the company admitted that the claims, accompanied by maps, etc., to show how the work was intended to apply. After reviewing at length the statement of the management, the commissioner sums up as follows:

"The development of the claims in question is dependent upon the continuation of this underground system a distance of more than 2,300 feet. The intervening ground contains ore of sufficient value to warrant the continuation of said tunnel, it may at some future day be extended to and develop this group, but at present there is no real benefit to them, and whether there will ever be uncertain and remotely contingent."

It is recognized that it is within the province of the owner to develop locations to determine for himself the best method for their development, but it must be reasonable and for the purpose in good faith of facilitating the extraction of mineral resources.

"To permit the owner of a tunnel to locate ground as mining claims, in the direction of the tunnel but far in advance of its completion, and to apply statutory improvements therefor, improvements made primarily for the purpose of extracting mineral from claims through which said tunnel then runs, will actually benefit the claims to which it is applied, only in the remote future, upon the uncertain contingency of the continuation of the mineral-bearing ore in such quantities and of such value as will warrant the extension of the tunnel to the claims in question, is a dangerous practice, and clearly not within the meaning of the law."

"In the face of the evidence in the record, showing that this tunnel was run for the development of the claims through which it passes, and only remotely contingent to the claims in question, is a dangerous practice, and clearly not within the meaning of the law."

"Discussing the ruling yesterday, W. V. Rice of the Anchor mine, who made the rule followed by his company in this case had been in vogue for years and the same thing had been done in numerous instances before by every big company in the camp. The commissioner's ruling reached us too late to give us time to appeal," he continued, "and I suppose that we shall now proceed to do the necessary work on the claims themselves and pay the costs."

Last week a very similar ruling was made against Allan G. Lamson on ground which he sought to patent in West Mountain district, and Register Hobbs said yesterday that quite a number of similar rulings had been lately received.

Everywhere, But Utah, Great Interest Has Been Aroused.

Colonel B. F. Montgomery, president of the International Mining congress, which convenes in Milwaukee on the 19th of next month, has returned to Denver, his home, after a brief visit to the Wisconsin district, where he went to look after some of the preliminaries for the approaching gathering.

The colonel is very enthusiastic over the convention, and says intense interest is being taken in the meeting in all parts of the country.

Denver Post representative, the colonel said: "It is an excellent thing and it is going to do a great deal of good. There will be large delegations from Pennsylvania and New York, Colorado, Peru, Venezuela, in fact, every important part of the world will be here. More than 2,500 delegates have, in writing, signified their intention to be present, and there is not a shadow of doubt that this will be the greatest mining congress ever held."

"There is another unique feature of this gathering. For the first time all minor interests will be represented, and all branches of the industry will be represented. The metals—iron, gold, silver, copper, zinc, quicksilver, manganese, aluminum, antimony, nickel and platinum—will all be represented by those engaged in mining these several ores. In the way of fuel there will be delegates representing the interests of anthracite and bituminous coal, coke and petroleum.

"Building and ornamental stone products and the marble onyx, and soapstone quarries will have delegations, as will also the producers of mineral paints, asphaltum, asbestos, gypsum phosphate rock, and, as I have said, for the very first time.

"The programme arranged is one of the best ever prepared for such an occasion, and the authorities on all branches of mining, mineralogy, geology and ore treatment will be heard on subjects of interest, not only to those engaged in the mining business, but to every individual in this wide-awake, progressive republic."

For some reason the mining men of Utah have exhibited little interest in the coming gathering in Milwaukee, Colorado will have a big display of minerals, and the mine owners over there will spare no expense in taking

advantage of the opportunity to advertise the mineral resources of their state.

Considerable regret is expressed that Utah cannot be represented with a display equal to the one made here two years ago.

A few local mine owners have contributed their checks to the chairman of the finance committee, to pay the expenses of a trip to be made here by the Wisconsin secretary of the congress, whose mission will be to gather the best collection of minerals that he can in the short time intervening between now and the time of the congress meets. Mr. Mahon is expected in Salt Lake sometime next week.

