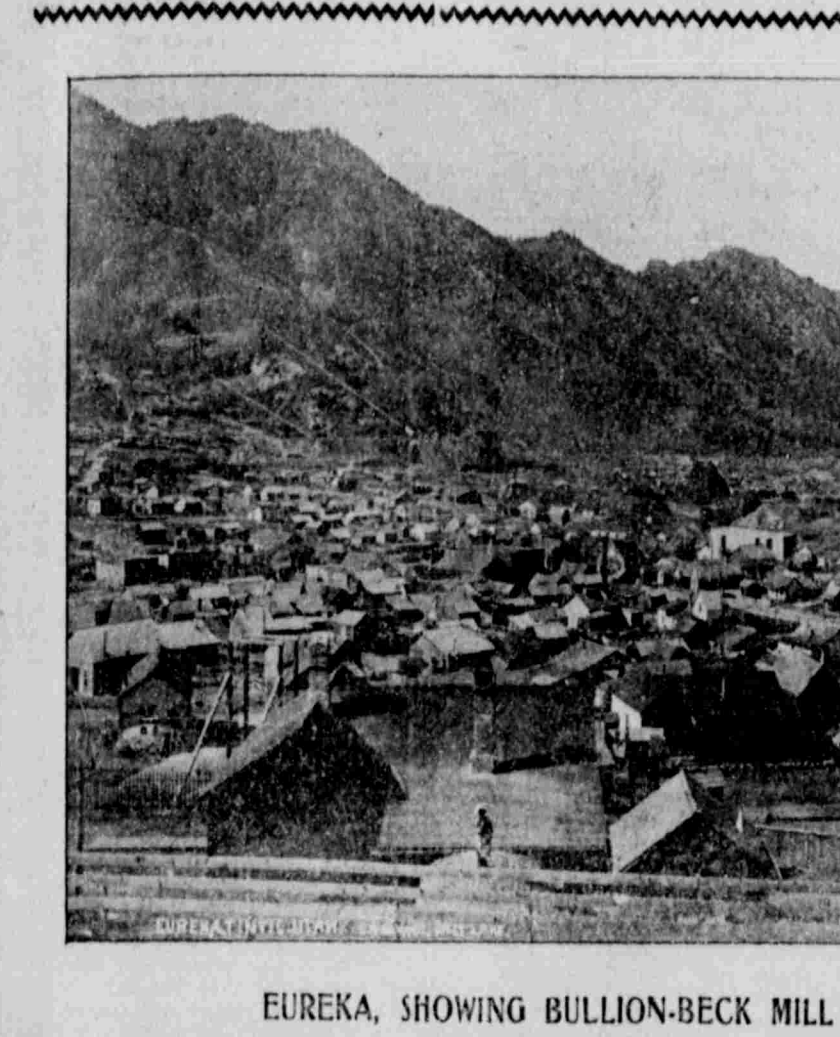


INTERESTING MINING QUESTION.

Ownership of Tailings That Have Been Allowed to Accumulate on the Land of Another—Important Court Decision on the Subject.

One of the questions frequently asked in Utah camps, as well as elsewhere, is embodied in the following: "Has there been any decision with regard to the ownership of ore removed from the mine and tailings; that is, whether they are real or personal property? In the special case to which the inquiry refers the dispute arises about tailings which, through carelessness or lack of knowledge, have been deposited outside the line of a mill site and are claimed by owners of the adjoining property."



EUREKA, SHOWING BULLION-BECK MILL ON RIGHT.

up in the process of agriculture, and allowed to remain in the soil does not have this effect. Minerals thus detached remain a part of the real estate. These principles are declared by the common law, and have been sustained by numerous decisions. It will be sufficient to cite Forbes vs. Gracey (United States Reports, 41,752), decided by the United States Supreme court in 1875.

HAS BEEN A GREAT RAILROAD YEAR

What the Oregon Short Line and Rio Grande Western Have Done—Increased Business and Several Branches Completed—Fine Showing of the Utah & Pacific.

