

ANOTHER CONVICTION

Schofield Found Guilty of Vagrancy

Sentence is Reserved Until the Remainder of Similar Cases Are Disposed of.

Another act in the short card gambling cases was enacted this morning before the police magistrate. Herbert Schofield was placed on trial charged with being a loose, idle and disorderly person having no visible means of support and subsisting for the most part on the proceeds derived from gambling. He pleaded not guilty to the charge and was represented by Mr. Hagel, K. C.

The case was in many respects similar to that tried a day or two ago in which "Poker Dick" was the unlucky victim, a conviction having been secured by the crown and a sentence of one month at hard labor imposed by his honor. During the progress of the trial and also at its conclusion counsel for defense drew a number of very fine distinctions relative to the offense of playing poker, to what extent the rake-off might amount to and still not be considered a common gaming house, and the possible crime of being a man of means and not compelled to work for a livelihood.

Corporal Piper has known the accused since '99 and testified that he had never known him to do an honest day's work since he had been in the country. His reputation was that of a first-class gambler. Last Saturday evening he was playing in the room in the rear of the Aurora. Has also seen him playing in the Northern Annex.

His honor asked what game they were playing on Saturday night at the time of the arrest, to which the witness replied that he did not know but the prisoner in the box seemed to be at the head of the game.

Constable Mallett's evidence was practically a corroboration of that of the preceding witness. Constable Mapley has known the accused for a year. His reputation is that of a gambler and he was running the game at the time of his arrest Saturday night. He was formerly a gambler at the Savoy and also at the O'Brien club. At all these places the accused was in the habit of playing poker.

John Richard Davis, clad in prison garb and with his hair trimmed close, the "Poker Dick" of Saturday's session, was next in the box. He denied knowing what the occupation of Schofield had been during the previous three months. Had seen him in the Aurora lunch room referred to and had seen him play there. Does not know if he had ever acted as a dealer, qualifying the latter statement by adding "to the best of my knowledge."

In regard to the game played and the rake-off taken, Davis said that draw poker and stud poker were the favorites, and that the rake-off was but little if any more than the cost of the maintenance of the game. Refreshments such as cigars, drinks, lunch, etc., were from time to time served. The witness also ventured the opinion that there was not a game in town that was more than clearing expenses.

"Then I can't understand why they are run at all if they assume all the risks and there is no profit," dryly remarked his honor. Much seemed to hinge on the size of the rake-off. It was admitted there was no crime in playing poker under certain conditions and also that a rake-off sufficient to defray the expenses of the game was permissible, but how far could it go? As an example his honor cited the case of six men sitting down to a game of poker on Monday evening with \$25 each. At the conclusion of the evening's play what money was left would be divided up evenly between the players and play would be resumed the following evening, then the next and so on to the end of the week. By Saturday night would the rake-off not have

eaten up practically all the original capital started with on Monday evening? And the witness admitted that it probably would. The cost of new decks of cards to replace those torn up by the superstitious players would amount to considerable in itself. A fast game would use up a box in one night, costing \$10 or \$12.

Sergeant Smith testified that he had known the accused for a year or two. His general reputation was that of a gambler and he was usually to be found at the place formerly kept by Louis Spitz. Witness had been watching Schofield for some time and has frequently seen him at Spitz's place when there would often be a party of forty people present.

The sergeant and counsel for defense had a mild tilt over the nature of the former's evidence, the latter admonishing him not to be so zealous in giving his testimony as at that time he was a witness and not the prosecutor.

No defense was put in by Schofield, his counsel making a short argument and asking that his client be dismissed as there was no proof that he had been sustaining himself by gambling. "Because he does not work is no proof that my client is a vagrant. He is not bound to work, as he may be a man of means. There is many a hireless lawyer." Reference was also made to the apparent demands of an over-exacting public when his honor replied that "this court does not care a fig for an over-exacting public as the record of the past year and a half will show."

Upon it becoming apparent that a conviction would be found, Mr. Hagel asked that in the event of such being the case that the sentence imposed be suspended in order that the accused might leave the territory at once, Sergeant Smith adding that he had no objection to such providing the prisoner would clear out immediately.

Schofield was found guilty and sentence was reserved until the other similar cases now before the court were disposed of. On the question of suspended sentence his honor reminded counsel that in the case of Davis he had given him one month at hard labor and he knew of no reason why he should be more lenient toward one than the other. "However, we will hear the other cases first."