FROM STATERINE DISTRICT. New Machinery Being Installed at the Independence Mine. (Special Correspondence.)

Aqua, Utah, May 23.—Matters at Aqua are progressing nicely in a manner that promises much for the future.

The Independence company has got its boiler and pump here, and they are now being put in place. There is about now being put in place. There is about now being put in place.

The shaft sunk twelve feet further—to the 200-foot level—drifting will commence on the vein, both north and south. The drift will be run to the east to tap what is known as the Drake ledge. Recent assays from this ledge, which averages about eighteen inches in width, ran over \$100 in gold and 100 ounces silver. In the bottom of the shaft there is over three feet of fine quartz which will average \$20 in gold, and samples from the top of the shaft show \$30 in gold and thirty-six ounces silver. These values are certainly encouraging, and justify the company in the expenditures they are making to develop the property. One hundred cords of wood are piled up at the works for use in pumping the water.

At the Amethyst nothing is being done just now. Manager McFarlane threw up the bond he had on for Mr. McCune, but another bond was immediately taken on the property by Dan McLeod. Mr. McLeod has thoroughly sampled the mine, and has discovered good prospecting, both on the surface and underground during the past ten days. He is satisfied that there is a big mine there, and he believes he has been exhibiting ore that shows an abundance of free gold from a part of the property where a pick had never been put.

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The shaft on the Jumbo property is about 100 feet in the shaft continues to look well. It is about three feet wide and mans well. J. N. Stewart of Bunkerville, Nev., has a bond on this property, and is developing an interest in the property. A stranger offered \$300 in cash for it, but Mr. Jacobson would not part with it at any price.

Ore and Bullion. Ore and bullion settlements in this city yesterday amounted to \$39,600, as follows: McCormick & Co., Mingo bullion, \$3,900; R. J. Jones & Co., \$20,900; Bullion, \$7,400. Bamberger & McMillan, ores, \$3,100.

Metal Market. Silver, 60c per ounce. Copper, 15c per pound. Lead, A. S. & R. Co.'s price, \$3.57 1/2; New York Exchange, \$3.97 1/2 @ \$4.02 1/2; brokers', \$3.80.

Mining Notes. The Mammoth mine marked eight cars of ore yesterday.

The Centennial-Eureka mine had ten cars of ore yesterday.

Editor J. B. Graham of the Bingham Bulletin was in the city yesterday.

Duncan McVie has gone to Mercur, to look after affairs at the Golden Gate mine.

Tom Jacobson, manager of the West Argonne mine of Stockton, will visit the city tomorrow.

Edward McCarrick, manager of the Red Wing Extension mine of Bingham, has gone east on business.

President and Manager Sam McIntyre of the Tintic mine, left for the Mammoth mine yesterday.

The Taylor & Brunton sampler reported the arrival yesterday of twelve cars of ore from the Tintic district.

James Long, jr., after a several weeks' absence, is expected to return to Gold Mountain, yesterday.

W. H. Irvine of the brokerage firm of Irvine & Mason, is expected to arrive in Salt Lake with his bride on June 1.

Eriest G. Rognon has departed for Cape Horn, and expects to pass Cape Horn on a boat sailing from Portland, Ore., today.

Manager D. P. Rohlfing of the Red Wing mine of Bingham was in the city yesterday, and will leave for camp again today.

In response to a telegram advising him of the serious illness of his brother, E. H. Airis left for Colorado Springs, Tuesday night.

The visiting American Smelting & Refining company officials, accompanied by Clarence Stewart, well known in this county, were looking over the mines of Mineral Park this week. Mr. Stewart is looking after mines for eastern people.

Allan G. Lamson of the Jordan Narrows electric works and the Bingham Tunnel company, has returned from a trip to Bingham. He made an inspection of the West Mountain property and came home greatly enthused with the possibilities of that property. He believes it will become a big thing in the very near future.