Adhering closely to the policy that has ever been characteristic of it, and more especially so since the reorganization of the Oregon Short Line management has continued to make it a Utah road, and the shipping interests have all been well cared for. As a result of this policy, the most cordial relations exist between shippers and road.

tailings belong to the owner of the mine, he is bound, in general, to retain them within his own land, and that if he allows them to escape, his subsequent ownership of them depends upon the ownership of the land upon which they accumulate. If it is public land, he may, by suitable proceedings, acquire the right to occupy it with his tailings, and any subsequent proprietor of the land would take it under the condition of that easement. If it is private land, he may, in certain States, obtain that right under statutory provisions, the constitutionality of which, however, is not beyond question.

PROSPERITY OF THE CAMPS.

(Continued from page 10.) 1897 was 44,595 tons, and last year saw an increase of 10,469 tons. This year the gain was equally marked, the total tonnage being estimated at 55,064 tons. The revival of the incoming of new blood and new capital—and the improvements in the town have been quite extensive.

THE UNITED STATES MINES.

The properties of the United States company are in an excellent shape and work has progressed so far that Manager Neil reports that he can take out at any time now all the ore necessary to keep a mill of 500 tons daily capacity running night and day. On this scale, says Mr. Neil, the property would pay the stockholders \$700,000 a year.

THE DALTON & LARK.

This property has been a regular shipper through the year, ore from below the 80-foot level showing as high as 18 per cent copper and 2 1/2 ounces silver. The plant has been added to lately, and with increased facilities for handling the ore, shipments will be much heavier. This installation of the

big show pump will effect a considerable saving in operating expenses, and there is really no valid reason why the mine should not pay dividends next year.

THE FORTUNE.

Elmer Hill's Fortune is one of the best properties at the Old Reliable, and one that pays. There is now on the dump towards of 10,000 tons of milling ore, and a mill will soon be extracting the values from it. The mines comprising the Fortune group number 21, and five different veins run through the group. The development work has opened enough ore to operate such a mill as is contemplated for a year, without considering the dump.

THE RED WING.

This group consists of eleven claims on the north side of Marscham Gulch, and one portion of the ground alone put out \$250,000 in early days. The mine is now being worked through tunnel No. 2, which affords an easy outlet for ore from the noted Jumbo stop. The Jumbo shows up 80 feet high, 60 feet wide, and 60 feet long in the strike of the vein, although the walls have not yet been cut. Besides the Red Wing vein, there are the Columbia, Silver Hill, and Hosford veins on which development work is being done, a force of 25 men being employed.

THE SILVER SHIELD.

Few properties have come to the front as rapidly as the Silver Shield, at Bingham. Although it has been operated by the present company but a short time, it is already a regular shipper. Some of its ore, notably the best shipment, which came in on December 15th, being a high grade. Much new ground has been opened and it all shows good ore. The shield is now paying expenses and will be paying its stockholders within the next twelve months.

THE YOK.

This fine old property is being opened up and will take its place among the shippers early next year.

JULIA DEAN.

The Julia Dean has taken its place during the past few months as one of the big properties of the camp. Ore running high in copper was recently found, and has greatly encouraged the fortunate owners.

