

## CLAIM WAS FORFEITED

### Barrister Gwillim Loses a Hillside

#### Not Enough Work Done to Represent and Failed to Take Out Renewal in Time.

Gold Commissioner Senkler recently gave a decision in the case of Frank L. Gwillim vs. J. B. Tyrrell et al. in which the title to what is known as the Foss hillside opposite 44 below on Hunker on the left limit was involved. One of the questions at issue was as to whether or not the representation work required by the regulations had been performed for the previous year, the claim having been relocated by the defendant after the date of the renewal had expired. The decision, which is against the plaintiff, is as follows:

"The plaintiff was formerly the owner of what is known as the Foss hillside adjoining lower half, left limit No. 44 below discovery on Hunker creek, having obtained a certificate of assignment for said claim as partial security for \$2375.00 owed him by Eugene W. Parks, one of the former owners of the claim.

"On the 2nd of August, 1901, the plaintiff had filed the usual affidavits as to representation work and received a certificate of work. The grant under which the plaintiff held the claim expired on August 2nd, 1902, and on November 3rd the defendant, Tyrrell, relocated said claim and received a grant therefor, the plaintiff having neglected to renew the property on or before the 2nd day of November, as required under the regulations.

"After reading the evidence of Sperling and Boyce, and hearing the other witnesses, I have come to the conclusion that the work done on the claim by the plaintiff, during the year that ended August 2nd, 1902, was not sufficient to represent the claim. Mr. Gwillim states that he paid more than \$200 for what was done, but I am of the opinion this is not sufficient. It is his duty to see that it is done before the affidavits of representation are filed, and the fact of the certificate of work being issued does not prevent the defendant from going into the question of whether the representation work is done or not. In addition to this the renewal grant was not taken out within three months after the expiration of the former grant. From the condition of the ground on November 3rd I think the defendant was justified in considering the ground abandoned, and was entitled to stake.

"I think the plaintiff has no right to go into the question of what irregularities there were in the defendant's staking as he had forfeited his right to the ground owing to lack of work and failure to renew within the proper time. The protest is dismissed with costs."

#### Vessel Missing

San Francisco, June 27. — There was no sign of the steamship Minnetonka off the port up to noon today, and as the hours go by without news of the vessel the anxiety for her increases.

The vessel is on the way here from New York with a big cargo of general merchandise, and if she had made the speed that she is accredited with being able to make, she should have been in the harbor a week ago.

She would not have been far from the latitude of Valparaiso on June 3, when that port was swept by a storm that caused much damage to shipping there. It is thought by some that the overdue vessel might have been caught in that storm and suffered from it.

The steamship Peru arrived from a voyage from Panama yesterday along the route that would be taken by the Minnetonka, but her officers saw nothing of the vessel. When the Peru brought no news of the steamer insurance men interested in her covered their interests for reinsurance.

The rate opened at 10 per cent but the play on her was so heavy not to arrive that it was quickly advanced to 12 per cent and this morning it was further advanced to 18 per cent. This morning the Ching Wo came in the port from Manzanilla, but she saw nothing of the overdue ship and this report further increased the fears of the anxious ones.

The Minnetonka is a lake-built steamship, having been launched at Cleveland in 1901. She has a registered tonnage of 3,860 tons, and is owned by the American Navigation Company. She is bringing a load of

freight under charter to the American Hawaiian Steamship Company of this port. She is in command of Capt. Evans, who formerly commanded the steamer Ascension on this coast.

#### Skagway Millionaires.

Mark Twain was a millionaire for ten days once in his lifetime. He had a little more than nine days the best of several leading citizens of Skagway, who were millionaires for a little less than one day. The Skagway leading citizens, like unto the great humorist, were the owners of some very rich mines for a short time. It all happened this way:

In the pit from which the steam shovel is digging out gravel in the banks of a small stream near McDonald creek, at Watson, is a stratum of gravel that attracted the keen eye of J. P. Rogers, superintendent of the W. P. & Y. R. He mentioned this fact to Tom Howell, conductor of the gravel train, suggesting that he sample the dirt. Howell mentioned Rogers' suspicions to some of his train crew. A brakeman, Jack Urban, had a pocket full of spelter nuggets which he had picked up at the machine shops in this city, and he saw an opportunity to have some innocent amusement with Howell. One day the latter, acting on the suggestion of the superintendent, took a pan of dirt down to the creek to wash it out. Before he had completed the task, Urban succeeded in getting a pair of his nuggets into the pan. Howell found the nuggets and kept still until he found the superintendent again, when he handed him the nuggets. In the meantime Urban had salted the dirt in the bottom of the pit. J. P. Rogers went to Whitehorse at once looking for an expert. Among the first men he met was Dr. Scharschmidt, superintendent of the B. Y. N. The latter confessed that his chief business for 25 years had been experting placer mines, and without hesitation he pronounced the nuggets to be pure gold.

