

Prince of Wales, on being, will give a state honor at Buckingham...

gro Voters can state committee of a resolution Saturday expected to make the party in that state...

Reward. June 8th, one mairly dark grey, white spots, light grey stripe...

ame of Prince. J. HEMEN. Klondike Nugget.

COUNCIL WILL BUY

Street Numbers of Mrs. 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 numbers, signs and other assets of Mrs. Ferguson...

All the members of the council were present, Alderman Macdonald dropping in late. New bills were few in number, none of the standing committees had a report to make...

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...

Sergeant Smith, chief of police, sent in his monthly report of business transacted in his department during the month of August...

The few bills presented included the following: E. E. Bolton \$18.00 Office supplies, city engineer 36.75 Clark & Stewart 117.83 J. P. O'Conor 300.00

Get Others Prices Then come to me and get your outfit. Prices Always the Lowest T. W. Grennan GROCER King St., Cor. Sixth Ave.

many places which made travel almost impossible with heavily laden teams. The street for the distance of one block must be used by every conveyance going up the creek and it must be attended to.

Wilson, chairman of the streets committee, said they were simply swamped with inquiries and demands, the latter far exceeding the funds at hand available for such purposes.

Murphy stated that the council had advertised for bids for the macadamizing of Craig street some weeks ago and he desired to know what had become of them.

Murphy would like to have the council and also the ratepayers set right with reference to the compulsory laying of sidewalks. The city had asked of the Yukon council for the power to compel lot owners to place walks in front of their premises...

An inquiry was made in regard to the widening of Church street adjoining the Church of England, but no one ventured a definite reply.

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 regulation size as required by the city engineer.

His worship again took up the matter of the purchase of the street numbers from Mrs. Ferguson and expressed the wish that the question be settled at once.

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

ed it a menace to the public health, his tenants are kicking and if the matter is not attended to at once he threatens the city with prosecution. A drain such as is desired it is said will cost \$2,000 which the city can not afford to expend at the present time.

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

STEINFELT DISMISSED No Evidence Before the Court

The Charge Was Made Entirely Upon Suspicious Circumstances.

There is probably no place in the world where the police give a more sympathetic hearing to the troubles of the people than right here in Dawson. It very often happens that people have what they consider a serious grievance against some one else, but when the facts are sifted down it is revealed that their injury existed only in their imagination.

He returned after an absence of about six weeks but it was only a few 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 Kearney from Steinfelt.

Under cross-examination Mr. Weissberg further admitted that he had brought a large stock of these goods into the city a good part of which had been sold. Classified entries were only made in his books where credit sales were made but when cash sales were made no such entries were made so that he couldn't tell by his books whether or not the money had been turned in.

Daniel Kearney was called and stated that he had purchased the mitts from the accused last April, paying for them \$14. This he considered a good price for them as the winter was over and he would have to hold them until next winter.

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.

MORTGAGEE SECURED

Takes Precedence Over Labor Liens

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

Mr. Justice Craig yesterday rendered a very important judgment in the case of McRae vs. Agnew and reclaims and 2 O'Neil gulch and an ordinance respecting the protection of miners' wages, and in the matter of re Honnen, mortgagee. The decision has to do with the so-called miners' 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 which the lien was taken out.

This cause arises under ordinance No. 30, 1901, known as an ordinance respecting the protection of miners' wages, and the question at issue is one between a mortgagee and the wage earners. The mortgage in this case was taken on the 21st day of September, 1901, admittedly prior to the operations by the laymen under which the wage earners claim their wages.

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 at the time of the taking of the mortgage.

It does not in any part of it provide that the miner shall have a lien; it is not a lien ordinance in any sense of the word. It simply provides a procedure for claiming miners' wages by appointment of a receiver. Clause 7, it is true, says that the judge may by way of preference order miners to be paid a percentage not exceeding 50 per cent. dependent upon whether they are in immediate want or not.

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Wall Paper 15c Per Roll DOUBLE ROLLS Cox's Wall Paper Store Second Ave. Three Doors North Pioneer Drug Store

have been earned and of the remaining supplies furnished to the owner. The receiver may take possession of supplies on the mine; he may use them up to any extent, and the ordinance does not provide whether these supply men shall be entitled to rank to the full value of their supplies or whether their property is to be thrown in with the output of the mine; in other words, whether machinery, dumps, food and other necessary supplies for working a mine are to be considered output of the mine on which wage earners have a lien for their wages or not.

These things should be taken by the wage earners in priority and to the exclusion of the supply men. The very nature of a lien, as I understand it, is that it is a charge which attaches upon a chattel or thing by reason of some work or service rendered upon that very thing.

As for the merits of this particular case: The appointment of a receiver does not affect the title at all. This ordinance establishes no lien and no priority beyond the very words which the ordinance contains. It certainly cannot affect prior encumbrances, and the receiver takes under the order of the court simply as a protective officer; he holds the product subject to the rights of the parties being subsequently determined.

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and I hold that a mortgage of the realty taken, as in this case it was taken, is entitled to the benefit of the dumps produced from the soil covered by his mortgage. The mortgagee has admitted that he has no claim to the product of the mine so far as the same has been distributed by the receiver in payment of wages for cleaning up the gold, but he does contest the right of the receiver to pay, and I think he is right. If the principle is a correct one that the payment is only made subject to the right of the prior incumbrancers then the receiver can only retain his remuneration out of the surplus, if any; and this suggests another difficulty in these cases, that the receiver would be compelled in every case; not only to give security for the due performance of his duties; but also to take security from the petitioners before he ventures on the claim and incurs expense and loss in the operation of it in cases where there are prior claimants who have a paramount title to him.

The order will be that the surplus in court after payment of the actual wages for washing up, be the property of the mortgagee. The lien holders at one time contested the validity of the mortgage but at the close of the argument Mr. Shannon, on behalf of the lien holders, withdrew that objection and admitted the validity of the mortgage and the debt as claimed. So that to the extent of that debt and the costs of the application, the product of the mine will go.

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

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