

GEORGE O'BRIEN ON TRIAL

Yesterday Afternoon Before Magistrate Major Wood.

Several Witnesses Saw Prisoner in Neighborhood of Minto About Time of Murder—Case Continued.

The continuation of the preliminary examination of George O'Brien charged with the murder of Clayson, Relfe and Olson was begun yesterday afternoon before Major Wood. Three witnesses were examined and all testified as to seeing O'Brien in the neighborhood of the scene of the murder between the 5th and 25 of December, 1899.

Bayard F. Burgess was the first witness called and minutely described meeting O'Brien on the trail about eight miles below Minto the particulars of which he was able to recall by the dog team O'Brien was driving which consisted of two dogs—one a large yellow dog and the other a smaller black one. He had asked O'Brien to move his sled to one side to allow his to pass, but the prisoner had said his sled was too heavily loaded. Witness had further down the trail met a constable who asked him if he had met a certain party, describing O'Brien's outfit, to which witness replied that he had. He had reached Selkirk the next day, on the 14th, and had registered at the Savoy hotel. He was positive the meeting with O'Brien had taken place on the right bank of the river below Minto and near an Indian graveyard which is situated on a high bank. The Minto roadhouse register was shown witness who identified it as being the one in which Mrs. Fussell kept the accounts with the mail carriers and it showed that he had registered on the date mentioned.

On the 25th of December witness had reached Minto from Mackay and was asked by Capt. Fussell if he had met Clayson, Relfe and Olsen. He replied that he had not but that he should have met them about 12 miles up towards Hutehika according to the time they had left Minto. He had seen Olsen on the 23d at the Minto roadhouse while he was waiting for the mail to arrive and on the 24th Olsen had started up the line to do some repair work.

Andrew P. Anderson was next called to the stand. At that time he was running a road house, 14 miles above Selkirk and testified to seeing O'Brien between the 5th and 11th of December. He could not swear to dates as he had been for a number of days without seeing anyone, it being the period of the closing of the river when there was no travel. Capt. Fussell was the first man whom he had seen and the captain told him it was the 8th of December. In this way he had fixed the date of seeing O'Brien. A man named Graves was with the defendant and they had two dogs—one large and yellow, and the other a smaller black one. He minutely described their meeting and several little incidents which happened at the roadhouse where O'Brien and Graves put up for the night. Three or four days later Graves came back on his way towards Selkirk. He said they had a cache of goods 14 miles below Selkirk and asked witness to buy some goods from them. Two days afterward O'Brien followed him carrying a roll of blankets on his back. Some days later O'Brien returned to the roadhouse and sold him some candles and a few other things.

Constable Pennycutt was also examined and testified to meeting O'Brien and his partner on the 13th of December in the vicinity of Selkirk. The case was then adjourned until Saturday morning at 10 a. m., when other witnesses will be examined.

A Lesson in Seamanship.

Capt. Hans Miron, who lost his life at his post of duty on the burning Saale at Hoboken, was fond of telling of his early introduction to the stern realities of his chosen career. He had but just come on board the schooner where as cabin boy he was to serve his apprenticeship to the sea and was still staring about him with boyish interest and inquisitiveness when the skipper approached and ordered him to assist in washing down the deck.

He put down his bundle and started awkwardly to do so, when a second order, accompanied by emphatic expletives, was given him to take off his shoes and stockings. He was perfectly willing to oblige, but at home he had not been permitted to wet his feet. "No," he answered innocently, with an engaging smile, "I should not mind, but my mother does not allow it."

The skipper was a rough old sea dog

who did not appreciate obedience unless it was rendered to himself, and his reply was a stunning blow that flung the boy across the deck. "But after that," Capt. Miron would say, with a great laugh and not a shadow of resentment, "I knew who was captain of that schooner, and it was not my mother."—Ex.

Stories of John Sherman.

To his aid in his political life John Sherman brought a nature instinctively methodical and an unflinching probity. He saw to it that the public moneys were not squandered or used for dishonest purposes. A claim for \$1,000,000 was once brought to him for his signature. It had been regularly allowed, but it was illegal, and he refused to sign.