The stockholders of the New Mammoth Mining company of Bingham seem to have lost all interest in the affairs of that corporation. Several attempts have been made to get the shareholders together, and a quorum being present, the meetings have been adjourned from time to time. No one showed up at the meeting scheduled for yesterday afternoon, and another adjournment was taken for thirty days.

Grand Junction Sentinel: A telephone message to the Sentinel this afternoon states that the Ramey Bros. mine at Palisade, under lease from Clough Bros., was on fire. The office sent a messenger and received the following facts in relation to the fire: Miners coming from the mine report dense volumes of smoke issuing from the air shafts at the mouth of the tunnel, and in volume are being forced out, and the heat is so intense that no one can approach the mouth of the tunnel.

Kingman (Ariz.) Miner: Thomas Jennings of the Grand Wash, is expected in Kingman in a few days. Under Mr. Jennings' management the mine is becoming one of the great copper properties in Arizona. The vein has been crossed at a depth of eighty feet, and ten feet of 60 per cent copper ore shown up, while there are other lower grade bodies of ore to be seen. The vein of the vein over thirty feet. All ore of the mine runs over 40 per cent. That the north part of Mohave county is one

of the richest in Arizona in copper is a fact well known, and before long we expect to see these mines reached by railroad.

"After suffering from severe dyspepsia over twelve years and using many remedies without permanent good, I finally took Kodol Dyspepsia Cure. It did me so much good I recommend it to everyone." writes J. E. Watkins, Clerk and Recorder, Chillicothe, Mo. It digests what you eat. F. C. Schramm, McCornick block.

Pure distilled ice. Phone 43. Red wagons, Salt Lake Ice Co.

GERMAN MEAT BILL PASSES MEASURE AIMS SEVERE BLOW AT AMERICAN PRODUCTS.

Importation of Canned Beef and Sausage is Forbidden and Other Restrictions are Imposed.

Berlin, May 23.—The reichstag, voting today by roll call, adopted the meat bill by 163 to 123 votes.

In addition to prohibiting the importation of canned or sausage meat, the bill provides that until Dec. 31, 1903, the importation of fresh meat shall only be allowed in whole, or in certain cases in half carcasses, and that the importation of the principal meat shall be permitted only when it is proved to be innocuous, which is regarded as being impossible of proof in the case of consignments of salt meat under four kilograms.

The bill also provides that after 1903 the importation of meat shall either be regulated by fresh legislation or the above mentioned provisions shall remain in force.

How Is Your Wife? Has she lost her beauty? If so, constipation, indigestion, sick headache, neuralgia, rheumatism, etc., are the result. Root Tea has cured these ills for half a century. Price 25 cents and 50 cents. Money refunded if results are not satisfactory. Z. C. M. I. Drug department.

An important sale of white goods for graduating dresses, at F. AUERBACH & BRO.

NEW ASSOCIATED PRESS. Corporation is Formed Under Laws of New York.

New York, May 23.—A charter was issued at Albany, N. Y., today to the following named men, as incorporators of a news-gathering organization to be called the Associated Press.

Stephen O'Meara of the Boston Journal, Adolph S. Ochs of the New York Times, St. Clair McKelway of the Brooklyn Eagle, William L. McLean of the Philadelphia Bulletin, Frank E. B. Noyes of the Washington Star, and A. H. Belo of the Galveston Daily News, and Dallas Daily News.

The membership of the corporation is to consist of and to be limited to the proprietors of newspapers. It is to be purely mutual and co-operative, to make no profits and to declare no dividends. It is not to sell news, but to collect for and to distribute to its members only. The operations and membership will cover the entire country.

One of the incorporators said: "The decision of the supreme court of Illinois has swept away a number of the fundamental principles of the association with which we have been connected, and has made it impossible for that organization to go on any longer, or to fulfill the desires of its members. We have looked about for some plan, and in full accord of practically all our associates have concluded to organize a new Associated Press, under the laws of New York. We have in mind simply to carry into this new corporation all of the principles that gave character to the old one, and to change nothing, ever in the fundamental theories, and to preserve intact all the rights of the individual members and in general to find a more congenial domicile than Illinois. The men engaged in the work of incorporation are simply acting as trustees for their associates until the plan can be so far perfected as to turn it over to a fully qualified membership."

