

# THE DAILY KLONDIKE NUGGET.

VOL. 1 No. 163

DAWSON, Y. T., TUESDAY, JULY 17, 1900.

PRICE 25 CENTS

## BEFORE THE COURT

**Trial of C. M. Woodworth Now in Progress Before Judge Craig.**

### A FORFEITURE CLAUSE IN A LEASE

**Caused the Trouble Between the Defendant and His Accuser.**

### MR. BANKS ON THE STAND.

**Testifies That Woodworth Had Free Office Rent and Janitor's Service—The Doig Mortgage.**

The Woodworth case was called in the territorial court this morning, and was opened by Crown Prosecutor Wade who went back over the case, briefly giving its history.

Chas. M. Banks was the first witness called and testified that he had leased a portion of block 10 in block A, of Mr. Wright, and had taken almost immediate possession after the signing of the lease. Mr. Woodworth as Wright's attorney, had drawn the lease under which he was to pay \$700 ground rent. Mr. Wright had gone out about six weeks after the signing. "The troubles commenced after Mr. Wright went out, and owing to the forfeiture clause in the lease. This began with the beginning of the second month, when I was in arrears, with the exception of \$150 credit due to me for work done. I settled all arrears on the 5th of October."

The witness then identified a letter which was entered as exhibit A. The letter was from Woodworth to Banks, referring to the unsatisfactory condition of the building, and warning Banks to collect no rents before the building was

entirely finished, and threatening to seize the building within five days if the building was not immediately finished.

Woodworth had moved into the building about the first of September. The witness then identified the lease of two rooms to Woodworth. It appeared in the lease that Banks was to furnish the offices to Woodworth free of rent, he was also to get stoves, wood and janitor service, and if any trouble was found in collecting rents, he was to get costs and retaining fees. He was to collect the rents and pay them over to Banks less \$700 per month, which was to be retained for Wright. At this time the building was bringing in about \$1300 per month.

There had also been a verbal understanding by which, in view of free rent, fires, stoves, etc., Banks was to be carried through arrears without forfeiture.

Another instrument executed Sept. 28th by Banks was identified by the witness. By this instrument is a forfeiture of all rights in the premises, by reason of three months' arrears of rent. He signed this document in order to gain time as he expected his partner from the East with money to satisfy the claims. According to the terms of this instrument he could regain possession by paying arrears. Conversations he had held with the defendant had tended to show that Woodworth had held a power of attorney from Wright. The defendant had told him that he had such a power of attorney and would produce it at the proper time.

"On the 5th of October I regained possession of the building, but was not in possession between the 28th of September and the 5th of October. I gave Mr. Woodworth \$1850 on the 5th of October, which paid the ground rent till the 20th of October."

Still there was difficulty. Mr. Woodworth refused to accept the check for the sum referred to, which was drawn on the bank of British North America, but finally agreed through Attorney Gwillim, who represented Banks, to accept it and restore Banks to possession, which he did by serving notices on the tenants to pay the rent to Banks.

Further documentary evidence was introduced here in the form of a letter from Woodworth to Banks, reciting further matter concerning the non-completion of the building within the time specified in the agreement. The witness had failed to get the necessary funds to complete the building within the time specified and Mr. Woodworth had advertised for bids and completed the building.

Witness had then placed his business in the hands of Attorney McCall, who had written to Woodworth naming a proposition whereby his client's lease was to be revived and the forfeiture clause waived.

Woodworth had replied that Banks had forfeited all right, and sets forth that his advice to his client will be to

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## YUKON COUNCIL

**Transacted Large Amount of Business at Special Meeting Saturday.**

### SOME IMPORTANT COMMUNICATIONS

**From Many Sources Were Read and Referred.**

### ASSESSORS DRAW GOOD PAY.

**Finance Committee's Full Report of Business for the Past Year—Tax Collector Appointed.**

A special meeting of the Yukon council was held at 2:30 p. m. Saturday in the commissioner's office, the commissioner presiding.

Present: Messrs. Ogilvie, Girouard, Clement and Senkler.

The minutes of the last meeting were read and approved.

A communication was presented from F. C. Wade containing some suggestions with reference to the establishment of a school. Referred to the municipal committee with power to act.