The case against Thos. O'Connor is being heard this afternoon. Clem Labord, the last of the trio similarly charged, was arraigned and asked for an enlargement until Friday, which was granted.

BIGGEST FIRE OF THE YEAR

(Continued from page 1.)

a great crowd, lost but very little. Willie Bittner was one of the most active men at the fire. He was carrying one of the barber chairs out of the Atlin barber shop when he stumbled and pitched right over the big chair on to his nose. The deep gully in front of the scene of the conflagration on Second avenue which this morning interfered with traffic, is therefore explained. But little Willie's nose has only one little scratch on it.

Shuman, the jeweler on First avenue, got out all his valuables and stacked them against the bank building across the street. They remained unharmed.

A worse temptation than this was offered, Alderman MacDonald, at the Empire hotel on Queen street, had his stock of liquors carried out and piled in the alley opposite. Not a cork was drawn.

Some people are criticising the fire chief because the water was late in being turned on, and are inclined to give the N. C. unlimited praise. Those boys undoubtedly did good work, but they took nothing from the fame of Fire Chief Lester. He did it.

The N. C. boys had a nozzle at the top of the Standard library building

MEETING SATURDAY NIGHT

J. C. Larsen's Vacant Store, So. Dawson

In the interests of the candidature of

R. P. McLENNAN

All candidates for mayor and aldermen are invited to be present and participate in the meeting.

GRAND LEAGUE

...HOCKEY MATCH...

Dawson Amateur Athletic Association

...Versus...

Northwest Mounted Police

Thursday, New Year's Day

At 8:00 O'clock P. M.

MEETING TONIGHT

A meeting of the supporters of J. H. Davison and his colleagues will be held in the committee room, 109 1/2 2nd avenue, tonight at 8 p. m. A full attendance is requested.

and were squirting into the middle of the fire. Chief Lester, walking down the alley, shouted, "Drop that hose." The command was obeyed. He caught the hose, played upon the fire next to the walls of the library for a couple of minutes, put it out and walked away to direct the rest of the manoeuvres of the fight.

To the man who watched the whole of the fight against the encroachments of the fire of last night, it was interesting to follow the method of the fire chief. And this method was so plain that everyone who remained long enough could follow the whole of the evolutions of his little army. He never played upon the center of the fire at all, but kept going round it in a circle and gradually narrowing the circle. That is one way, and it struck the observer as a very sensible one.

Queen street was piled with goods from the burnt-out stores this morning and there were dogs and horse sleighs carting them away. There did not seem to be any disputes among the owners whose goods had thus been thrown pell mell in the streets, and, as before stated, there was but little complaint of petty thievery.

OPPOSED TO CHARTER

Feeling Strong Among Property Owners

The feeling among certain property owners against the granting of a charter to lay railroad tracks on First avenue, seems to be on the increase.

Want the Road to Come Along the Beach to the Wharves.

As to the road question, I will advocate the policy, followed by the last commissioner and by the present acting commissioner of building roads to every creek on which mining is going on.

I hope that in the near future the Ottawa government will feel that it will be safe to give to the Yukon council the power of making the mining regulations and if so, I will use all my experience to have mining regulations that will first benefit the miners.

The problem of the supply of water has probably been solved by the fact that artesian wells have been discovered. This question must receive the attention of the practical miners.

Quartz in this country seems to be a question of the near future and to wherever they appear therein, and substituting in lieu thereof the words "electoral district of..." and by striking out the dates therein.

Gold Commissioner Senkler, who is acting legal adviser, said when asked for an opinion upon this question: "If a man can take an oath that he has lived for a year past in District No. 1, the Dawson district, and can also take an oath that he has resided for a year in District No. 2, the creeks district, I suppose he could vote twice, but for the life of me, I cannot see how he can subscribe to the two. What has led to this discussion, in my opinion, is the erroneous wording of the ordinance as to this election, which reads—'continuously resided in the Yukon territory for a period of not less than twelve months.' It should read—'have continuously resided in the district of the Yukon territory, &c.' This point is covered by another clause in the ordinance. But even if it were not so covered by explaining that the residence should be in a certain electoral district of the territory, the point as to voting in two or more districts is covered by the oath itself, which plainly stipulates that the voter must take oath that he has not voted at any other polling place in this election."

