ince of Wales, on he g, will give a state honor at Buckingham ay evening. The Perwill lunch with the the royal yacht on a

gro Voters

an state committee of ed a resolution Saturexpected to make the ty in that state ala white man's ore resolution provides se shall be recognized ted to participate in ounty conventions and under the new conbama." The new contantially deprives neffrage. The effect of s action, therefore, ally to exclude negroes ation in the party. surprising if the Rether southern states ple of those of Alarty has struggled for the suffrage for the has been unable effecthim. By fraud and means and foul, he nchised in nearly evsouth. The acts by. as been accomplished e, at least until the more competent for vilization. Having lost citizen, however unalso lost the citizen's The situation would. malous if he should dictate the nominas for whose conduct

Reward.

s City Journal.

in any way respon-

se election he could

dark grey, white ps, light grey stripe point of nose up beont legs white, hind me tip of tail white, always carries tail or left side, nose a fox or coon. I will reward for any inforll lead to the arrest f the thief and recov-

J. HEMEN,

Klondike Nugget. ******** ROW mt Post Office

COUNCIL

WEDNESDAY, SEPT. 3, 1902.

Ferguson

So Decided at Last Night's Meeting - Tender Received for Lighting Streets.

About the most important thing accomplished at the meeting of the city council last night was the decision to purchase the street numhers, signs and other assets of Mrs. Ferguson pertaining to the numbering of the city and to proceed with the work at once. Then, too, there was the maddening effort of Alderman Vachon to secure the improvement of Craig street and the drainage of Fifth avenue, which was interesting while it lasted, and also the cuestion of the city police force which was again brought up by Alderman Murphy and threshed out to a standstill only to go down in dedid several weeks ago. Murphy by his persistence, however, gained one point; if he can present a petition bearing the signatures of fifty per cent. of the ratepayers requesting that the city employ its own force Alderman Adair at least will support the motion which should no other convert be made will give a division and necessitate the voice of

in number, none of the standing committees had a report to make and there were less than a half dozen was a tender from the Dawson Elec-King streets and on Fifth avenue but tric Light and Power Company for the lighting of the city during the ensuing year. The bid is for 45 cents per night for 32-candle lights if 70 or more are taken. Last year 60 cents per night was paid for the

same service Several property holders residing in the vicinity of Fifth avenue below Harper sent in a petition praying for the construction of a sidewalk along Fifth avenue from Harper to Princess. Along that block there is no walk on either side of the street and during the rainy season it is very disagreeable for chiffiren to get to

school who live south of Harper. City Engineer Rendell filed a regard to the amount of street numnumbers and 629 single 2-inch, 93 21 next meeting of the council. inch letter "A" and 395 letter "B'

Sergeant Smith, chief of police, sent in his monthly report of business transacted in his department medical health officer. Several in will probably be consummated. once no arrests had been made."

Sixth avenue. He stated that the ment at a later date. street still remained in a very bad Alderman Macdonald was particu-

Get Others Prices

> Then come to me and get your outfit,

Prices Always the Lowest T. W. Grennan

it must be attended to.

we are short of funds it might be will be experienced in draining Fifth well to curtail some of the expend- avenue completely. itures on streets and crossings not so much in use. That crosswalk is very badly needed."

Murphy stated that the council had advertised for bids for the macadamizing of Cratg street some weeks ago and he desired to know what had become of them. "If the crossing is so badly needed as it is said it is, it should certainly be put in. That is a small thing for South Dawson to ask for." His worship said that he had observed the pot-holes referred to and they might be filled up with broken rock without going to the expense of grading the entire street.

With reference to the bids spoken of, City Engineer Rendell, who was present, stated that bids for 600 yards of material had been called for but that after receiving them the board of public works decided the ex- The Charge Was Made Entirely pense was too great and not to go ahead with the improvement

Wilson agreed to put in the walk feat the same as a similar motion this week and also fill up the holes and thus another hard fought battle was won.

council and also the ratepayers set sympathetic hearing to the troubles parties being so clearly set out. right with reference to the compul- of the people than right here in Dawsory laying of sidewalks. The city son. It very often happens that peoNo. 30, 1901, known as 'an ordinance payment of any such costs.