Tell Your Sister. A Beautiful Complexion is an impossibility without good, pure blood, the sort which is obtained in connection with good digestion, a healthy liver and bowels. Karl's Clover Root Tea acts directly on the bowels, liver and kidneys, keeping them in perfect health. Price 25 cents and 50 cents. Sold by Z. C. M. I. drug department.

The finest line of wash fabrics for class dresses now on hand at F. AUERBACH & BRO'S.

Annual May Sale of Silks, Dress Goods, Trimmings, Laces, Embroideries.

New York Mining Stocks.

These entire stocks 20 up to 40 per cent off—three more days only. TUESDAY NIGHT.

OREGON TOWN DESTROYED. Lake View is Completely Swept by Flames.

Reno, Nev., May 23.—A special to the Gazette says the entire business part of Lake View, Ore., with the exception of two small houses, was destroyed by fire this morning, the loss including the Lake View Examiner office and several private dwellings.

The telephone office in the street, and every one is so busy and depressed that it is impossible to get particulars of the individual losses tonight.

"Fortune favors the brave." It is also favorable to those who purify their blood at this season by taking Hood's Sarsaparilla.

The most varied and exquisite stock of wash fabrics you find at AUERBACH'S.

Cures Weak Men Free. Insures Love and Happiness.

How many men who quickly cure himself after suffering from sexual weakness, loss of vitality, vigor and energy, and enlarged small, weak organs to full size and vigor. Strengthen and purify your blood to Dr. L. W. Knapp, 1201 Hill Building, Detroit, Mich., and he will gladly send you a free copy of his "Cure for Weak Men," that any man may easily cure himself at home. This is certainly a most generous offer, and the following extracts taken from his daily mail show how men write him:

"Dear Sir—Please accept my sincere thanks for yours of recent date. I have given your treatment a thorough test and the benefit has been extraordinary. It has completely braced me up. I am just as vigorous as when a boy and you cannot realize how happy I am. I have completely returned and enlargement is entirely satisfactory."

"Dear Sir—You were received and I had no trouble in making use of the medicine as directed, and after a few days' use can truly say I feel like a new man. I am greatly improved in strength and vitality. All correspondence is strictly confidential, mailed in plain sealed envelope. The price of the medicine is \$1.00, and he wants every man to have it."

Business Was Not Very Brisk on 'Change Yesterday.

MAMMOTH WAS ACTIVE STOCK CAME OUT IN GOOD SHAPE, CLOSING HIGHER.

Star Consolidated Weakened to 20 Cents a Share—Valeo Started Off Briskly, But Afterwards Declined—The Assessment on Sunbeam Sends That Stock Downward.

Business was light on the stock exchange yesterday, the sales amounting to 5,250 shares, which brought \$5,250.25.

Mammoth was the most active stock on the board and brokers were willing to bid up pretty well for it. The stock was several points stronger than the closing quotation of Tuesday.

Daily West was not much improved, fifty shares selling at \$16.60. Star Consolidated weakened to 20 cents, while Sacramento registered a sale at 2 1/2 cents.

Valeo was started off briskly at 91 cents, but sold down to 88 1/2 cents and closed with 86 bid and 88 cents asked.

The Swansea stocks were fairly active at steady prices, but recorded no transfers. Petro was offered at 27 cents and the new assessment on Sunbeam sent that stock downward, closing with a bid of 2 cents and 10 cents asked.

The closing quotations were posted as follows:

Table with columns: Bid, Asked. Lists various stocks including Ajax, Aibion, Boston & De Lamar, Bull-Beck, etc.

