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LOT NO. 53

Field Notes

of the survey of the

Way up  
Mining claim

Situate in Frankstone mining district,

County of Pima and in Sec. \_\_\_\_\_, Tp. 20S,

Range 22E, of the Gila and Salt River Meridian,

ARIZONA.

Claimed by J. E. Farish

et. al.

Survey executed by Charles A. Riley D. S.,

Under instructions dated May 11, 1880

Survey commenced June 4 1880

Survey completed June 5. 1880.

In the matter of the "Way Up" Survey for Patent.

To Hon. John Wasson  
 Surveyor General  
 Tucson A. T.

Dear Sir - I enclose you  
 herewith the Affidavits of Mr Maxson & Mr  
 Howe, United States Deputy Surveyors, in re-  
 -gard to the error in the "Way Up" Survey -  
 The Measurement and triangulations of Mr  
 Howe and Mr Maxson were made separately,  
 and are probably as nearly accurate as  
 the nature of the ground will permit -

In view of the great value of the Good Enough  
 ground in that part of the claim, and in  
 order to avoid any question in the future,  
 I ask that with these affidavits you for-  
 -ward to the Commissioner of the General  
 Land Office such statement in regard to the  
 existence of the error as you may believe  
 to be true, and request that the plat be

3 returned to you for correction -

This occurs to me as the proper course,  
since the records in your Office should  
not only be correct, but should correspond  
with the Record of the Patent -

Please advise me briefly of your action  
in the premises -

Yours Respectfully

Wm Hayes

Atty. for

The Tombstone M. M. Co.

Tombstone Nov. 18. 1881 -

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In the Matter of the Survey of the  
"Way Up" Mining Claim, Tumbstone  
Mining District, Cochise County, Ariz.

Territory of Arizona 3 3/4  
County of Cochise 8 3/4

H. B. Maxson,

being first duly sworn deposes  
and says, that he is a Deputy  
United States Mineral Surveyor  
for the Territory of Arizona -

That he is familiar with the  
Way Up Mining Claim as the  
same is surveyed and Monument  
ed upon the ground, and fully  
believes that post or Stake No. 2  
of the official Survey of said  
Claim is now where it was  
planted at the time of said Sur-  
vey in June 1880 -

He further says that United States  
Mineral Monument No. 1 in said  
Tumbstone Mining District bears  
South 17° 26' West from said Stake  
No. 2, - that on the 10<sup>th</sup> day of  
November 1881 he ascertained the  
distance from said Stake No. 2 of  
said Way Up Mining Claim to said

1 U.S. Mineral Monument No. 1, by <sup>5</sup>  
2 triangulation, to be 3851.20 feet,  
3 and on the 11<sup>th</sup> day of November  
4 1887 he carefully measured the  
5 distance between the said  
6 State and U.S. Mineral Monument  
7 and found the distance by actual  
8 measurement with the Chain  
9 to be 3853.08 feet. Showing a dif-  
10 ference between triangulation and  
11 measurement of 1.88 feet.

12 He further says that the Course  
13 given above is in accordance with  
14 the adjustment on the Standard  
15 Meridian as established January  
16 19<sup>th</sup> 1881 by Keller and Rockness  
17 under the direction of the U.S. Survey  
18 General of the Territory of Arizona.  
19 He further says that the triangulation  
20 was made upon a Baseline  
21 of 728 feet.

22 H. B. Maxson

23 Subscribed and  
24 sworn to before me  
25 this 11<sup>th</sup> day of November, 1887

26 J. Lucas

27 Probate Judge  
28

1 Territory of Arizona  
 2 County of Cochise SS

3 H. G. Howe

4 being first duly sworn says that  
 5 he is a Deputy United States  
 6 Mineral Surveyor in and for the  
 7 Territory of Arizona, residing in  
 8 the City of Tombstone Cochise County  
 9 in said Territory.

