

WALTHER DIVORCE

Seattle Court Awards Complainant Decree and \$10,000 Alimony.

ALSO, CUSTODY OF THE CHILDREN

Of Which There Are Three, Aged 9, 7 and 5 Years.

A DAWSON FORTUNE DIVIDED

The Husband Was Not Present to Contest the Suit—Judge's Opinion.

The following from the Seattle Post-Intelligencer of April 28th, will be read with interest here where the parties to the suit are well known:

"The trial of the divorce suit brought by Mrs. Nellie W. Walther against W. J. Walther was ended yesterday afternoon in the equity department of the superior court when Judge Moore awarded to the plaintiff a small fortune as alimony, together with the custody of the three minor children, and \$500 attorney's fees. The court severely criticised the treatment to which Walther is alleged to have subjected his wife, and stated that he desired the court records to show the court's opinion of a husband guilty of the acts attributed to the defendant.

"As was published at the time the complaint in the case was filed, the Walthers were former residents of Port Townsend, where Walther married his wife about ten years ago. In 1898 the couple removed to Dawson, where a fortune was accumulated. The complaint alleged cruelty and inhuman treatment of such a nature that the plaintiff demurred at citing specific instances unless required to do so in a bill of particulars for the court's satisfaction.

"When the case was called for trial yesterday afternoon Mrs. Walther took the stand and related, in a modest but very impressive and simple manner, how her husband had treated her. She said that after they had moved to Dawson city he had frequently beaten her without provocation.

"Mrs. Walther told the court that since going to Dawson Walther had accumulated a fortune variously estimated to amount to between \$25,000 and \$40,000, made principally out of his portion of the profits of the Yukon Iron Works, in which concern he is said to own a one-fourth interest. At one time, the witness stated, she had in a trunk in their apartments \$10,000 in gold, which she afterwards paid over to her husband to use in the purchase of additional machinery for the iron works.

"The witness told, with tears in her eyes, how her husband had declared that he would never consent to her having permanent possession of her three daughters, aged 5, 7 and 9 years, respectively.

"He told me," said Mrs. Walther, "that my mother-in-law was entitled to my children, although my conscience tells me that I have been a faithful mother and done everything that is in my power to mold their characters rightly."

"Attorney Charles P. Munday, who appeared in the case for the defense, here raised the question of the plaintiff's bona fide residence in this state, claiming that witnesses would swear she had said that her home was in Dawson. Several witnesses were examined to prove residence, by both the attorneys for the plaintiff and defendant.

"The taking of testimony was concluded shortly before 5 o'clock, and the court immediately rendered his decision. Judge Moore decreed that Mrs. Walther was entitled to \$10,000 of the community estate, the custody of the children, together with \$500 attorney's fees to defray the cost of the action. The court also expressed his opinion, in scathing language, of the defendant in the action, in view of his alleged treatment of his wife.

"Let the record show the court's opinion of this man," said Judge

Moore. The case was brought to a close with this remark.

Recent Arrivals From Lebarge.

Quite recently a number of scows and small boats have arrived in Dawson from Lower Lebarge. The local market is now supplied with fresh eggs, vegetables and fruit, but the demand for such commodities is so great that prices are exceedingly high.

Several parties suffered accidents on the upper river, which have resulted in serious losses. N. M. Dickey had one of his scows wrecked above Selkirk, and he lost about five tons of horse feed. He arrived in Dawson last night with the remainder of his outfit. Mr. N. B. Labree, whose boat was wrecked near Hutchiku, was a passenger to the city in Mr. Dickey's scow. A large boat with a cargo of fruit, was lost near Selkirk. This outfit belonged to a gentleman named Manley.

