

Carson Sel. 015381
99 Mineral
R.R. Co.
Favorable Report by
Special Agent
S. E. Guthrey.

1 x UEGS

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UNITED STATES
DEPARTMENT OF THE INTERIOR

FD 30347

DIVISION OF INVESTIGATIONS
512 Custom House,
San Francisco, Calif.,
January 12, 1934.

Carson City 015381
Xuf to
09485

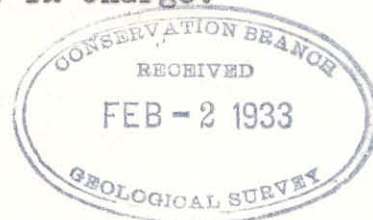
OFFICE OF SPECIAL AGENT IN CHARGE

Through Director of Investigations.

Approved: JAN 24 1934

(Signed) J. H. Favorite
Special Agent in Charge.

The Commissioner
of the General Land Office,
Washington, D. C.



Sir:

July 27, 1926, Percy Train, whose postoffice address is Rochester, Nevada, filed application for contest to Central Pacific Railway Co.'s Lists Numbers 78 and 99, Serials 09485 and 015381, Carson City Land District, for the following described land in Nevada, Mt. Diablo Meridian:

T. 28 N., R. 35 E.
Section 9, SW $\frac{1}{4}$, -09485
Section 17, SE $\frac{1}{4}$, -015381
Section 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$, -09485

alleging that the land contains valuable deposits of gold. Adverse proceedings against the SW $\frac{1}{4}$ of Section 9 and NE $\frac{1}{4}$ of Section 21, T. 28 N., R. 35 E., M.D.M., were dismissed by your letter "N" UEG, Carson City 09485 and 015381, dated September 22, 1926, and in the same letter instructions were given to proceed with the hearing as to the SE $\frac{1}{4}$ of Section 17. Apparently, this hearing was never held and numerous letters in the files of the case indicate that the contestant, Percy

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EXAMINER
M. A. L. O.

Train, did not proceed with the case, but requested the then Chief of Field Division, United States General Land Office, San Francisco, California, to make an examination of the land in the SE $\frac{1}{4}$ of Section 17, T. 28 N., R. 35 E., M.D.M. The Chief of Field Division accordingly advised the Register of the Carson City Land Office by letter on November 22, 1926 that he desired to intervene at the hearing. The case having been assigned to me, field investigation was made on July 26, 1932, and the following report is now submitted.

The land is located in Pershing County, California, about 20 miles northeasterly from the town of Lovelock, Nevada and adjacent to American Canyon.

The surface of the SE $\frac{1}{4}$ of Section 17, T. 28 N., R. 35 E., M.D.M. is composed, principally, of volcanic rocks and detrital material. American Canyon Wash "fans" out near the westerly boundary of this subdivision and some of the gravel and sands have been deposited over a small portion of the area of the SE $\frac{1}{4}$ of Section 17, T. 28 N., R. 35 E., M.D.M., and it is asserted by the contestant, Percy Train, that this material contains valuable deposits of gold, that the American Canyon proper was mined in the

early days by Chinese and other placer miners and produced many thousands of dollars in gold, the fine gold occurring in these rich deposits having been carried down the canyon and some of it deposited in the SE $\frac{1}{4}$ of Section 17. Investigation, however, disclosed that while it is undoubtedly true that these placer deposits contained appreciable quantities of metallic gold, they were located a mile or so westerly from the area of the SE $\frac{1}{4}$ of Section 17 and in the absence of any mining excavations exposing bedrock in this area, it is a matter of conjecture only that the sands and gravel within that area contain fine gold.

The contestant further asserts that he has a mine location embracing the SE $\frac{1}{4}$ of Section 17, T. 28 N., R. 35 E., M.D.M., but inspection of the records of mining locations in the office of the County Recorder of Pershing County, Nevada disclose that only two mining claims are located in that section. These claims are described as follows, and apparently do not embrace the SE $\frac{1}{4}$ of Section 17:

Muckers Dream Associated Placer----

Located June 8, 1926 by
Percy Train and others,
embracing the SW $\frac{1}{4}$ of Sec. 17.

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Recorded Sept. 8, 1926 in
Book 3, Page 409, Mining
Records of Pershing County,
Nevada.

