

Pedro Orbe

Vs

Albert L.Brush, and

H.F.Berry.

--File 11472--

FORFEITURE PROCEEDINGS.

PEDRO ORBE, versus ALBERT L.BRUSH and H.F.BERRY, affecting interest of latter in "BULL DOG NO.1", "BULLDOG NO 2", "LEGAL TENDER FRACTION" and "DOBE" mining claims, Lynn Mining District, Eureka County, State of Nevada.

AFFIDAVIT OF PUBLICATION.

State of Nevada)
County of Eureka) SS.

Chas.H.Keith, being first duly sworn, deposes and says: that he is and was at all the times in this affidavit mentioned, the Publisher and as such familiar with all advertising matter appearing in the "ELKO INDEPENDENT", a newspaper published at Elko, in the County of Elko and State of Nevada; that there is no other newspaper that during the period between January 4, 1916, and April 4, 1916, was published nearer to the Lynn Mining District, Eureka County, Nevada, than the said ELKO INDEPENDENT; that the notice of forfeiture of which the annexed is a copy, was published in the regular and entire issues of said newspaper, and not in any supplement thereof, for at least once a week for a period of at least ninety days, to-wit: in the issue^s of said newspaper of the following dates: Jany. 4th., 11th., 18th. and 25th., Feby. 1st., 8th., 15th., 22nd., March 1st., 8th., 15th., 22nd and 29th., and April 4th., A.D. 1916.

Chas.H.Keith

Subscribed and sworn to before me this 10th day of August, A.D. 1916.

(Notary Seal)

Chas. A. Cantwell
Notary Public, Elko County, Nevada.

NOTICE OF FORFEITURE

To ALBERT L. BRUSH and H. F. BERRY:

You and each of you are hereby notified that the undersigned Pedro Orbe, co-owner with you in the "Bull Dog No. 1", Bull Dog No. 2", Legal Tender Fraction", and "Dobe" (placer) mining claims, in the Lynn Mining District County of Eureka, State of Nevada, did expend during the year 1915, in labor improvements and other development work required by law upon said mining claims the sum of Four Hundred Dollars, as will appear by proof of labor heretofore filed in the office of the County Recorder of said Eureka County.

And you are hereby further notified that if at the expiration of ninety days after the last publication of this notice you shall have failed or refused to contribute your portion of the amount required by law to be expended upon said claims as aforesaid, and actually expended thereupon as aforesaid, your interests in such claims will become forfeit to the undersigned, and will become the absolute property of the undersigned, under the provisions of Section 2324 of the Revised Statutes of the United States.

PEDRO ORBE.

Date of 1st publication Jan. 4, 1916.

Date of last publication April 4, 1916.

AFFIDAVIT OF CO-OWNER.

STATE OF NEVADA,)
) SS.
COUNTY OF EUREKA.)

PEDRO ORBE, being first duly sworn, deposes and says: that he is the Pedro Orbe who as co-owner with Albert L. Brush and H. F. Berry, caused the publication to be had of the notice of forfeiture attached to the affidavit of publication which is hereto attached; that during the year 1915 affiant expended on the claims named in said notice, to-wit: on the Bull Dog No. 1, Bull Dog No. 2, Legal Tender Fraction and Dobe mining claims, in the Lynn Mining District, County of Eureka, State of Nevada, the sum of Four Hundred Dollars, for the annual work thereupon, and set forth in said printed notice; that no part of said sum of Four Hundred Dollars was paid or contributed by the said Albert L. Brush and H. F. Berry, or by either of them; that more than ninety days have elapsed since the publication of said notice of forfeiture, and that the said Albert L. Brush and the said H. F. Berry each and both do still fail and omit to contribute their or either of their proper proportion of the said sum so expended thereupon by affiant, or any sum whatever to apply thereupon.

WHEREFORE affiant now claims the forfeiture unto him of the interest of the said Albert L. Brush and the interest of the said H. F. Berry, in and to each and every of the said mining claims hereinabove named and described.

Pedro Orbe.

Subscribed and sworn to before me this 12th day of August, A.D. 1916.

(Notary Seal)

Hugh Jones.
Notary Public in and for the County of Eureka, State of Nevada.

My Commission expires March 17-1917.
At the Town of Goldville.

Recorded at the request of Chas. A. Cantwell August 16 A.D. 1916 at 25 minutes past 6 P.M.

Edgar Eather, Recorder.