10 That he is familiar with the  
 11 Way Up, Good Enough and other  
 12 Mining Claims in their vicinity  
 13 in said Tombstone Mining District;

14 that according to the official sur-  
 15 vey of the said Way Up and Good  
 16 Enough Mining Claims as marked  
 17 upon the ground, there is no con-  
 18 flict between said Claims; that  
 19 Stake No. 2 of said Way Up Survey  
 20 stands upon the North Eastern  
 21 Side line of said Good Enough  
 22 Mine; that according to the official  
 23 plat and survey of said Way Up  
 24 Mining Claim the distance from  
 25 said Stake No. 2 of said Way Up  
 26 Mining Claim to United States  
 27 Mineral Monument No. 1 is 3833  
 28 feet; That on the 10<sup>th</sup> day of November

1 1881 he calculated the distance <sup>7</sup>  
2 between said points by triangula-  
3 -tion, and found the said distance  
4 to be 3850 feet; that in making  
5 said triangulation he took the line  
6 between United States Mineral  
7 Monuments Nos 1 & 2, and the line  
8 between U. S. Mineral Monument  
9 No. 2 and U. S. Standard No. 1 as  
10 base lines, the former being 2740  
11 feet in length, and the latter  
12 5377 feet in length -

13 That because U. S. Mineral Monument  
14 No. 2 is not visible from Way Up  
15 Stake No. 2, he calculated from  
16 the above named base lines and  
17 the included angles, the distance  
18 from U. S. Standard No. 1 to U. S.  
19 Mineral Monument No. 1, and used  
20 said last named line from which  
21 and the measured angles he calcu-  
22 lated the distance from said Way  
23 Up Stake No. 2 to U. S. Mineral  
24 Monument No. 1, and found the  
25 said distance to be 3850 feet, and  
26 he only believes the same to be the  
27 true distance between said points,  
28 He further says that the line from

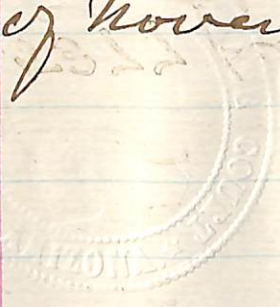


1 Said Way Up State No. 2, to United  
 2 States Mineral Monument No. 1, crosses  
 3 said Good Enough Mining  
 4 Claim diagonally, and if said  
 5 State No. 2 should be placed  
 6 3833 feet from said U.S. Mineral  
 7 al Monument No. 1 as shown upon  
 8 the official plat of said Way Up  
 9 Mining Claim, the said State No. 2  
 10 would be upon the Good Enough  
 11 ground, and there would be a  
 12 conflict between said claims,  
 13 and further he saith not -

H. C. Howland,

14  
 15 Subscribed and sworn  
 16 to before me this 17<sup>th</sup> day  
 17 of November 1881 -

18 J. H. Lucas  
 19 Probate Judge



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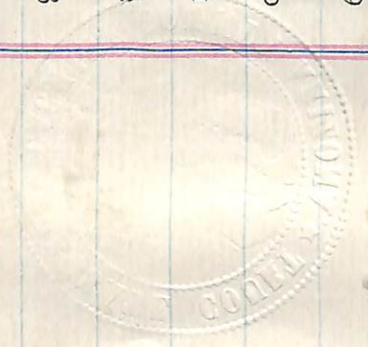
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In the matter of the  
"Way Up" Survey  
Affidavit of  
H. G. Howe  
U.S. Dept. Surveyor

Contents.

1. Letter atty Tombstone  
m + m. Co.
2. Affidavit H. G. Howe  
D. S.
3. Affidavit H. B. Moore  
D. S.

Rec'd & filed Nov. 19, 1881.  
John Mason,  
U. S. Surveyor.



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PRELIMINARY OATHS FOR SURVEYS OF MINING CLAIMS  
AND MILL SITES.

