

THE MINING REVIEW

The Output Maintains the Average, 4,586 Tons.

THE I. X. L. HAS \$80,000 OF ORE

Roil and War Eagle Purchase 49 Machine Drills During Month of September—Another Shipper Added to the List—Center Star Shipping Again—Ore For Silica.

With the exception of the output and the reference to the present condition of the I. X. L. mine there is not much of importance to note in the progress of the camp's mines during the past week. A competent mining engineer who inspected the I. X. L. property during the week has stated that there are 4,000 tons of ore now in sight in the mine, representing a total value of \$80,000. The fact that 25 tons were shipped to the Northport smelter during the week from the property and the statement that the management intends to commence regular shipments in the future will be received with pleasure by the camp and particularly by those who own or have interests in nearby properties. As the month closes the large number of drills ordered by the Le Roi and War Eagle from the Canadian Hand Drill company during September. The former placed an order for 25 Giant drills and the latter ordered 24, making 49 drills supplied these two concerns alone during the past 30 days by the company mentioned. Appended will be found notes of interest on many of the camp's working properties.

Camp's Output. The ore shipments for the week just ended have held their own, the estimate being 4,586 tons. The Centre Star comes into the list again with 900 tons for the week, and the I. X. L. joins the list for the first time this year, sending out 25 tons. The Le Roi output was below the average for the week, for the reason given hereunder. Bearing in mind how greatly the War Eagle mine is hampered by the lack of power, both for drilling and hoisting, it will be easily seen that the output is very fairly up to the average. Regarding the disposition of the ore, the Trail smelter obtained 2,520 tons, the combined shipments of the War Eagle and Centre Star contributing 2,370 tons and the Iron Mask 150. The B. C. Bullion Extracting works at Silica obtained 61 tons, or to exact, 122,650 pounds of War Eagle ore. While Northport received 1,920 tons from the Le Roi, 40 tons from the Evening Star, and 25 from the new shipper, the I. X. L., making a total of 4,586 tons (estimated).

Table with columns: Week-Tons, Year-Tons. Rows include Le Roi, War Eagle, Iron Mask, Evening Star, Deer Park, Centre Star, Columbia-Kootenay, Virginia, Mountain Trail, I. X. L., and Total.

I. X. L.—A carload of ore was sent this week from the I. X. L. to the smelter at Northport. The carload contained 25 tons, is a trial shipment, and if satisfactory, will be followed by others. Mr. Roy H. Clarke, who has charge of the operation on the I. X. L., reports the lower drift now in for a distance of 150 feet, and the upper drift 140 feet. Some fine looking copper ore, as well as free gold, is being met in the lower drift, and the ledge on the drift averages four feet in width. A competent mining man recently inspected the I. X. L., and says that he made a careful examination of the ore bodies in the upper and lower drifts. From these measurements he calculates that there are 4,000 tons of ore in sight. Putting the average of the ore at \$20 per ton, and he is confident that it will go higher than this because of the presence of so much free gold, this gives a total of \$80,000. With a tunnel run lower down the hill, there is certain, he says, to be developed a body of ore of equal importance to that which is above the lowest present workings. This tunnel can be made for a small cost, and this would give the property 5,000 tons of ore, worth at least \$100,000, which can be gotten out in a short time, and at a moderate expenditure. It will, therefore, be seen that the I. X. L. is fast becoming a mine of considerable importance, and one from which dividends should be paid as soon as regular shipments can be made.

Josie.—The new gallow frame on the Josie is about completed, and a portion of the old shaft has been straightened out. Everything has been got in readiness for the new hoist, which is overdue now but which is expected to arrive very shortly. Le Roi.—The new superintendent of the Le Roi mine, Mr. W. B. Wilson, assumed his duties on Wednesday last, the 27th ultimo. The ore shipments last week from the Le Roi are a little below the average attained of late, and the reason is that the management has been busy catching up with the timbering, which had got behind. This matter is now well in hand, and the shipments this coming week will even up again. Twenty-nine machine drills are now at work in the mine, one half of them doing purely developmental work and the balance stopping. On the 900 level the station has been completed, and men are now engaged in cutting out a pumping station, into which all the water of the mine will be drained and pumped out up to the surface by the new Jeanville pump, which is on hand ready to be installed. Drifting on the 900 level will commence this week. Everything is now ready in the Black Bear tunnel for the new electric hoist, which is promised in 30 days. A new 40x80 timber framing shed is being constructed at the mouth of the tunnel, which, when completed, will contain a patent machine timber frame, with wedge and crosscut saws. Over the shed mentioned a modern dry and wash house will be built for the convenience of the men.