"It has been allowed," insisted the claimant's attorney, "and you must sign it."

"I will not," repeated Mr. Sherman, and he did not. He would have resigned, he afterward confided to a friend, had it been required of him sooner than even seem to sanction a fraud. Neither would he permit irregularities. The chief of a bureau one day came to him for an order to pay for some machinery.

"Has it been advertised?" asked the secretary.

"No," said the chief, "but there are only two places where it can be made, and we are accustomed to get their bids and contract with the lowest."

"But," said the secretary, "the law says it must be advertised."

"At least this may pass, for it is made, and we need it."

"I cannot help that. The law says it must be advertised, and advertised it must be." And advertised it was at a very large saving to the government.—Saturday Evening Post.

The Weather.

The weather still continues cold and those who a month ago were looking for an early breaking up of the river have changed their minds. The thermometer record for this year when compared with last shows this to be a much colder period than last year.

The following comparative table will show the difference between this year and last for the first ten days in April:

APRIL 1900.		APRIL 1901.	
Max.	Min.	Max.	Min.
1...36	25	1...31	0
2...33	22	2...31	4
3...41	13	3...25	10
4...35	8	4...24	6
5...36	14	5...26	6
6...45	0	6...20	17
7...38	15	7...22	5
8...48	25	8...36	15
9...59	18	9...48	24
10...61	22	10...37	16

For a good dinner go to the McDonald Cafe.

Chechaco butter. Selman & Myers.

TO PROBE COUNCIL.

(Continued from Page 1.)

seconded by J. H. Willison, who asked that meetings be called on the various creeks to obtain the sentiment of the miners on the questions of an assay office and of retiring gold dust as a medium of exchange. With this addition the resolution passed.

In a document replete with whereases, Dr. Catto introduced a resolution that the citizens' committee with Councilman Wilson added thereto, present to his honor, Mr. Ross, a copy of the citizens' address as presented to the governor general on the occasion of his visit here last August. In support of his resolution Dr. Catto talked at length and said all mining laws should be made here; that the minister of the interior is deaf and that his brain is defective. The resolution was adopted.

J. R. Hamilton, a second-hand dealer to whom had been assigned the duty of introducing one of the many resolutions, next took the floor. The purport of his resolution was that, whereas, at a mass meeting held on May 7 of last year a motion made J. F. Sugrue and seconded by Mr. Prudhomme, the government at Ottawa had been requested to withdraw Mr. Ogilvie as commissioner of the Yukon, and in view of the fact that such request had at length been granted, that a vote of thanks be tendered the government for its compliance with the request. Joe Clarke seconded the resolution. Woodworth opposed the resolution and said its passage would reflect discredit on the citizens' committee; that the crowd was too small to adopt such a resolution and he did not believe it would carry, giving to Mr. Ogilvie a commendation rather than a rebuke. Alex McFarlane, J. W. Willison and J. H. Falconer all opposed, the latter saying that Mr. Ogilvie may have made mistakes, but he could not be accused of hoodluming. Joe Clarke favored the motion and accused the meeting of lacking in backbone. Dr. Catto, in his

imitable tone which he need never patent because it can not be imitated, said the retirement of Mr. Ogilvie was too small an affair for which to be thankful. Mr. Willison asked if Mr. Ogilvie had been removed or had voluntarily resigned, and, in Biblical parlance, "No man could answer." Col. MacGregor thought the resolution in bad taste and ruled it out of order. But the crowd would not stand for that kind of "parliamentary" work and Hamilton was requested to withdraw the resolution, which he did.

Joe Clarke, having been "trun down" on the "gratitude" resolution of Hamilton, sprung one himself which he introduced by a rambling preliminary in which he referred to a certain high Yukon official as "a travesty" and in the next breath said "Poor McTavish who preferred the charges last year was given money and made to skip off down the river for he told me so himself the evening he left." Then he introduced the resolution mentioned in the beginning of this article which provides for the appointment of a commission to investigate the means used in bringing about the passage of the game ordinance, and for further providing for a royal commission if grounds are found, also for the suspending from office the parties under investigation while the investigation of the royal commission is in progress. Later the part providing for a royal commission was stricken out. The resolution furnished food for more than an hour's talk.