WE, C. H. Wentz and Geo Malgren

do solemnly swear that we will faithfully execute the duties of Chain Carriers, that we will level the chain upon uneven ground, and plumb the tally pins, whether by sticking or dropping the same; that we will report the true distance to all notable objects, and the true lengths of all lines that we assist in measuring, to the best of our skill and ability.

C. H. Wentz

Geo Malgren

SWORN AND SUBSCRIBED before me this 4<sup>th</sup>

day of June 1888

Wills Spicer  
Notary Public

I, Charles Ackley

do solemnly swear that I will well and truly perform the duties of United States  
Deputy Mineral Surveyor according to instructions given me, and  
to the best of my skill and ability.

Charles Ackley

SWORN AND SUBSCRIBED before me this 4<sup>th</sup>

day of June 1880

Wills Spicer

Notary Public

## FIELD NOTES

Survey of the <sup>of the</sup> WAY UP Mining Claim  
 Claimed by T. E. FARISH, M. GRAY, JOSEPH GOLDTREE,  
 and MAX MARKS

Located in Tombstone Mining District, Pima Co.  
 Survey made by Chas. Ackley, U. S. D. W. S. under  
 instructions dated May 15<sup>th</sup> 1880.

Survey commenced June 4<sup>th</sup> 1880  
 " completed June 5<sup>th</sup> 1880.

## SURVEY OF THE EXTERIOR BOUNDARIES.

Commenced at a 4" x 4" post, 6 feet long, surrounded  
 by a mound of stones 6 feet in diameter by 3 feet  
 in height, marked with a chisel W. U. M. C. No. 1,  
 which is the Initial Monument, at the south-  
 west end of the claim, and in the centre of  
 said end.

Variation  $11^{\circ} 50' E.$

From this monument bears N.  $60^{\circ} 20' E.$  a shaft,  
 the centre of which is 11 feet distant.

Thence, along said southwest end of  
 the claim,

N.  $48^{\circ} 15' E.$  300 ft. to a 4" x 4" post 6 feet long, surrounded by a  
 mound of stones, 6 feet in diameter and 3 feet in  
 height, marked with a chisel W. U. M. C. No. 2,  
 which is the south corner of the claim, and  
 the southwest corner of the LITTLE WONDER mining claim,  
 from which bears

S.  $12^{\circ} 15' W.$  3833 ft. U. S. M. M. No. 1

N.  $34^{\circ} 20' E.$  700 ft. Post marked W. U. M. C. No. 4, which is  
 the northerly corner of the Little Wonder  
 claim

X N.  $48^{\circ} 15' E.$  220 ft. the southerly corner of the Little  
 Wonder claim

Thence, along the southeastern side of  
 the claim

N.  $47^{\circ} E.$  306 $\frac{1}{2}$  ft. to intersection with the south boundary  
 of the Tombstone Town Site, which bears  
 S.  $67^{\circ} 10' E.$  3090 feet.

- 405 ft to a 4" x 4" post, 6 feet long, surrounded by a mound of stones 6 feet in diameter and 3 feet high, marked W. U. M. C. No. 3. This post is on the west side of the Empire claim. <sup>Set No. 46.</sup>
- Thence, along the said west side of the Empire claim,
- N. 17° 20' E. 315 ft. to a 4" x 4" post, 6 feet long, surrounded by a mound of stones 6 feet in diameter and 3 feet high, marked W. U. M. C. No. 4. This is also the N. W. of the Empire claim & the S. W. cor. of the Banner.
- Thence, along the northerly end of the Empire claim, and the southerly end of the Banner,
- S. 72° 40' E. ~~N. 17° 40' E.~~ 177 ft. to a post marked 4" x 4" post, 6 feet long, surrounded by a mound of stones, 6 feet in diameter and 3 feet high, marked W. U. M. C. No. 5.
- Thence, along the southeastern side of the claim,
- N. 47° E. 732 ft. to a 4" x 4" post, 6 feet long, surrounded by a mound of stones, 6 feet in diameter and 3 feet high, marked W. U. M. C. No. 6, which is the northeastern corner of the claim.
- Thence, along the northeast end of the claim,
- N. 48° 15' W. 300 ft. to a 4" x 4" post, 6 feet long, surrounded by a mound of stones 6 feet in diameter and 3 feet high, marked W. U. M. C. No. 7, which is the centre of the northeast end of the claim.
- 594 ft. to intersection with the west side of the Banner claim
- 600 ft. to a 4" x 4" post, 6 feet long, surrounded by a mound of stones 6 feet high in diameter and 3 feet high, marked W. U. M. C. No. 8, which is the north corner of the claim.
- (Thence, along the northwestern side of the claim,
- S. 47° W. <sup>1401</sup> ~~1500~~ ft. to intersection with the south boundary of the Lumbstone Town Site
- 1500 ft. to a 4" x 4" post, 6 feet long, surrounded by