Number One.—Men are busy in the Number 1 raising in the shaft from the 400 and 200-foot levels and making the necessary enlargement to change the two compartment shaft into a three compartment one. It will take from two to three months to complete this change. The right of way on the surface has been cleared off for the new tramway, which, when finished, will convey the ore of the Number 1 and the Josie from the mines mentioned to the railway (the Great Northern) at a point to the west of the Black Bear compressor. The total length of the tramway will be 1,900 feet. It will be an improved tramway of the kind now used by the Le Roi. Work is being also pushed in the drifts on the 300 and 400 levels, in raising from the 200-foot level to the surface.

Velvet.—The ledge on the 105-foot level is being drifted on, and the showing of ore here continues to be good. Work on the main adit is making good progress, and it should not be long now before the ledge will be met. It is the intention as the road, which is now being partially made, is sufficiently covered with snow, to make a snow road to haul in a compressor plant and install it on the Velvet. It is probable that a snow road will be made from the mine to the railroad some time this winter, so that some of the ore can be marketed. The mine is now in such a condition that it could be made self-supporting, provided the transportation facilities were afforded.

Deer Park.—The work during the past week consisted of sinking on the new shaft, and drifting toward the newly found ledge on the 300-foot level. In the shaft 10 feet was made and in the drift 20 feet. The shaft is now down 32 feet and the drift is now a distance of 80 feet from the main crosscut. The ground in the new shaft is becoming more settled, and the formation is generally firmer. There is now no doubt that the vein runs east and west. The ore here is of the 12 to 14 ton, and there is considerable of it. The management feels confident that it can be mined and shipped at a profit. This week a gallow frame will be erected, and next the hoist will be installed. Two machine drills are being operated, and the property is in better shape than ever.

Bunker Hill.—The road, which the company has been constructing for the past two months, is completed. The machinery for the quartz mill can now be hauled to the mill site. The mill plant will soon be on the ground. In the meanwhile the work of erecting the mill building and bank house is under way. The construction of the tramway from the mine to the mill site has also commenced. A large force of men is at work, and the intention is to put things in good shape for the winter.

A FAMOUS LAWSUIT

How F. Aug. Heinze Outgeneralled a Great Lawyer.

ROMANTIC STORY OF THE CASE

Heinze's Wonderful Fight Against the Boston and Montana and Butte and Boston Cos.—Strange History of Jim Larkin's Daughter—O'Farr's Letter Continued.

Butte, Mont., Sept. 24, 1930. When Mr. Bigelow and his associates saw that Heinze was bent on a desperate fight, they commissioned Mr. Marshall, a great New York lawyer, to come west and lead the battle in the law courts against him. This was a fatal blunder, for Mr. Marshall knew nothing about mining, except as coached by Batterman, and his adversaries were the most famous mining experts and lawyers on the continent. But this did not daunt Mr. Marshall. He talked in the hotel corridors and in the clubs with a confidence that was sublime, and even in court he expatiated on the ore stolen by Heinze out of "our mine." Judge Knowles, the federal judge of Montana, seemed overawed by the great man from New York. The fight was old and subdued by domestic misfortune and ill-health, and the splendid self-confidence of Marshall impressed him, and he did not object to the word "stole." But Heinze made it known that Marshall should never use that word again while the case was sub-judice, and the intimation was of such a nature that Marshall's courage oozed out of his boots, and henceforth he grew to be a milder-mannered man.