Among those persons who have arrived in town since yesterday afternoon are: Mr. and Mrs. Dowdell, Mr. and Mrs. Shaw, H. H. Kent, H. B. Kent, A. Bruce, J. Montgomery, G. McGovern, Albert Daub, C. G. Sanford, Arthur Hill, Ernest Burash, Robert Burke, Ray Randall, Richard Rickard, Irving Meed, Phil Breunau, Al Brenneau, W. H. Powers, J. Brooks, H. A. Harwood, H. J. Coleman, James A. Stoddard, Wm. Bourn, John Szarris, R. Myer, George Christensen, Frank Forrester, Messrs. Hefner and Carroll.

BRIEF MENTION.

L. J. Howard is visiting the city. Al Groudy is spending a few days in town.

W. C. Leak is registered at the Regina.

W. H. Warren is among the guests at the Regina.

Capt. John Pussell and wife are stopping at the Hotel McDonald.

W. Chappell, of 30 Eldorado, is shaking hands with his Dawson acquaintances.

W. Barnes and wife are visiting friends in the city. They are at the Hotel McDonald.

Thomas Lloyd, superintendent at 17 Eldorado, brought a quantity of gold dust to Dawson yesterday.

D. C. MacKenzie, who left here last winter and has since visited Toronto, returned to the city yesterday.

The steamer Burpee is being repaired, and it is quite likely that she will be scheduled for a trip to the Koyukuk district.

Charles A. Damon, a Chicago newspaper man who has spent the past winter in Dawson, will leave for Cape Nome tomorrow.

Messrs. Dan McLellan and George Merro have contracted to repair the steamboat Yukoner. They expect to complete their work by the 1st of June.

Rose Blumpkin returned to town from Dominion creek last evening. She expects to monkey with the stern realities of life in Dawson during the ensuing summer season.

J. P. McLennan is in receipt of a wire from Selkirk stating that the steamer Sybil had left that point for Dawson at 9:30 this morning. She is expected sometime late tonight.

D. A. Shindler, the hardware man, leaves today on an inspection tour of his claims on Monte Cristo Hill. It is understood he will carry back with him a large poke of the yellow metal.

Mrs. Shindler is visiting Mrs. L. F. Cook on Chechako Hill for a few days. The latter lady is a charming hostess and will, without doubt, make the visit of her friend a very enjoyable one.

A large raft of logs was carried past the city at an early hour this morning. There were four men on the raft, but the united efforts were not sufficient to withstand the influence of the current.

Mrs. Purdy will discontinue the management of the Fairview hotel on the first of next month. Mr. E. H. Port, lately interested in the Palace Grand theater, will assume control of this well established hotel.

Thomas Daniels, the agent of the Flyer Line, who departed from the city last Tuesday returned to town this morning accompanied by John Mooney. Mr. Daniels has resumed the management of his business affairs. Big ice floes are reported in the river below Dawson.

En Route to Nome.

John P. Lindahl arrived in Dawson from Bennett yesterday afternoon with ten passengers and their outfits in a 30-foot boat which he built at Bennett, which place the party left on May 2d, making the trip in 14 days, which, considering the early season, is remarkably good time.

Mr. Lindahl named his boat after the famous ship of his country, the Viking, which, with her cargo, weighs only three tons. Owing to his light draught craft he was able to sail in through the shallow water over the ice on the lakes. He says it will yet be several days before the lakes will be navigable for steamers.

Of the 10 passengers who made the trip from Bennett to Dawson on the Viking, eight will continue on in her to Nome. Mr. Lindahl expects to continue on down the river in the course of two or three days.

Special Power of Attorney forms for sale at the Nugget Office.

SERIOUS CHARGES

Preferred By D. G. McTavish Against Gold Commissioner E. C. Senkler.

ACCUSED OF FRAUDULENT CONDUCT

Regarding the Disposition of Fractional Claims.

DR. SIMPSON IS MENTIONED

As Being a Partner of the Gold Commissioner in Unlawful Transactions.

