

Spokane Industrial Exposition



Hotel Spokane,

Spokane, Wash., 8/7 1899.

W. Bradley Esq.

San Francisco
Calif.

Dear Sir,

I read your wire on Saty. enquiring whether our protest in the Shoshone matter had been forwarded to Washington, & the general status of same. Deale had already started for Coaleuc to ascertain the present situation, as it is impossible to get any satisfactory information by correspondence with the Land Office. The situation is as follows:- Our protest filed Nov. 21/98 is still in the local

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office, the Register not having set a date for a hearing in the matter - Consequently it has not yet gone to the G.L.O. at Washington. If there would be any advantage in pushing the Register, perhaps we could get him to set an ^{early} date for a hearing. But may it not serve our purpose better to keep the matter undetermined?

As to Heyburn's appeal to the Commissioner of the G.L.O. - It appears that after our application for patent for the Miles, McClellan & Pitt was filed in the local land




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office Heyburn filed
a motion to disallow ~~our~~
it, or to have it thrown out.

The Register, instead of notifying
us, so that we could make a
showing in opposition to Heyburn's
motion, decided ^{offhand.} against him
& in our favor. Heyburn there-
upon filed his appeal to the
Commissioner, and the receipt
of a copy of same was our
first knowledge that any
application to dismiss our
application had been made.

Heyburn says he is going to
Washington to argue this matter.
McBride & Beale are going to
make a showing in the C.A. law

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office, & prepare a brief
to be submitted to the Commission.

In the meantime McBride is writing to the Commissioner, who is an old personal friend, so that no action will be taken until our papers are in his hands. McBride seems to think that we are all right in this matter. Heyburn says he is sick of all this litigation with us - & wants to get a decision from the G.O. which he hopes will knock out 2 of the adverse suits. McB. however does not believe the Commissioner will decide controversies which are already

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in the Courts.

Testimony in the Hawley case was taken yesterday & today before Judge Smith, appointed as Examiner by Judge Beatty. Further testimony is to be taken on the 21st inst., & immediately thereafter testimony is to be taken in our Miles-Likely & Cuba Fr. adverse suit. This is the case in which we need Sounevam. The arguments will be heard at the October term. This case, the Steuwinder, & the Beaton & Olsen damage suits will comprise all our litigation at that term - the other adverse suits ~~that~~ will not come

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until the next Spring term.

In the District Court we have the Kellogg case - for alleged damage to property - Beale says Kellogg has not made a good complaint yet - though it may be amended - the houses are still occupied so that no damage can be shown - & the leakage from the flume has been stopped. We have also the adverse suit of J.M. Porter vs B.H.S. on the Cheyenne - in which W.C. Miller appears as intervenor for the New Era & Wheelbarrow.

The Tax suit is to be con

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tested by the new
Commissioners - who will
hire counsel to assist Samuels.
They are afraid to lay down
or to compromise for fear of
exposing themselves to the
charge of being controlled
or bought by the B.N.V.S.

Our survey of the L.C.
works did not begin until
today. Heyburn professed to be
willing to waive notice, & then
by one pretext or another put
off the beginning for 7 or 8 days.
Then I insisted that McBride
give the 5 days notice - which he
did - & Heyburn took full
advantage of it. Martin

Burran who is here (✓ full)
is going up to Wardner to-
morrow. ✓ will go through
the L. C. with Burch.

I shall be here tomorrow to
assist McCB & Beale in preparing
the showing in the Miles case,
& to sign an affidavit; &
shall return to Wardner
Wednesday.

yours truly,
Fredx. Burbidge

I arranged with Fassett
to do the surface sampling
on the Steamwinder for us. &
to assay the samples & testify
at the trial. We to pay him
\$250- & expenses. The under-
standing being that all told it
will only require 8 or 10 days
of his time. He said he was
not in any way obligated to
C. & S.