But Judge Knowles did not lose his high opinion of Mr. Marshall, and when representing the case to the jury he insisted that the theory of Mr. Batterman's, so eloquently presented by Mr. Marshall, was the law, and he therefore instructed the jury that Heinze had no extraneous rights on the Rarus, and it was taken out of the Michael Davitt and assess damages accordingly. But the jury had opinions of its own. The members felt that they were judges of both law and fact. Judge McHaffon, Heinze's leading counsel, they had known for years. He had won a reputation for ability and integrity during the eight years he sat in the judgment seat on a Montana court which no other judge had ever attained, and he thought that Judge McHaffon's law was correct, and that Marshall was "off his base," and that the judge did not know what he was talking about. They consequently refused the judge's instructions, and rendered a verdict which was a victory for Heinze. Since then the supreme court of the United States has rendered a decision which coincides with the law as laid down by McHaffon and endorsed by the jury. In fact, the theory of Mr. Batterman about the extraneous rights which Marshall charged Judge Knowles is little more today than the unsubstantial coinage of a dreamer's brain.

For a time Mr. Marshall of New York created as great a sensation in Montana as Mr. Potter of Texas created a few years ago in the literary world. An immense legal reputation had preceded him, and his position as vice-president of the New York Bar association made it almost necessary that Western lawyers should greet him with awe. A Spanish cavalier in all pomp and panoply of war could not have been more imposing. But when the valiant New Yorker returned to his native heath, his reputation in Montana was in a similar dilapidated condition to that to which the guns of Dewey's ships had reduced the fleet of Montojoy. At this was how it happened. Judge Knowles received the hands of a Montana jury, Mr. Marshall made up his mind that Montana judges and juries would not aid him and his clients in their warfare against Heinze. In an evil hour he conceived the design of transferring the operations of the Boston and Montana company from a Montana state corporation into the hands of the old Boston charter. He decreed that the old Boston and Montana company should die, and that a new Boston company should be born. John Forbes muttered some objections, but the great man from New York paid as little heed to John Forbes as Dick Croker does to a Tammany understrapper. And so the old corporation died and a brand new one, fortified with a New York charter, took its place, and began operating the mines of the Boston and Montana company. Some 70,000,000 pounds of copper, and the directors made a contract for 60,000,000 pounds of their product at about 12 cents a pound; but long before the contracts had been filled, copper had gone up five cents a pound, and those New York directors were delivering Boston and Montana copper under said contracts for a few million dollars less than it was worth.

Heinze suddenly appeared in the district court of Butte, and claimed that the transfer of the old company to the new was illegal; that consequently all the acts of the New York directorate were illegal, and that the directors of the New York company were liable to the stockholders for the millions lost through copper contracts. Heinze therefore asked for the appointment of a receiver, and the judge could do nothing but grant it. An appeal was taken to the supreme court of the state, and there the receivership was confirmed. Then Mr. Marshall advised that the New York corporation should in its turn die, and that the old Montana company should be resurrected. But every act of this New York corporation was illegal, and when the properties were turned back to the old company, Heinze claimed that all the losses suffered by the company through copper contracts should be made good by the directors of the New York company. Heinze claimed that the 60,000,000 pounds of copper which they sold for about 12 cents a pound should be restored to the company, or else the market price for that copper at the date they turned back all the property to the resurrected old company. This makes the directors of the ill-starred New York company liable for about \$3,000,000. The district court of Montana agrees with

Heinze, and insists that the receiver whom it has appointed should take charge till a thorough investigation is made and full reparation is done to the stockholders of this company by the men who illegally took over the operation of the mines owned by the resurrected company. Mr. Bigelow and his co-directors will be mulcted for millions if Heinze's contention holds good; but the ordinary stockholders will find their dividends thereby enhanced fully \$20 a share. And this wretched middle of the affairs of a great concern was due to Mr. Marshall. Hence his reputation in Montana is as that of the Spanish fleet which he made up at the bottom of Manila bay. Mr. John Forbes was so disgusted with the manner in which Mr. Marshall and Mr. Bigelow were running the concern that he made up his mind to have more to do with them, and sent in his resignation. But a man of destiny suddenly appeared upon the scene to save the sinking ship of the Bostonians. Had not Marcus Daly come to the rescue of the Bostonian companies they must have surrendered to Heinze. One of them was in bankruptcy, and the other was placed in the hands of a receiver by the Montana courts. Of course the old directorate is moving heaven and earth to prevent its management of the property, and all the secret details of salaries, contracts and subsidies from being divulged to vulgar eyes. Especially do they hate the thought of these accounts being subjected to Heinze's terrible criticism. But the supreme court of Montana has the matter under consideration, and will soon decide whether the receivership must go into force or not.