Now N. W. Watson, C. W. Hoekett, A. B. Nowell and others were taken into the scheme. About \$100 was invested in miners' licenses, and the expedition moved on to the new strike. When they arrived on the ground, one of the party took a shovel full of dirt from the creek and washed it out, finding a \$5 gold nugget therein. It was at this stage that plans were formulated. They would work the property for two years, and then sell out, etc., etc.

While the Czar of Russia, Even when engaged In the pleasant task Of carving up Turkey Or China, or Persia, Or any other old place, Can't sleep of nights For fear that some one Who wants to elevate the world Will take a whack at him And place a bomb under the bed That will do the job so well That he will never come down.

J. P. Rogers extended an invitation to N. W. Watson to spend the winter after next at his New York residence.

In the meantime Urban discovered that he had caught more game in his little trap than he had counted on, and gave the snap away. That's all—Skagway Alaskan.

#### Dictator or Umpire

Would you rather be The Dictator of Venezuela, Or the Emperor of Germany, Or the Czar of all the Russias, Or the Umpire?

Pause and reflect.

The Dictator of Venezuela Every day, and then Has his mind upset— And his pleasure interrupted— By a revolution. Or perhaps a Power of Europe, Or two Powers, May be three. Or even the whole push, Come along and demand The cash he has put aside For a peaceful finish In Paris.

And the Emperor of Germany Is often disturbed While he is busy— Telling poets how to write, Or musicians how to compose, Or lawmakers how to legislate, Or sailors how to sail, Or anything of that sort— With the agonizing thought That after all he owns Just a small slice Of the world. And some of the fellows Who have got the rest, Don't accept him. At his own valuation.

While the Czar of Russia, Even when engaged In the pleasant task Of carving up Turkey Or China, or Persia, Or any other old place, Can't sleep of nights For fear that some one Who wants to elevate the world Will take a whack at him And place a bomb under the bed That will do the job so well That he will never come down.

But the Umpire! In this great Republic! Where all men

Are born free and equal, He alone can defy The will of the people, While Governors, Senators, Presidents And even coal barons, Tremble before their voice He may stand serene While his decrees, At his sweet will, Bring sorrow or joy Unto vast multitudes; And great heroes, Men tried in a thousand battles, Quail before him And meekly retire into obscurity At his behest— Ah, mighty umpire! To thee alone Has all power been given. —New York Times.

#### Cattle for Africa

Ottawa, June 25.—R. L. Borden in the house today read a newspaper dispatch which said that large shipments of American cattle were being made from Galveston, Texas, to South Africa. It was said that the shipments were dairy cattle purchased by the British government to restock the Boer farms in the Transvaal and Orange River colonies. Mr. Borden thought the cattle should be purchased in Canada, and the government should make representations to this effect to the Imperial authorities. He asked if the government had taken any steps in the matter.

Hon. S. A. Fisher said he had no knowledge of the consignment of cattle referred to, but he assured the house that he had done all in his power to secure this trade for Canada. As soon as it was known that the Boer farms were to be restocked by the Imperial government the Canadian government had pointed out to the home authorities that cattle could be purchased in Canada to advantage. The reply was received that this would receive consideration. Later on the Canadian cabinet called the attention of the colonial office to the fact that purchases were being made in the United States, but no attention was paid to it.

#### Many Worms.

Walla, Walla, June 27.—A mighty host of army worms in a solid column 150 yards wide and nearly three miles long is marching through Walla Walla county. Tonight the array is within three miles of this city, Frank Smith, a

rancher, having telephones to town this evening that the vanguard was passing through his garden. Mill Creek has diverted them and late tonight they were going eastward along its north bank toward the mountains. The origin of the phenomenon, which was never seen here before, is inexplicable. The fact that the past few days have been damp and showery, following a long dry spell, may have had something to do with it. This morning Oliver Devitt, a Dry Creek rancher, met the army emerging from Joe Harbert's wheat field.

about five miles out. He tried to turn some of the leaders back with a stick, but failed. His horses and team crushed dozens of them, but it had no effect on the remainder. Those crushed presented a green mess showing that growing crops and vegetation were being denuded. The worms are from one and a half to two inches long, are brown and fuzzy, with green stripes in some cases, and are like caterpillars. Ranchers are alarmed for garden truck and wheat.

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