A communication was presented from F. C. Wade alleging that the garbage at the dumping place was not carried down stream by the water, and was a menace to the residents near the shore at the north end of the city. Referred to municipal committee.

A communication was received from the comptroller calling attention to the necessity of appointing a clerk of the court of revision and of a tax collector. It was decided to make the necessary appointment.

A communication was received from the manager of the Dawson City Water & Power Company, stating that the company were putting in a larger and stronger water system than the present one, and stating that they would be able to supply 1000 gallons per minute for fire purposes. Action was postponed pending the establishment of the said system.

A communication was presented from the officer commanding the N. W. M. P. in the Yukon territory suggesting that no slaughter houses be permitted to be erected on this side of the Yukon river. The clerk was instructed to acknowledge receipt of this communication and to state that the council would give the matter further consideration.

A communication was received from the officer commanding the N. W. M. P. in the Yukon territory calling attention to the necessity of some legislation to protect workmen in mines. Referred to the legal adviser and committee on miscellaneous matters.

A petition was presented from the miners on Gold Run creek, asking for an extension of the ridge wagon road to that creek. The council decided to grant the petition.

A petition was presented from Norman Macauley making application to operate a ferry at Whitehorse. The clerk was instructed to inform the applicant that the committee on private bills had commended to council the prior application of George Armstrong. The clerk was instructed to inform Mr. H. Grabl, who had also made application for permission to operate a ferry at Whitehorse, that Mr. Armstrong's application being first would be granted.

A communication was presented from the comptroller calling attention to the necessity of appointing an issuer of licenses to second-hand dealers. The council decided that this appointment should be made at once.

The application of Dr. George Washburn for permission to construct a tramway round the falls on Stewart river was again submitted and referred to the committee on public works.

A communication was presented from

the Board of Trade at Whitehorse, asking for letters of incorporation and calling attention to the necessity of street repairing, sanitation, fire protection, water supply, preservation of shade trees and establishment of hospitals at Whitehorse. Referred to the commissioner for inquiry and report.

A communication was presented from the board of assessors reporting that they had completed their work and requesting that their pay be increased to \$20 per day. Agreed to.

An account was submitted from W. F. Povah, amounting to \$30, for clerical work for the assessors. Ordered paid.

A communication was presented from the chairman of the board of assessors, stating that his attention had been called by the registrar to the payment of office fees in connection with the searches in respect to about 1000 lots. The council decided that this payment should be made.

The finance committee then presented the following report:

Your committee recommend that the supplementary estimates for the year ending June 30th, 1900 be passed as follows:

Salaries (fire department)	\$2,041 58
Horses and feed	3,399 88
Streets	1,267 91
Drains and ditches	94 69
Salaries, medical health inspector	21 29
Salary, engineer	186 00
Aid to hospitals	1,226 46
Census appropriation	382 80
	\$5,614 41

Your committee further recommend to council the following appropriations for the year ending June 30, 1901:

Lighting streets	\$12,000 00
Drains and ditches	7,500 00
Streets (Dawson)	15,000 00

### FIRE DEPARTMENT.

Salaries	\$46,000 00
New engine	6,000 00
Horse	3,300 00
Horses	1,000 00
Feed	7,750 00
Lighting fire hall	1,000 00
Fuel	3,000 00
Contingencies	5,000 00
	\$73,050 00

Medical Board of Health  
Dawson reading and recreation room  
\$375 for June, 1900, and \$300 per month to June, 1901.

Medical health inspector	360 00
Collector of taxes	4,200 00
Assessment	5,030 00
Bridges in Dawson	1,000 00
Contingencies	5,000 00
Medical health officer	2,166 66
	\$134,221 66

Your committee estimates the probable revenue as follows:

Fines	\$40,000 00
Liquor permits	145 00 00
Liquor licenses	60,000 00
Barriers' registration fees	600 00
Peddlers' licenses	1,000 00
Auctioneers' licenses	400 00
Billiard tables	500 00
Slaughter houses	150 00
Incorporation fees	1,000 00
Ferry license	300 00
Marriage licenses	250 00
Transient traders' licenses	450 00
Second-hand dealers' licenses	350 00
	\$250,000 00

Amount to be raised by local taxation  
Less allowance for short collections

Amount to be raised by local taxation	\$8,466 66
Less allowance for short collections	23,466 66
	\$325,000 00

Your committee having considered the question of taxation of Dawson recommended to the council that the following rates be adopted:

Twenty (20) mills on real estate; ten (10) mills on value of improvements, five (5) mills on the cash value of personal property and ten (10) mills on taxable income.