Sluice Gate Placer-----Located by Percy Train and
others, embracing the SW $\frac{1}{4}$,
Sec. 17, T. 28 N., R. 35
E., M.D.M.
The date of location is not
given in the recorded notice,
but the notice was recorded
on September 8, 1926 in Book
3, Page 501, Mining Locations
of Pershing County, Nevada.

It will also be observed that these two mining locations
embrace the same land, namely, the SW $\frac{1}{4}$ of Section 17,
T. 28 N., R. 35 E. No evidence could be found on the
ground of mining locations embracing the E $\frac{1}{2}$ of Section
17, T. 28 N., R. 35 E., M.D.M., and no mining development
was in evidence within the boundaries of this subdivision,
with exception of a small surface excavation 7x9 feet x 4
feet deep which bears north 65 west 175 feet from the SE
corner of Section 17.

The area of the E $\frac{1}{2}$ of Section 17 contains detrital
wash material, of the so-called auriferous gravel deposits,
and consists, approximately, of forty acres; the remainder
of the area of the E $\frac{1}{2}$ of Section 17 is composed entirely
of volcanic rocks which contain no evidence of valuable

minerals.

Several samples of the surface gravel and sand within the area of the SE $\frac{1}{4}$ of Section 17, T. 28 N., R. 35 E., M.D.M., were taken at the time of this investigation and panned, but no evidence of gold or other valuable minerals could be obtained from them and it is considered that in the absence of any mining development work within the area of the E $\frac{1}{2}$ of Section 17, which expose the so-called gold-bearing gravels therein, it is impossible to procure sufficient evidence on the ground to substantiate a charge that the land contains valuable deposits of gold or other minerals.

It is therefore recommended that the E $\frac{1}{2}$ of Section 17, T. 28 N., R. 35 E., M.D.M. be clear-listed and that the contestant, Percy Train, whose postoffice address is Rochester, Nevada, be notified that in the event he desires to protect his alleged rights to the SE $\frac{1}{4}$ of Section 17, T. 28 N., R. 35 E., M.D.M., he should file an application to contest the railroad company's selection of the land, in the United States Land Office at Carson City, Nevada.

Respectfully,

S. E. Guthrey
S. E. Guthrey,
Special Agent.

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FD 30348

erse Report by
Special Agent
S. E. Guthrey.

UNITED STATES
DEPARTMENT OF THE INTERIOR

DIVISION OF INVESTIGATIONS
San Francisco, Calif.,
January 15, 1934.

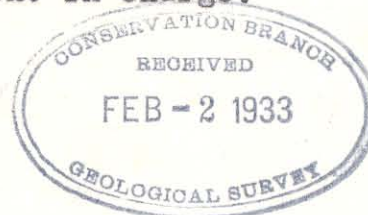
OFFICE OF SPECIAL AGENT IN CHARGE

Through Director of Investigations.

Approved: JAN 24 1934

(Signed) J. H. Favorite
Special Agent in Charge.

The Commissioner
of the General Land Office,
Washington, D. C.



Sir:

March 3, 1926 the Central Pacific Railway Company
filed its List No. 99, Sacramento 015381, embracing among
other lands, the following described land in Nevada, M.D.M:

T. 28 N., R. 35 E.
Section 19, E¹/₂SW¹/₄, E¹/₂S,
Lots 1, 2, 3 and 4.

On March 23, 1928, protest against the patenting of
the above described land to the Railway Company was made by
Percy Train, whose postoffice address is Rochester, Nevada,
to Mr. J. H. Favorite, then Chief of Field Division, General
Land Office, San Francisco, California, stating in substance
that portions of the area contains valuable deposits of gold,
and on April 9, 1933, W. T. Fisk, whose postoffice address is
General Delivery, Rochester, Nevada, protested the selection
of this land, stating that he is the claimant of mining loca-
tions in conflict with a portion of Section 19, T. 28 N.,
R. 35 E., M.D.M.

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Part 1-

The case having been assigned to me, field investigation was made on July 26, 1932 and on August 11, 1933, and the following report is now submitted.

The land is located in Pershing County, Nevada, about 20 miles northeasterly from the town of Lovelock, Nevada, and adjacent to American Canyon.

The geological formation within the boundaries of Section 19 consists principally of limestone and quartzite, which forms numerous hills and ridges within the area, and detrital sand and gravel, which forms the bottom of American Canyon Wash.