a mound of stones, 6 feet in diameter and 3 feet high, marked W. U. M. C. No. 9, which is the southwest corner of the claim.

Thence along the southwest end of the claim,

S. 48° 15' E 300 ft to the place of beginning.)

### REPORT.

The Kay Ap mining claim, claimed by J. E. Farish, M. Gray, Joseph Goldtree, and Max Marks, is situated in Tombstone Mining District, Pima County, Arizona.

It is bounded on the north by the Vermont and the Banner; on the south, by the Goodenough; on the east by the Banner, Empire and ~~the~~ Little Wonder; on the west, by the Fields.

Conflicting with this claim is the Tombstone Town Site, and the Banner and Little Wonder mining claims, as appears in the field notes and the accompanying diagram.

The work done by the owners of the claim consists of a shaft, 5 feet wide, 7 feet long, and 50 feet deep, the value of which, at fifteen dollars per foot, is seven hundred and fifty dollars.

Charles A. Akley  
U. S. Deputy Mineral  
Surveyor

FINAL OATHS FOR SURVEYS OF MINING CLAIMS & MILL-SITES.

A LIST of the names of individuals employed to assist in running, measuring, or marking the lines and corners described in the foregoing field-notes of the survey of the way up Mining Claims located in Tombstone Mining District, Pima County, Arizona, showing the respective capacities in which they acted.

Chas H Menting Chainman.  
Geo Malaga Chainman.  
..... Axeman.  
..... Flagman.

WE hereby certify that we assisted Charles Ackley U. S. Deputy Surveyor, in surveying the way up Mining Claim claimed by T. E. Farish, M. Gray, Jos Gullett & May Mann located in Tombstone Mining District, Pima County, and in Township No. .... Range No. .... of the Gila and Salt River base and meridian, Arizona, and that said Survey has been in all respects, to the best of our knowledge and belief, well and faithfully executed, and the boundary monuments planted according to the instructions furnished by the Surveyor General.

C. H. Menting Chainman.  
Geo Malaga Chainman.  
..... Axeman.  
..... Flagman.

SWORN TO AND SUBSCRIBED before me this 7<sup>th</sup> day of June 18 80

Wm Spiser  
Notary Public

I, Charles Ackley U. S. Deputy Surveyor do solemnly swear that, in pursuance of instructions from John Wasson, U. S. Surveyor-General for Arizona, bearing date the 11<sup>th</sup> day of May 18 80, I have well, faithfully and truly, in my own proper person, and in strict conformity with the instructions furnished by the Surveyor-General and the laws of the United States, surveyed all those portions of the way up Mining Claim claimed by T. E. Farish, M. Gray, Jos Gullett & May Mann located in Tombstone Mining District, Pima County, and in Township No. .... Range No. .... of the Gila and Salt River base and meridian, Arizona, as are represented in the foregoing field-notes as having been surveyed under my directions; and I do further solemnly swear that all the corners of said surveys have been established and perpetuated in strict accordance with the instructions furnished me, and that the foregoing are the true and original field-notes of such surveys.

Charles Ackley Deputy Surveyor.