"As for the merits of this had asked of the Yukon council for ple have what they consider a seri-respecting the protection of miners' the power to compel lot owners to ous grievance against some one else, wages, and the question at issue is place walks in front of their prembut when the facts are siften down one between a mortgagee and the ises but that august body in its wis- it is revealed that their injury ex- wage earners. The mortgage in this his worship to decide the matter on dom had refused and now the city isted only in their imagination. It case was taken on the 21st day of words which the ordinance contains. was nowerless to act except in cer- is in cases of this kind where the September, 1901, admittedly prior to tain instances. What was desired was parties thinking themselves wronged the operations by the laymen under were present, Alderman Macdonald the power to build the walks in the should use the utmost discretion and which the wage carners claim their event of the owners refusing and as take the utmost care to prove their wages. The laymen fell behind and under the order of the court simply sessing the cost to the property, case before seeking the sympathetic did not pay the wage earners, and in making it a lier similar to unpaid ear of the police and making a com- May of 1902 the wage earners applied taxes. The council can compel walks plaint which is liable to work to the for an order for the appointment of communications. Among the latter to be laid on Harper, Queen and

> the widening of Church street adjoining the Church of England, but no one ventured a definite reply.

on no other.

When motions were reached Murphy moved that the city clerk notify the property owners on the east side of Fifth avenue between Harper and Princess to erect sidewalks of reguhation size as required by the city engineer. Ten days time is given in which to comply, following which the city will build them and assess the cost to the property.

The question of securing other quarters for the city clerk and the port containing a plan of the King council came up upon a motion by street sewer. He has been unable to Murphy that another location be secomplete the plan of Queen street but cured at once. A communication was hopes to have it ready by the next read from the agent of the McDonald meeting of the council. Mr. Rendell hotel property offering two rooms also reported the result of an inter- with heat for \$100 per month. The view had with Mrs. Ferguson in re- apartments in the McLennan & Mc-Feely building and also those in the bers in her possession and the price Bank of Commerce were spoken of. at which she will dispose of them to A decision will be reached this week the city. She has 4277 single 3-inch and moving day will occur before the His worship again took up the

of the same size. The price asked for matter of the purchase of the street all her interest in the franchise, sign numbers from Mrs. Ferguson and exposts, numbers and other assets is pressed the wish that the question be settled at once. The price asked he regarded as very reasonable. Adair admitted that the entire council was agreed as to the cheapness of during the month of August. Fines the bargain and they were only collected during the month amounted awaiting the opinion of the city soto \$79. Three dogs were shot and 11 licitor as to the best method of prohorses and mules were impounded. A cedure. Messrs., Donaghy, Rendell constable accompanied the fire in- and a committee will meet Mrs. Ferspector on his rounds and also the guson this afternoon when the deal fractions of the bylaw were noted speaking of the manner in which the but as in each instance the offenders payment should be made and the imhad heeded the warnings made at possibility of the council voting funds direct for such purposes, his worship The few bills presented included the suggested that some arrangement might be made with Mrs. Ferguson ...\$ 18.00 by which paying for the numbers Office supplies, city engineer .. 36.75 might be deferred until such time as J. P. O'Connor 200.00 them by their sale to property hold-Under the head of inquiries Alder- ers. Mrs. Ferguson being present man Vachon asked what had been stated that what she desired the done in regard to the petition sent most was to consummate the deal so in some time ago for the repairing of she could go outside before the close Craig street and the installation of a of navigation and there would be no crosswalk at the intersection of difficulty in arranging for the pay-

condition, holes hub deep existing in larly well pleased with the consideration that had been shown the council by Mrs. Ferguson and he gave notice that at a future date he proposed to move a vote of thanks be tendered her.

On motion of Wilson the plan of the King street sewer was adopted. Following it Murphy sprang his motion re the police force.

A communication was read from Aime Dugas in regard to the stagnant water that is allowed to stand A second Ave.

In all water that is allowed to said on Fifth avenue in front of his residence. He has complained of it frequently, the health officer has declaring the case must be dismissed.

Second Ave.

Second Ave.

Second Ave.

Soil and placed in a dump is a chatter mortification. Three Doors North Pioneer Drug Store to the chattel mortification.

Second Ave.

Second Ave.

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Second Ave.

Soil and placed in a dump is a chatter mortification. Three Doors North Pioneer Drug Store to the chattel mortification.

Second Ave.

many places which made travel aled it a menace to the public health, most impossible with heavily laden his tenants are kicking and if the MORTGAGEE teams. The street for the distance matter is not attended to at once he of one block must be used by every threatens the city with prosecution. conveyance going up the creeks and A drain such as is desired it is said will cost \$2,000 which the city can Wilson, chairman of the streets not afford to expend at the present committee, said they were simply time. Much argument was indulged swamped with inquiries and demands, in concerning it, Adair and Vachon Street Numbers of Mrs. the latter far exceeding the funds at having quite a lively tilt. City Enhand available for such purposes.