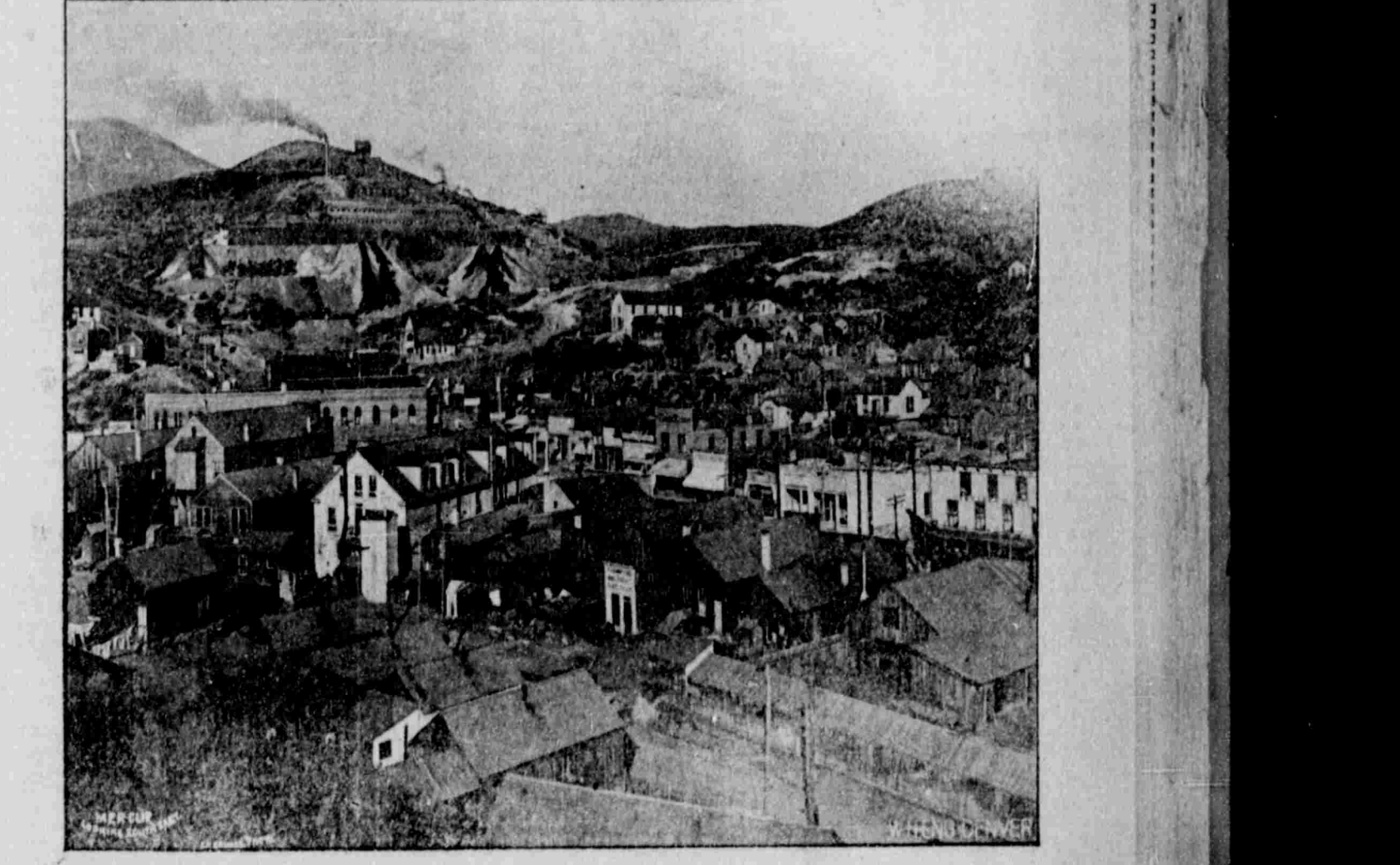
THE WEST MOUNTAIN PLACER.

This enterprise is one of the most interesting ever inaugurated at Bingham. The company owns a big area of land, and has run a 1/2 tunnel through on the bed rock. Many precautions have to be taken in processing the work, but the proposition is now in good running order. Three clean-ups have been made, the product being a satisfactory quantity of coarse shot gold. Gravel is being brought up to the extent of 15 carloads a day, and it averages about 20 cents to the pan.

THE CONGOR.

This property, embracing 12 patented claims, is located squarely on the big copper zone. The workings now consist of one incline sunk over 350 feet with a tunnel run in on the ledge near-