Two mining locations were found to be in conflict with the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Section 19. These mining locations are described as follows:

South American No. 2 Associated Placer-----

Located on August 10, 1926 by Percy Train and others; embracing the NE $\frac{1}{4}$ of Section 19, T. 28 N., R. 35 E., M.D.M.
Recorded November 5, 1926 in Book 3, Page 527, Mining Records of Pershing County, Nevada.

South American No. 3 Associated Placer-----

Located August 10, 1926 by Percy Train and others, embracing the NW $\frac{1}{4}$ of Section 19, T. 28 N., R. 35 E., M.D.M.
Recorded November 5, 1926 in Book 3, Page 528, Mining Records of Pershing County, Nevada.

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American Canyon traverses the northerly $1/2$ of Section 19 with an easterly and northeasterly course, and the above described mining locations embrace practically the entire area of this Wash within the boundaries of Section 19. Numerous mining shafts have been excavated within the area of the South American No. 2 and the South American No. 3 Placers, and within the area of the $N\frac{1}{2}$ of Section 19, T. 28 N., R. 35 E., M.D.M. There is also evidence of old placer mining excavations within this area, and it is common knowledge in the vicinity that appreciable quantities of gold were produced from the auriferous deposits in these workings by Chinese placer miners and others.

At the time of this investigation all of the mine shafts and other excavations were inaccessible on account of being caved, so that samples of the gravels near bed-rock could not be obtained. A number of samples taken near the surface and from shaft dumps, however, all showed gold colors. All of these samples were taken in the $NE\frac{1}{4}$ and the $S\frac{1}{2}NW\frac{1}{4}$ of Section 19, T. 28 N., R. 35 E., M.D.M.,

and are described as follows:

Sample No. 1-30348: Was taken from the dump of a shaft said to be 90 feet deep, which bears south 5 degrees east 275 feet from the northeast corner of Section 19, and showed gold colors when panned.

Sample No. 2-30348: Was taken from the dump of an open cut in the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 19, and showed gold colors when panned.

Sample No. 3-30348: Was taken from the surface gravel in the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 19, and showed gold colors when panned.

Sample No. 4-30348: Was taken from the surface gravel in the $SW\frac{1}{4}NW\frac{1}{4}$ of Section 19 and showed gold colors when panned.

The protestant, Mr. Train, has apparently expended considerable time and money in the development of his mining claims in the $N\frac{1}{2}$ of Section 19 and he asserts, and is prepared to testify, that he has obtained gold having a value of from one dollar per yard to ten dollars per yard from the gravels occurring thereon in American Canyon, at depths of from 35 to 90 feet below the levels of American Canyon Wash.

No mining locations were found within the boundary of Section 19 other than the South American No. 2 and South American No. 3 Placers. In the $SE\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 19, however, several surface mining excavations were in

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evidence and at the point which bears north 30 degrees west 1250 feet from the 1/4 section corner on the south boundary of Section 19, T. 28 N., R. 35 E., M.D.M., a quartz and iron vein two feet wide, occurring in limestone, was exposed in an open cut 4 feet wide 12 feet long with 6 foot face, and a sample of the ore in this vein was taken and submitted to Mr. John Herman, Assayer, Los Angeles, California, who, on December 14, 1933, issued an Assay Certificate which indicates that the sample contained metallic gold having a value of \$3.52 per ton. This sample was marked for identification by the number 2-3047. W. T. Fisk who protested this railroad selection has stated that he is the claimant of mining locations in conflict with Section 19, T. 28 N., R. 35 E., M.D.M., but at the time of this investigation there was no evidence of mining work being done within the area and no evidence of mining locations could be found in the southeasterly part of Section 19, where he stated that his mining claims were in conflict. Inquiry at Fisk's Camp and at Rochester, Nevada, failed to disclose any information as to his whereabouts at the time of

this investigation. The quartz fissure vein in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19 is considered to be sufficient evidence that the land within the boundaries of that subdivision contains valuable mineral. Two other ore samples taken within the boundaries of Lot 4, Section 19 from surface excavations in limestone, contained no valuable minerals.

In the event of a hearing of this case, Percy Train and W. T. Fisk, whose postoffice addresses are Rochester, Nevada, are familiar with the land and would testify for the Government.

It is recommended as follows:

That patent be denied to the S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 19, T. 28 N., R. 35 E., M.D.M., charging that the land contains valuable deposits of gold; and further recommended that the remaining area of Section 19, T. 28 N., R. 35 E., M.D.M. be clear-listed.

Respectfully,

S. E. Guthrey
S. E. Guthrey,
Special Agent.

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