The above report of the finance committee was adopted.

Mr. E. Ward Smith was appointed clerk of the court of revision and also collector of taxes for the town of Dawson at the rate of \$350 per month.

Resolved, That in the opinion of council the wagon road to Grand Forks should be at once proceeded with, and that the petition for the extension of the ridge road on Gold Run be also proceeded with as speedily as circumstances will permit, and that the necessary improvements in the valley of the Klondike river, between Dawson and the commencement of the ridge road be also proceeded with forthwith, so as to ensure a safe passage to horses and vehicles.

Mr. Clement gave the following notice of motion, viz: That at the first meeting of the council in the month of February, 1901, he will move that after the 30th day of June, 1901, no further appropriations be made by the Yukon council to meet municipal expenditures of the unincorporated town of Dawson.

Mr. Clement begged leave to introduce an ordinance for granting to the commissioner certain sums of money to defray the further expenses of the public service of the Yukon territory for the 12 months from June 30th, 1899, to June 30th, 1900, and for the purposes relating thereto; and for granting to the commissioner certain sums of money to defray the expenses of the public service of the Yukon territory for the 12 months from June 30th, 1900, to June 30th, 1901, and for the purposes relating thereto. It being a matter of urgency the ordinance was read a second and third time and passed.

## RECEIVED BY WIRE.

### AT IT AGAIN.

**Roberts Reports a Disastrous Defeat Near Pretoria on the 12th.**

### SCOT GREYS AND 90 OTHERS MISSING

**London Newspapers Score Gen. Roberts for No Progress.**

### CHINESE CONDITIONS MIXED.

**Contradictory Reports—Men and Mules Going From Seattle—Germany Aroused—Japan Tardy.**

London, July 13, via Skagway, July 17.—Roberts yesterday reported another most disastrous defeat at the hands of the Boers. He says a Boer garrison overpowered and captured Scot's Greys, also 90 men of the Lincolnshire regiment. He fears the casualties will turn out to be very heavy.

It is thought here in London that Roberts' dispatch does not tell the worst, as it is known that, aside from the losses reported by Roberts, two guns and 200 men were captured by the Boers.

The London newspapers are severely commenting on the utter absence of progress being made by Roberts, and say it is hard to believe that a few scattered Boers could inflict such disastrous defeat so near Pretoria.

### Conflicting China News.

London, July 13, via Skagway, July 17.—The news agency here reports having received a message from Peking to the effect that all the foreigners there were reported and found to be still alive on the 6th; but the news is not officially confirmed.

### Admiral Seymour Active.

Paris, July 13, via Skagway, July 17.—Le Temps, a leading newspaper, affirms that no telegram has been received in Europe from Peking since the one sent by Sir Robert Hart, inspector-general of Chinese customs, on June 24th. The paper adds that the subsequent silence is sinister for the reason that if the legations are still safe they would certainly communicate news of their condition. Le Temps is sure the wholesale massacre previously reported took place in Peking on June 30th.

Vice-Admiral Seymour telegraphs from Tientsin on the 7th as follows:

"The Chinese continue fighting, frequently shelling my settlement. They are extending their lines along the Lutaian canal to the northeast while new forces of Boxers are daily arriving from the west.

"Yesterday we bombarded the city

(Continued on Page 4.)

## High-Top Shoes

## Ladue Co. 75 Tons

Has received a New Stock of HIGH-TOP MINERS' SHOES. Carefully selected as a walking shoe.

## Agan's Butter

The Very Latest Pack, GUARANTEED absolutely fresh by

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If you buy it of Ladue Co. it's good.

## 75 Tons

Fresh merchandise just received from the outside—Groceries, Provisions, Fresh Potatoes and Hardware—which will be sold at lowest market prices. See us on outfit; we are prepared to fill them.

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Including the Famous NEEDLE CIGARS.

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