Yesterday's Stock Sales. Daily-West, 50@815.00. Lower Mammoth, 100@815.00. Mammoth, 100@822.25. Star Consolidated, 50@815.00. Valeo, 400@91.00. Total shares sold, 6,250.25. Selling value of stock, \$5,250.25.

Boston Mining Stocks. Adventure, \$4.00. Humboldt, \$5.00. Jones, 30.00. Mexican, 25.00. Amal. Copper, 87.50. Parrot, 41.00. Atlantic, 23.00. Quicksilver, 133.50. Phoenix, 50.00. Silver, 15.00. Butte & B., 44.00. Tamarack, 19.00. Call & Hecla, 73.00. Utah Mining, 3.00. Federal, 13.00. Winona, 38.25. Franklin, 13.00.

(Special to The Herald.) Boston, Mass., May 23.—Amalgamated, 46 shares, \$87.75@88.50. Bingham, 10 shares, \$9.87 1/2. Centennial-Eureka, 70 shares, \$24.50@24.75. Cochiti, 30 shares, \$9.50.

New York Mining Stocks. Chollar, 18 Ontario, 7.50. Crown, Cal. & V., 1.20. Plymouth, 7.50. Deadwood, 50. Quicksilver, 1.75. Gould & Curry, 1.00. Patterson, 1.75. Hale & Nor., 21 Sierra Nevada, 2.50. Homestake, 50 Standard, 3.50. Iron Silver, 65 Union Con., 14. Mexican, 20 Yellow Jacket, 14.

San Francisco Mining Stocks. Alpha, 3 Justice, 2.00. Andes, 5 Occidental Con., 11. Belcher, 19 Ophir, 57.18. Best & Belcher, 20 Overman, 15.25. Caledonia, 1.20. Savage, 12. Challenge Con., 14 Seg. Belcher, 30. Chollar, 20 Sierra Nevada, 2.50. Confidence, 74 Silver Hill, 12. Con. Cal. & Va., 1.40. Standard, 2.60. Front Point, 10 Union Con., 2.90. Gould & Curry, 13 Utah Con., 7. Hale & Nor., 23 Yellow Jacket, 15.

"I used Kodol Dyspepsia Cure in my family with wonderful results. It gives immediate relief, is pleasant to take and is truly the dyspeptic's best friend," says E. Hartgerink, Overisel, Mich. Digests what you eat. Cannot fail to cure. F. C. Schramm, McCornick block.

Warning to the Public. Before buying Buckeye Mining company stock, verify same by telephoning the secretary, No. 598. There are thousands of shares of illegally issued stock out.

BUCKEYE MINING COMPANY. Liebling is coming June 5. TO GIVE WOMEN OFFICES. House of Commons Passes a Bill in Aid of Sex.

London, May 23.—Notwithstanding government opposition, the second reading of the bill to enable women to be elected aldermen and councilors in the new borough councils formed under the London government bill of 1899, was carried in the house of commons today by a vote of 248 to 129.

Mr. Chamberlain, Sir Matthew White-Ridley, Mr. Ritchie, Henry Labouchere and John Redmond voted with the minority. The majority was composed mostly of Liberals and Irish members, with a sprinkling of conservatives.

The bill was referred to the committee on law.

Do You Know Consumption is preventable? Science has proven that, and also that neglect is suicidal. The worst cold or cough can be cured by Shiloh's Cough and Consumption Cure. Sold on positive guarantee for over fifty years. Sold by Z. C. M. I. drug department.

MINING STOCK MARKET

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Washing Hands Soap advertisement with image of a hand being washed.

Patent Record advertisement for the Patent Record, Baltimore, Md.

Assessment Notice for Victor Gold & Silver Mining Company.

Advertisement for Kidney Diseases cured by Fole's Kidney Cure.

Advertisement for Banner Salve, Johnson-Pratt Drug Company.

Advertisement for Strong Again! Sexine Pills.

Advertisement for Gardner Daily Store News, featuring shirts.

Advertisement for Electrical Goods.

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