The minister of the interior at Ottawa has taken cognizance of serious charges which have been preferred against Gold Commissioner Senkler by D. Graham McTavish. The accusations involve malfeasance in the conduct of official business, and relate to illegal grants of fractional claims which have been issued to Dr. Simpson and other persons. Mr. McTavish asserts that Commissioner Senkler is a silent partner of those individuals to whom such unlawful grants have been given. Justice Dugas has been appointed to investigate the charges, and after an examination he will report his determination to the proper official at Ottawa.

Gov. Ogilvie received by yesterday's mail the following communication respecting this matter, from the federal department of the interior:

Ottawa, April 11th, 1900.
William Ogilvie, Esq., Commissioner of the Yukon Territory, Dawson, Y. T.

Sir: I am directed to inform you that a commission has been issued under the provisions of chapter 115, R. S. C., to the Hon. Justice Dugas to inquire into and report upon certain charges preferred or to be preferred against Mr. E. C. Senkler, gold commissioner, by Mr. D. G. McTavish of Dawson. A copy of a letter which Mr. McTavish addressed to the minister on the 8th of January last, and which caused the issue of the commission, is inclosed herewith for your information. I am, sir, your obedient servant,
P. G. KEYES, Secretary.

The following is a copy of Mr. McTavish's letter:

Dawson, January 8th, 1900.
To the Honorable Minister of the Interior, Ottawa, Canada.

Sir: Being a Canadian subject, having been born and raised in the province of Ontario, Canada, I take this liberty of presenting to you a few facts concerning the fraudulent recording of fractional placer mining claims in the Yukon district. In the first place has the commissioner the right to record fractions now or since the law went into effect stopping the locating, staking, and recording of fractions?

Commenting on this, will state that of my personal knowledge one Dr. Simpson together with four other persons and another whom I believe to be the commissioner himself have had fractions recorded since the law has been changed all of which fractions are good. The way they do this is by overlapping other claims, thereby causing litigation, and as you may well believe a poor man has very little chance to fight before the commissioner when, by himself, is a party to the profits to be derived from the sale of or cleanups from these various fractions. These parties have 21 fractions which they have secured through the efforts of the commissioner himself, and mainly by this Dr. Simpson who was in collusion with said commissioner.

To give an example of this securing of fractions will state that one Hobson staked a claim on the benches of Last Chance creek; there was some mistake in recording and after he discovered it he went to the commissioner's office and made known the facts. The commissioner said you can stake anything else on the hill you can find. "Will that be satisfactory?" He said "Yes." There was a fraction near by but at that time said Hobson did not care to locate it. (At this time the law was in effect in reference to not staking fractions.) Hobson then left without staking and returned a few months later and concluded he would stake the fraction he had found. When he went to stake the fraction he found that it was recorded by this Dr. Simpson. Hobson accosted the commissioner in my presence on the public highway in the city of Dawson about this and the commissioner said in substance that "he would not consider Mr. Hobson at all." Mr. Hobson procured an attorney and was then informed that he (Hobson) or anybody else was not allowed to locate fractions.

When I use the name or expression Dr. Simpson, I mean this party who is headed by this doctor, fictitious names being used on the books.

Now, as a Canadian subject, I would like to know whether this state of affairs can exist or be permitted. I am a man of little means, but do not care to make a public fight, but were I a man of means, I would expose this entire gang here. I take this means of notifying your government of the doings here and would be glad to receive a reply from you in reference to the query I have presented. Hoping to receive an early reply, I remain, very respectfully
D. G. McTAVISH.

Mr. Senkler, when questioned in regard to the charges, said:

"I do not care to discuss the matter now, indeed, it would be quite improper for me to anticipate the investigation."

Justice Dugas was asked concerning the text of the commission which has been issued to him. He replied: "I have no official information respecting the affair of which you speak. No commission has been received by me, and consequently, I am not in a position to speak for publication."

The commission will probably arrive in Dawson with the next consignment of mail, and then the time and method of the official investigation will be disclosed.

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