- Stockton G. M. and M. company, \$25,000, Salt Lake.
Shamrock Mining company, \$1,000,000, Salt Lake.
Sharp Mining company, \$50,000, Salt Lake.
Silver Bell, \$112,500, Salt Lake.
South Old Extension company, \$25,000, Salt Lake.
Tip Top, \$50,000, Salt Lake.
Tosora, \$400,000, Salt Lake.
Tuscarora Chief, \$200,000, Salt Lake.
Tuscarora Extension, \$250,000, Salt Lake.
Tusquella, \$40,000, Salt Lake.
Terrace Gold and Copper Mining company, \$5,000, Salt Lake.
Thistle Mining company, \$25,000, Spanish Fork.
Tintic Bell, \$25,000, Salt Lake.
Tombay, \$5,000, Salt Lake.
Trepbine Mining company, \$200,000, Salt Lake.
Utah Saltwater company, \$30,000, Salt Lake.
Uma Con., \$40,000, Salt Lake.
United States Mining company, \$10,000,000, (Bingham) Portland, Maine.
Utah & Milwaukee, \$5,000, Salt Lake.
Union, \$20,000, Salt Lake.
Valley View, \$40,000, Salt Lake.
Victorians Mining company, \$25,000, Salt Lake.
Victoria, \$2,500, Provo.
Vestal-Hughes, \$200,000, Salt Lake.
Virginia Bonanza, \$100,000, Salt Lake.
White Star, \$30,000, Eureka.
Wandering Jew, \$3,000, Salt Lake.
West Park and Swansea Extension, \$20,000, Salt Lake.
Wells, Fargo M. and M. company, \$50,000, Salt Lake.



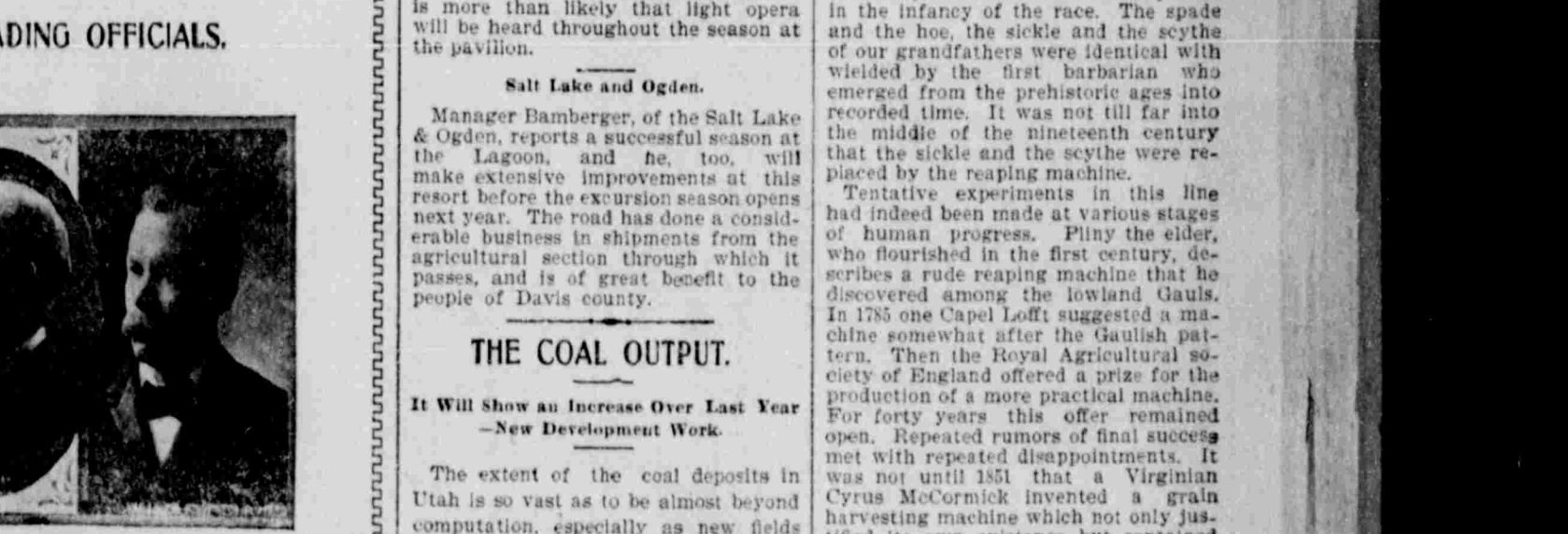
MERCUR, WITH THE GREAT GOLDEN GATE MINE AND MILL IN BACKGROUND.

gold, and this more than paid the working expenses.

SPLendid RECORD MADE BY UTAH MINES.

