

Bunker Hill & Sullivan Mining & Concentrating Company.

MINES AND WORKS AT WARDNER, IDAHO.

STEMWINDER CASE.

POSTOFFICE ADDRESS,

KELLOGG, IDAHO, Sept. 24th, 1899.

F. W. Bradley, Esq., President,
Bunker Hill & Sullivan Mining & Concentrating Co.
San Francisco, California.

Dear Sir,-

On the 18th inst., shortly after you left Spokane, Judge McBride brought me a proposition made by Lyttleton Price, Heyburn's partner, for a stipulation on the following terms: We to be allowed to examine and survey to ascertain whether the Empire State Co. is trespassing on Tyler ground, they to be allowed to examine and survey the Stemwinder as fully as they might desire. I wired this to Judge Lindley, who replied that it would probably be better to stipulate as suggested if McBride approved. When the stipulation was prepared, however, McBride read it to me over the telephone, and I found that it restricted us to an examination of the works along the east end line of the Skookum. I objected to this, and insisted that we have access to all their workings which might go into Tyler ground, because I have a suspicion that some of the workings which we were not allowed to thoroughly examine when making our Last Chance survey, may go into Tyler territory. They would not consent to that, but after further discussion between McBride and Heyburn, who had now returned to Spokane, the latter submitted a new proposal, viz: That each side throw open to the other, unreservedly, all of its workings, whether in the disputed territory or not. I did not consent to this, but told Judge McBride that if they threw open their entire workings to us, we would throw open the Stemwinder and Tyler. To this I have not yet received a reply. I have a letter from McBride today, however, of which I enclose a copy. He states that he has wired Judge Lindley in the matter, and before you re-

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ceive this, perhaps a working basis may be arrived at. I am inclined to take the view of McBride that we have nothing to lose by allowing the other side free access to all of our works in return for a similar privilege from them, as I believe that the facts ascertainable by them in our workings will tend more to the support of our theory in the case than theirs. I take it, too, that even if we refuse, they can get into the Stemwinder by order of the Court, and the examination of those workings alone would not be so favorable to us as our entire workings would be. I am sending a copy of this to Judge Lindley.

Yours truly,

Frederic R. Burbidge