Vachon—"But this is a matter that completion of the Harper street sewgineer Rendell stated that with the is of the greatest consequence and if er as planned no further difficulty

> We can do your repairing on short notice. Geo. Brewitt, the tailor, Second avenue.

STEINFELT DISMISSED

Court

Upon Suspicious Circumstances.

injury of an innocent party without a receiver under the foregoing ordinbringing any satisfaction or glory to ance. A receiver was appointed by themselves. Such a case was before the court and put into possession, An inquiry was made in regard to Magistrate Wroughton this morning who washed up the dumps, and the in the police court when Max Stein- mortgagee on becoming aware of this felt was tried on a charge preferred applied to the court for possession of by Simon Weissberg of having stolen the ground. This application was from the store of the plaintiff two made one or two days after the dozen pairs of milits while in his em- washup or cleanup was made. The ploy last April.

stand was that Steinfelt had been in cleanup and also insists that his determined as to the rights of puisne his employ in the years of 1900 and rights under his mortgage are not 1901, and again during the month of affected by the order appointing the April and May this spring. Witness receiver. The ordinance under which had made a trip to the outside and these proceedings are taken is one the rights of the prior mortgagee. Steinfelt was employed by him dur- which has been subject to consider- He may demand the surplus profits ing his absence as warehouseman and able comment in actions which have of a prior mortgagee not in possess

en pairs of mitts would not be missed if taken from the store.

cash sales were made no such entries his books whether or not the money goods were stolen.

stated that he had purchased the paying for them \$14. This he conto hold them until next winter. He petitioner and others. It also goes far his title extends. This mortgagee had purchased goods from the accused at different times, the amount sometimes being as high as \$30 to mine in respect to which the wages when he got his mortgage, not only

Steinfelt was put on the stand in his defense and admitted the sale but swore positively of having returned the money, giving it to one of the proprietors. He never made entries for sales but simply turned in the money, making out a tab for the

amount. The magistrate stated that no evidence had been put in to prove o that the money had not been return-

SECURED

Takes Precedence Over Labor Liens

When Such Has Been Executed Prior to the Performance of the Labor in Question.

Mr. Justice Craig yesterday ren-dered a very important judgment in the case of McRae vs. Agnew and re claims I and 2 O'Neil gulch and an No Evidence Before the of re Honnen, mortgagee. The deminers' lien ordinance and as to whether or not a lien for wages will take precedence over a mortgage executed prior to the performance of the labor to secure the payment of lordship decides that the mortgaged notice, the time of notice or the parthe dumps after payment of the expenses incurred in making the wash- ties interested? in my own practice tent of that debt and the costs of There is probably na place in the manner associated with mines, the of interest to everyone who is in any Murphy would like to have the world where the police give a more position occupied by the contending

15c.

Per Roll :

Cox's Wall Paper Store : his mortgage. I have decided today,

of miners' wages, and in the matter ant has performed no service I can paramount title to him. not see, but this ordinance would "The order will be that the surcision has to do with the so-called lead one to the conclusion that that plus in court after payment of the for these and many other reasons has holders at one time contested the va-Then, again, the ordinance provides close of the argument Mr. Shannon, which the lien was taken out. His for notice to the parties interested on behalf of the lien holders, with It does not provide for the length of drew that objection and admitted up. The judgment is lengthy but is I have invariably ordered that every the application, the product of the one who might possibly have an interest be notified before the final distribution. All these proceedings involve cost, and, as I said before, there is no provision made for the

> "As for the merits of this particular case : The appointment of a receiver does not affect the title at all. words which the ordinance contains. It certainly cannot affect prior encumbrancers, and the receiver takes as a protective officer; he holds the product subject to the rights of the