(Continued from page nine.) South Wedge, \$30,000, Salt Lake. Salt Lake City Onyx & Mining company, \$3,000, Salt Lake. Sultan Con., \$200,000, Salt Lake. Salt Valley Copper company, \$50,000, Salt Lake. Surprise Con., \$4,000, Salt Lake. South Dragon, \$50,000, Salt Lake. St. George Copper Mining company, \$500,000, Salt Lake.

UTAH'S THREE LEADING OFFICIALS.



THE three well known gentlemen pictured above are at present the cynosure of more eyes than were probably ever fastened upon them before at the same time. This arises from a curious set of circumstances; Mr. Roberts, because of his exclusion from the National House of Representatives under the extraordinary circumstances with which all are familiar. Governor Wells, because of the power he is expected to have soon in naming a Republican member of the Senate by reason of the failure of the Democratic legislature to agree on a Democrat, and Mr. Rawlins because of his now being the sole representative in the National halls, of the youngest State in the Union, while if normal conditions prevailed we would be entitled to three.

THE COAL OUTPUT.

It will show an increase over last year—New Development Work. The extent of the coal deposits in Utah is so vast as to be almost beyond computation, especially as new fields are all the time being discovered. The deposits are nearly all bituminous, of the highest grade, and the big fields are reached by railroads, facilitating shipping. The cost of marketing coal this year has been higher than heretofore, owing to the advance in the price of iron and other supplies, but the output has been considerably larger than last year, when it amounted to 630,769 tons, while 1899, according to the latest figures that can be obtained, will foot up 756,422 tons.

THE SALT INDUSTRY.

Output Gradually Creeping Up to Half Million Mark. Utah was the pioneer in the matter of producing large quantities of salt for the market by direct solar evaporation, and the salt industry has grown from a small business to one of great proportions. This has been brought about by careful management and the introduction of all the latest appliances. The Inland Salt company, which now controls the trade, has one of the finest plants in the country. It is estimated that the output this year will reach 468,000 tons.

AGRICULTURE.

I should single out the reaping machine as the greatest human achievement in the department of agriculture, says a famous writer. Not only is it a great boon in itself, but it marks the initiative in a great movement—the substitution of mechanical for muscular force—which modern agricultural needs

practically held that when tailings are allowed to flow upon the ground of another, he becomes entitled to them. But the circumstances of this case were peculiar, and for the complete understanding of the decision, the full text, either in the Colorado reports, as above, or in Morrison's "Mining Reports," volume XIV, page 72, should be studied. It may be recalled here to say, that the grantors of the defendants had located ground upon which the grantors of the plaintiffs had already deposited tailings, and without formally locating or appropriating the ground, had posted a notice, stating that they claimed those tailings and intended to wash them again. The case involved the adequacy of this notice, and the ownership of the tailings deposited after, as well as before, the location of the ground by the defendants. The decision affirms the judgment rendered in favor of the defendants by the court below, and it is to be noted that the general trend of these decisions, that while refuse or

fall to recover damages at law. Whether his equity proceeding would be likewise defeated under such circumstances, is less clear, for equity takes cognizance of other than pecuniary considerations. A man may protest, for instance, against the flooding of his home and grounds by auriferous sands, even though their marketable value would be thereby increased; and a court of equity would not consider the discovery of good ore bodies in virgin ground, even though the value of the ore is estimated in money, or repaired by payments of money.

bringing the Salt Lake market in close touch with the producer. Early in the year closed, the Rio Grande Western railway clearly demonstrated its policy to develop the State. It had shortly before acquired the property of the Utah Pacific railway, a narrow gauge line in operation between Park City and Salt Lake, and began its extension through the beautiful Provo canyon to Heber and Charleston. This branch, 25 1/2 miles in length, was completed on October 1st, 1899. Simultaneously, the road was at work on its line from Mounds, a point on the main line 13 1/2 miles east of Salt Lake City, to the coal beds at Marysville. This branch was completed on December 1st and covers a distance of 16 1/2 miles.