Mr. Matheson, formerly a hunter, but for two winters past engaged in freighting meat down the Klondike, made a very interesting talk which, while foreign to the resolution, imparted a vast amount of information relative to the abundance of game in the upper Klondike country. In one gulch Mr. Matheson saw 10,000 ptarmigan and 3000 caribou and he believed there were ten times as many caribou in the brush which he could not see. Game is plentiful and Mr. Matheson says there is no danger of caribou, ptarmigan, pheasant and grouse being exterminated for years to come. Moose, he said are becoming somewhat scarce. Mr. Matheson can not see the sense of protecting ducks and other migratory birds in the Yukon to allow them to "fly south and be killed and eaten in Seattle and California." He seconded the resolution. He said the Yukon council has no use for what they term the "bum hunter" but said the "bum hunter" is the man who will discover gold in the upper Klondike if it is there, as when they are not hunting they are prospecting. He thought, to quote from Shakespeare, "unseemly haste" had been exercised by the council in the passage of the ordinance.

Woodworth thought it probable that the council had been jobbed into passing the ordinance and was of itself prompted by good intentions. Clarke said it was not the game the council wants to protect, but the butchers. Catto said the man who drew the ordinance was inconsistent as its preamble said it was to protect game and in the ordinance it says it is to protect butchers. He favored the investigation. Woodworth opposed the investigation and said the resolution as introduced did not emanate from the whole citizens' committee.

Barney Sugrue said Wilson and Prudhomme should be asked to look after the question and have it reopened. Joe Clarke said he has evidence which shows that an investigation should be held. Mr. Clement, of Brian & Clement wanted the committee to be general and have authority to investigate all alleged corruption. Col. MacGregor could not see how meat destroyed on a certain day as per ordinance would protect living game. He gave it as his opinion that there is something wrong. The resolution finally passed as above stated.

Barney Sugrue wanted to know why Mr. Anderson had been appointed boiler inspector when the credentials of other applicants had not even been looked at. Alex McFarlane said the government had a right to appoint whom it pleased and Barney replied "The government has no power to hoodwink the people." He said Prudhomme was on the committee but was not consulted in the appointment.

The secretary was finally instructed to address a letter to the Yukon council asking for an explanation of its act in appointing the present inspector of boilers.

Joe Clarke introduced another resolution the substance of which was that, whereas, the demi-monde of Dawson is soon to move to Klondike City and as there is now one free bridge over the Klondike river and as the Yukon council is arranging to take over the toll bridge leading to Klondike City and making thereof a free bridge, that the council be petitioned to at once cease from expending any more money on Klondike bridges until there are good

roads and trails made leading to all creeks. The resolution passed.

J. H. Falconer moved that a vote of thanks be tendered the Ottawa government for reducing the royalty from 10 to 5 per cent. Barney Sugrue said to thank God and not the government; thanks are due from the government to the citizens' committee for calling its attention to the needed reduction. Catto strongly opposed the motion and said 10 per cent had maintained an indecent government and it would continue to be indecent on 5 per cent royalty. J. W. Willison said the government probably didn't care about thanks but thought it should be accompanied by a request to continue in the good work and remove the royalty entirely. Frank Slaviv who had seconded Falconer's resolution, strongly favored it and said, "The mining laws of the Yukon today are the best in the world." Nobody called Slaviv a liar. Frank Hales opposed the resolution and said "we should thank the government for nothing." By adding a request that royalty be entirely abolished, the resolution passed.

About this time, the hour of midnight drawing very near, a number left the hall and Joe Clarke loudly announced that the hall had to be paid for and a dollar "per" would foot the bill. This only added to the stampede and the meeting informally dissolved into the night, no motion to that effect being made. A few, however, stopped at the officers' desk and the "kerplunk" of silver was heard.

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