Mr. Marshall is no longer a star actor in the great drama. His hand is no longer on the helm, and it remains to be seen whether Marcus Daly can guide the Boston ships through the shoals and shallows that beset them. More is an able and a fearless captain. He is a foeman worthy of Heinze's steel, for if the truth must be told, Heinze completely outclassed and outmaneuvered the old management of the Boston companies. In fact had not the Standard Oil magnates taken it into their heads to buy the Boston companies and to form an alliance with Marcus Daly, Mr. Bigelow and Mr. Batterman and the other theorists who began war on Heinze would have been in a like plight with Marshall and with the ships of Montojoy.

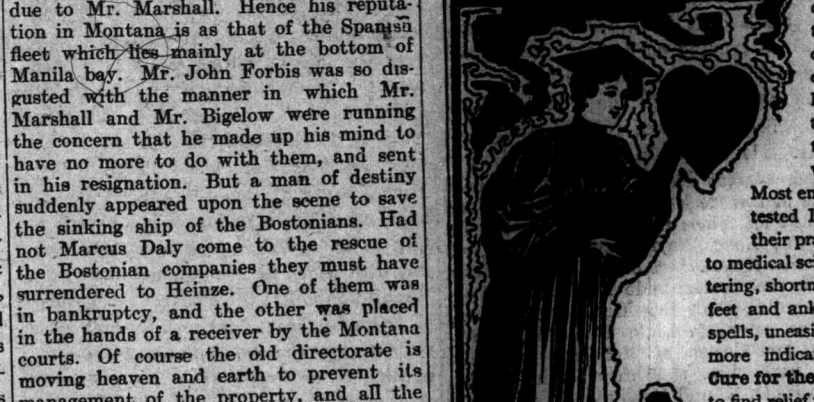
When the battle began with Heinze they never dreamed that a young man, in whose case he was in tremendous speculation, could withstand their onslaught. They expected to see him surrender at discretion. But instead of surrendering he speculated more fearlessly than ever, and he soon possessed mines that make his concern a rival of the great Boston company, and even of the Anaconda. Moreover, he bought every piece of mining property he could find which would fight his foes. One piece of property to which he long held a patent has a curious story. This ground is known as the west 300 feet of the Rarus. In this ground is a cross vein between the Rarus and the Mountain View. The Boston and Montana have long held a patent to this ground, and have taken ore out of this 300 feet of vein, which has netted the company \$3,200,000, and this only to a depth of 1200 feet. By acrimonious blunder the United States government issued two patents to this ground, and Heinze had held the older patent without making any claim for the mine or the ore. But when the Bostonians began to make war on him he valiantly in with a claim for \$3,200,000 against the Boston and Montana. That claim is still sub-judice. East of the Rarus is the Snohomish and the Tramway. The Anaconda-St. Lawrence-Rarus lode runs through the Snohomish, and developments of Butte. In 1894 the Butte and Boston companies owned the Snohomish and one-third of the Tramway from James Larkin for \$18,000. Larkin was an old-timer who had had long claims of fabulous value, but he had long been a disciple of the whisky bottle, and for 20 years hardly ever drew a sober breath. So when the Butte and Boston acquired Larkin's interest in the Snohomish and Tramway, the loafers around town rejoiced for Larkin would be generous while his dollars lasted. But a little later poor Jim was sent to the insane asylum as a hopeless lunatic, and the Bostonians made war Heinze. He recollected all about Larkin, and he resolved to get the deed to the claims annulled. He immediately bought the other interests, and then hunted up the heirs of Larkin. He discovered that Larkin before coming to Butte had married a dance-hall girl at Silver City, Idaho. Bishop Gloria had celebrated the marriage, and a girl was the fruit thereof. After Larkin's death in Butte he supported for a time his wife and child; but as his love for whiskey waxed strong, his rememberances of them waned. The wife grew tired waiting for him, so she got a divorce and married a man named Hess. He and the wife and Larkin's child then disappeared completely as if the earth had swallowed them. But Heinze resolved to find the girl, and he sent out detectives to search her up from Mexico to the Klondike. It was a comedy in itself. A dozen times he had telegrams announcing success, and then others would follow declaring it was the wrong girl. Finally one of Heinze's sleuth hounds swooped down on a lonely ranch in Southeastern Oregon where Clara Larkin had taken up a homestead. This place was nearly 200 miles from a railroad and close to the California line, and at the other side of that line was another ranch owned by Hess and Larkin's former wife. And so there, in one of the loneliest spots of the continent, the child of poor Jim Larkin had grown up. Had her father left the demon of drink alone, this young girl would have been reared in affluence and in luxury, and would have been the heiress to a great estate. He might have had the smiles, the caresses and the love of his child as she grew from infancy to beautiful womanhood, but he chose the carousel and debauch. The curse of his race had set an impassable gulf between them; and while he burned out the life spark of life left him as a hopeless lunatic, his child, grown to vigorous womanhood, was creating a home for herself in the wilderness, utterly ignorant of the fate of her father. He might have had the smiles, the caresses and the love of his child as she grew from infancy to beautiful womanhood, but he chose the carousel and debauch. The curse of his race had set an impassable gulf between them; and while he burned out the life spark of life left him as a hopeless lunatic, his child, grown to vigorous womanhood, was creating a home for herself in the wilderness, utterly ignorant of the fate of her father. He might have had the smiles, the caresses and the love of his child as she grew from infancy to beautiful womanhood, but he chose the carousel and debauch. The curse of his race had set an impassable gulf between them; and while he burned out the life spark of life left him as a hopeless lunatic, his child, grown to vigorous womanhood, was creating a home for herself in the wilderness, utterly ignorant of the fate of her father.