Both of these new lines are important features in the development of the State. The Heber branch brings into prominence the prolific valleys of the Provo, Strawberry and Duchesne rivers, while the Marysville branch opens up to the western market a vast tonnage of coal and coke.

THE RIO GRANDE WESTERN.

A Year of Great Prosperity and Road Building. Utah, as does every other section of the earth's habitable domain, owes its second birth of enterprise and unfolding, to the methods that traverse it. The home roads have been liberal and progressive; they have encouraged and fostered every enterprise of public utility until now, this new rich State—its actual course of construction, the trend that will lead to thorough development. The success that will surely follow belongs to those who are identified with the progress of the State.

THE UTAH & PACIFIC.

Something of the Road that is Heading Towards Los Angeles. The Utah & Pacific is the enterprise on which the people of two States pin their faith for a through line from Salt Lake to Los Angeles. Already the Utah & Pacific has been built through to Nevada, on the line between Utah and Nevada, and has tapped the splendid resources of the State, opening up for its ores. This, with some agricultural products, will form the basis of business for the present, and it is only a question of time when the road will be a through line from Salt Lake to Los Angeles. The present mileage of the road is 80 miles, 75 being in the main line, and five miles in sidings. Regular train service from Milford

Washington Mining company, \$22,500, Frisco. West Morning Glory, \$50,000, Salt Lake. Winona G. M. and M. company, \$50,000, Salt Lake. Woodlawn Copper company, \$50,000, Salt Lake. Watts Mining company, \$50,000, Eureka. Wedge, \$200,000, Salt Lake. West Mountain Placer Extension, \$50,000, Salt Lake. West Dip, \$3,000, Salt Lake. Wedge Extension, \$50,000, Salt Lake. White Valley, \$62,500, Park City. White Cloud, \$30,000, Eureka. West Argent, \$100,000, Salt Lake. X. X. X. Mining company, \$25,000, Mercur. Yellow Jacket Mining and Milling company, \$30,000, Eureka.

have made imperative. For thousands of years the agricultural implements of humanity had remained what they were in the infancy of the race. The spade and the hoe, the sickle and the scythe of our grandfathers were identical with wielded by the first barbarian who emerged from the prehistoric ages into recorded time. It was not till far into the middle of the nineteenth century that the sickle and the scythe were replaced by the reaping machine.

Tentative experiments in this line had indeed been made at various stages of human progress. Pliny the elder, who flourished in the first century, describes a rude reaping machine that he discovered among the lowland Gauls. In 1780 one Capel Loft suggested a machine somewhat after the fashion of our present-day reaping machine. The Royal Agricultural Society of England offered a prize for the production of a more practical machine. For forty years this offer remained open. Repeated rumors of final success met with repeated disappointments. It was not until 1851 that a Virginian Cyrus McCormick invented a grain harvesting machine which not only justified its own existence, but furnished every essential element of the improved reaping and mowing machine of today. Not only that, but it pointed the way for many other economists of labor in agricultural machinery.

POULTRY KEEPING.

History does not record any great dearth of chickens during any previous age, and yet it is certain that our forefathers never were able to raise poultry as easily or in as great numbers as we are. They enjoyed roast chicken occasionally, but their enjoyment was limited to certain seasons of the year. With us it is different. We can have roast chicken whenever we like, and we need not care a jot whether hens brood or not. All we have to do is to obtain a number of eggs, then, presto! out comes a flock of lively and promising chickens. The box which has brought about this wonderful transformation is known as an incubator, and it is one of the most useful inventions of the century. Some may cavil at this statement on the ground that incubators were in use many ages ago—it is even said that the old Egyptians used them—but while this may be true, it is no less true that a practical incubator was not fashioned until our day. The proofs of its utility are self-evident and abundant. It does on a large scale what nature does on a small scale, and it does it quite as well and, from a commercial point of view, far more satisfactorily. There are several farms in the United States, says a New York newspaper, where thousands of chickens and ducks are produced each year from incubators, and thus an entirely new industry has come into existence since the perfection of this comparatively simple machine.

The innovation may prove annoying and incomprehensible to staid, old-fashioned hens, but it is surely a boon to humanity, and it may therefore well be classed among the notable achievements of the century.