SWORN TO AND SUBSCRIBED before me this 7<sup>th</sup> day of June 18 80

Wm Spiser  
Notary Public



AFFIDAVIT OF FIVE HUNDRED DOLLARS IMPROVEMENTS.

We, Henry G Howe and Geo Malgren  
of lawful age, being first duly sworn according to law, depose and say that we are acquainted with  
the Way Up  
mining claim, situate in Tombstone  
Mining District, Pima County, Arizona  
Territory, for which J E Farish, M Gay and Jos Gellus & Max Wark  
have made application for survey prior to application for patent under the provisions of the Act of  
Congress approved May 10, 1872, and that the labor done and improvements made thereon by the  
applicant~~s~~ and grantor exceed Five Hundred Dollars in value, and further that we are  
not personally interested in said mine.

Henry G. Howe,  
Geo Malgren

TERRITORY OF ARIZONA, }  
County of Pima } SS.

SWORN AND SUBSCRIBED before me this 7th  
day of June 1880

W. S. Spicer



Way Up Claim  
Supplementary Notice. 16

Notice is hereby given that, whereas James P. Wheeler, on Sept. 26, 1878, did locate and claim this the Way Up claim, and whereas T. E. Farish, M. Gray, Jr. Goldtree and Max Marks have succeeded to the interest of said original locator in said claim, and whereas said present claimants are desirous of obtaining a U. S. patent to said claim, therefore I, Max Marks, for myself and my co-owners, in order to comply with the requirements of the Interior Department regarding record necessary to enable said claimants to obtain an official survey, do so amend the original location notice as to refer a corner of the Way Up claim to U. S. Mineral Monument No. 1, Tombstone District, as follows to-wit: -

I, the undersigned, do locate and claim from this Initial Monument, situated on a Knoll in a conspicuous place on the north and east line of the Goodenough claim mine, Fifteen hundred feet (1500 ft) in a north-easterly direction or on the course of the ledge, lode or vein of mineral bearing

quartz and three hundred feet (300 ft.) on each side of  
17  
same with all dips, spurs, angles and variations  
and all mineral deposits contained therein.

Monuments described as follows, to-wit: - beginning  
at the Initial Monument above described and  
running in a south and easterly direction along the  
side line of the Jordenough mine 300 ft. to a mon-  
ument of stones, S. W. cor., from which U. S. Min-  
eral Monument No. 1, Tombstone District, bears  
S. 5° - 56' W., 22.10 chains distant, thence fifteen  
hundred feet north and easterly to a monument of  
stones S. E. cor.; thence 600 ft. to a monument of  
stones N. E. cor.; thence 1500 ft. to a monument  
of stones N. W. cor., thence 300 ft. to point of be-  
ginning (Initial Monument). Said claim shall be  
known as the "Way Up" mine.

This notice agrees with original location the  
record of which is found in Book 6, Record of  
Miner, Page 566, County Recorder's Office, Pima  
County, Arizona, with the exact reference to  
the permanent monument required.

The claim is now owned by J. E. Farish, M.  
Gray, Jr. Goldtree and Max Marks.

*L.*

RECORDERS OFFICE

TUCSON, PIMA CO. A. T.

Way Up Claim

Tombstone

Sept 26-1878

Filed and recorded

at request of

August Farish

May 4<sup>th</sup> A. D. 1880.

at

Book 6 "Record Miner

Pages 462 & 463

*J. M. Campbell*

County Recorder.

*W. M. Smith*

Deputy

U. S. Surveyor General's Office.  
Tucson, A. T., June 26, 1880.

The foregoing field notes of the survey of the Way Up Mining claim, situated in the Tombstone Mining district, Pima County, Arizona, claimed by J. E. Fausch, M. Gray, Joseph Goldtree and Max Marko; survey executed by Charles Arkley, U. S., under instructions from this office having been critically examined and the necessary corrections and alterations made, the said field-notes and the survey they describe are hereby approved.

John Basson,  
Surveyor General.