"The question of whether this is a chattel or not and affected by the bills of sale ordinance cannot arise. in this case because the mortgage in question was given upon the ground long before the work was done. The dump or pay dirt was not severed from the ground or from the realty mortgagee now claims to be entitled at the time of the taking of the Mr. Weissberg's statement on the to all the gold recovered from the mortgage. I think the law is well and prior mortgagees. No doubt a subsequent mortgagee may take possession but his rights are subject to already come before me, as to its sion and he may obtain the appoint-He returned after an absence of uncertainty and its unworkableness. ment of a receiver subject to the about six weeks but it was only a .It does not in any part of it provide prior mortgagee's right to possesfew days ago that he happened to be passing the store of Daniel Kearney and recognized the two boxes of mitts as being similar to those carried in stock by himself and learned that they had been purchased by 7, it is true, says that the judge may had been purchased by 7, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the miner shall have a lien; it is is on whenever he may assert it, and the right of the prior mortgagee's right to possession whenever he asserts his right is beyond any question. It has been held in Ontario that a mortgage of land is entitled by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true, says that the judge may had been purchased by 8, it is true had been by 8, it is true had been purchased by 8, it is true had been by 8, it is Kearney from Steinfelt. He had by way of preference order miners to to take growing crops as against searched his books but could find no be paid a percentage not exceeding even a hattel mortgage, and the cutount. In reply to a question from they are in immediate want or not. may be restrained after demand of the magistrate Mr. Weissberg stated This, it will be readily seen, does possession by the mortgagee. The that he had never taken stock to not constitute a lien. I may first mortgagee may follow the product of in find out whether there was any say something as to the ordinance it the sale of standing timber if his shortage or overs, and that two doz- self. It provides for an application security is insufficient, and receivers to the territorial judge. It does not under subsequent mortgages are almake the proceedings part of the ter- ways appointed without prejudice to Under cross-examination Mr. Weiss- ritorial court records. A judge is the rights of prior encumbrancers. If berg further admitted that he had not a record officer, and is not exbrought a large stock of these goods pected to, and cannot in the nature, rights and allowed the receiver to go into the city a good part of which had been sold. Classified entries the case. It does not provide for profits of the mine I take it he could were only made in his books where any schedule of costs or any scale of not now follow them; and it has credit sales were made but when costs. It does not provide for any been decided that in the proper operfees for the officers of the court, nor, ation of realty, the distribution of were made so that he couldn't tell by his books whether or not the money the records. The judge of the court cannot be restrained, nor can this had been turned in. He had not is a persona designata to do a cer- distribution be followed by a mortasked Steinfelt whether he had paid tain thing. There the ordinance be gagee who sleeps upon his rights in the money for the goods, and in gins and ends. It simply provides a Crops the product of mortgaged prefact he had not spoken to him at all certain procedure by which the outbut had come to the conclusion by put of the mine may be taken by a ordinary way, could not be followed, the chain of circumstances that the of the wage earners. How much pro- such product as lessens the value of tection they are to receive under it the security fan be demanded from a Daniel Kearney was called and the ordinance does not say except in purchaser so long as the product resection 7. The ordinance provides mains in the hands of the purchaser. milts from the accused last April, that the judge may upon notice being These are very different cases from given to the various parties interest. the case before us although they are sidered a good price for them as the ed, summarily determine and fix him in point as showing the extent of the winter was over and he would have bility of the owner for wages to the powers of the mortgagee and how on to provide that the receiver may became the owner practically of the take possession of the output of the claim and the title vested in him

to all the contents of the soil; it

curity on the strength of the value of

the property as a placer mine and he

has a perfect right, in my opinion

As I said before, the severance had

not been made at the time he took

in the case of Ubboff vs. Geddings,

• that placer gold severed from the

. to follow the product of that mine

have been earned and of the remain- and I had that a mortgage of the ing supplies furnished to the owner. realty taken, as in this case it was The receiver may take possession of taken, is entitled to the benefit of supplies on the mine; he may use the dumps produced from the soil them up to any extent, and the or- covered by his mortgage. The mortdinance does not provide whether gagee has admitted that he has no these supply men shall be entitled to claim to the product of the mine so rank to the full value of their sup- far as the same has been distributed plies or whether their property is to by the receiver in payment of wages be thrown in with the output of the for cleaning up the gold, but he does mine; in other words, whether ma- contest the right of the receiver to chinery, dumps, tood and other ne- pay, and I think he is right. If the cessary supplies for working a mine principle is a correct one that the are to be considered output of the payment is only made subject to the mine on which wage earners have a right of the prior incumbrancers then lien for their wages or not. It would the receiver can only retain his reseem to be most unreasonable that muneration out of the surplus, if these things should be taken by the any; and this suggests another difwage earners in priority and to the ficulty in these cases, that the reexclusion, of the supply nien. The ceiver would be compelled in every very nature of a lien, as I under- case, not only to give security for stand it, is that it is a charge which the due performance of his duties; attaches upon a chattel or thing by but also to take security from the reason of some work or service ren- petitioners before he ventures on the dered upon that very thing. How a claim and incurs expense and loss in legislature could charge a lien against the operation of it in cases where, ordinance respecting the protection an article upon which the lien claim- there are prior claimants who have a

> might be the intention of the legis- actual wages for washing up, be the lature in this case. The ordinance property of the mortgagee. The lien been found to be almost unworkable. lidity of the mortgage but at the mine will go."

> > Clothing cleaned, pressed, repaired and made to fit -R. I. GOLDBERG. at Hershberg's.

At Auditorium-The Unknown.

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