Has 75 Tons on the Dump. The stopping of ore on the 50-foot level of the Lily May continues. There are now about 75 tons of ore on the dump of a grade sufficiently high to warrant its being shipped to the smelter. The management anticipates that it will not be long before shipments will be commenced. Work in the lower levels has been temporarily suspended.

"She Carries Her Heart on Her Sleeve"

What a boon to many a man or woman if this were literally so—How many spirits are broken because this particular organ is shackled by disease—and yet how many times has Dr. Agnew's Cure for the Heart brushed against the grim reaper and robbed him of his victim.

Diseases of the heart are by far the most treacherous of ailments which afflict humanity—ruthless to old and young alike—not insidious but violent, for when the heart fails the whole system suffers violence. Discussing cases here will not console the suffering one. The one great want of the heart-sickened patient is how to get relief and a cure. Dr. Agnew's Cure for the Heart stands prominently to-day as the star of hope to sufferers from heart trouble, and so far past the experimental period that thousands to-day proclaim, in no uncertain sound, the belief that were it not for this great remedy they would have long ago passed into the great beyond.



Most eminent doctors, whom heart cases have baffled, have tested Dr. Agnew's claims, and to-day they prescribe it in their practice as the quickest and safest heart remedy known to medical science. What are the symptoms? Palpitation, fluttering, shortness of breath, weak and irregular pulse, swelling of feet and ankles, pain in the left side, chilly sensations, fainting spells, uneasiness in sleeping, dropical tendency and as many more indications that the heart is deranged. Dr. Agnew's Cure for the Heart is a heart specific; and no case too acute to find relief from it inside of thirty minutes—a powerful cure.

Mrs. Jno. Fitzpatrick, of Gananoque, Ont., after having been treated by eminent physicians for heart disease of five years' standing, was discharged from the hospital as a hopeless incurable. She suffered from acute pain and palpitation, her feet and ankles swollen, and there was every tendency to the dropical form of heart disease, but the lady procured Dr. Agnew's Cure for the Heart as she declared, as a last hope. One dose relieved her of a very acute spasm in less than thirty minutes, and three bottles cured her—not a symptom of the trouble remaining.

CONDUCTOR WILHELM G. LUCAS, of the N. & W.R.R., and living at Hagerstown, Md., suffered for years with acute valvular form of heart disease—cost him many a "lay off" from his daily duties on the road, and he spent a small fortune in remedies and treating with heart specialists in promise of a cure, and all ended in disappointment, until a good friend, who had been benefited, recommended Dr. Agnew's Cure for the Heart. He tried it, and found it gave him relief and comfort almost immediately. He continued its use until a few bottles were taken, and to-day he's well and strong, and says, "Tell all heart sufferers that I can highly recommend this great remedy."

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