Quite a number of lawyers were seen on this subject in order to set the subject entirely at rest, among them Mr. Woodworth, Mr. Crisp, J. B. Smith, Alex. Macfarlane, W. M. McKay and several others, all of whom agreed that the taking of the oath settled the question of the legal right to a voter to vote in more than one district or for more candidates than those who could be elected from said district. The oath to be taken before voting in this district is as follows:

I, _____ of _____ in the Yukon Territory do solemnly swear that I am a natural born, or naturalized, male British subject of the full age of twenty-one years, and that I have continuously resided in the Yukon Territory for a period of not less than twelve months prior to the date of this election and that I have not voted before at this election at this or any other polling place. So help me God.

The claim is made that any one who has resided in the Yukon territory for a year can vote wherever he happens to be, but should this reading be good in law he can vote once and subscribe to this oath that he has not voted before at this election?"

When this point was brought to the attention of Acting-Commissioner Wood this morning he thought of the idea of a man voting twice was too absurd to give it much serious attention. He simply referred the reporter of the Nugget to the section in ordinance No. 29 which deals with this subject, and requested him to see the acting legal adviser. Section 17 of this ordinance reads as follows: "The forms in the Schedule to said Ordinance are amended by striking out the words 'Yukon Territory' of _____ of _____

J. McNamee's Address to the Electors of District No. 2.

To the electors of the Yukon territory: Gentlemen, — You have already heard that I have allowed myself to be nominated as a candidate for the Yukon territorial council. It is with very much hesitation and after many refusals to my friends that I have consented to accept the nomination and I would certainly have stayed out of the field if there had been nominated a thorough and real miner knowing the conditions of this country. At the last hour, on many representations made by numerous miners I have felt it was my duty to devote myself to this country in which fortune has favored me. If elected I will try and help this mining camp as much as this mining camp has helped me in the past.

I have been in this country and in other mining centers a wage earner and I know too much about the hard work the laborer is doing, to not give first my attention to this most important class of a mining camp. Not that I am in favor of protecting a class to the detriment of another class. No, but I think that in protecting the laborers we are protecting the mine owners as well as the commercial class. Labor is the wealth of a mining country and when I see that so many of them lose their wages I feel that it is the duty of a mine owner who has been a laborer to do his utmost in favor of labor. I am in favor of high wages. High wages are as much to the benefit of the mine owner as good working machinery is. I know by experience that the higher the wages I have paid the better laborer I have obtained, and knowing this, I have in my mining operations always paid the highest wages. I will favor a lien law that will give to the laborer a protection that he should have and to that effect I will work continuously.

As to the road question, I will advocate the policy, followed by the last commissioner and by the present acting commissioner of building roads to every creek on which mining is going on.

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LEGAL OPINIONS ON VOTING

That a Man Can Vote Both in the City and on the Creeks is Held to be an Absurd Idea—How the Rumor May Possibly Have Originated.

The statement that was put into circulation and is being industrially spread by the "Two Others" of the candidates for the Yukon council, that a man can vote on the creeks for his candidate in that district and then come to Dawson and vote for his candidate is all wrong. The thing upon the face of it is absurd, but it possibly arose from an error in the drafting of the ordinance, or rather in the form of the oath to be taken before voting. Every one who votes at the Yukon council election has to take an oath before voting, and in the ordinance the form is as follows:

I, _____ of _____ in the Yukon Territory do solemnly swear that I am a natural born, or naturalized, male British subject of the full age of twenty-one years, and that I have continuously resided in the Yukon Territory for a period of not less than twelve months prior to the date of this election and that I have not voted before at this election at this or any other polling place. So help me God.

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TO BE INCREASED.

Southern Cotton Oriental Shipments Through Seattle.

Seattle, Dec. 13.—The cotton shipments from the south and particularly from Louisiana, to the port of Seattle for transshipment to the markets of the Orient will be materially increased this year. The conditions existing in the cotton market, it is said by O. G. Harton, a cotton broker of New Orleans, are such that the whole south will shortly increase its shipments through this port.

Mr. Harton arrived in the city a few days ago and has been a guest of the Butler. Last night, accompanied by his wife, he left for San Francisco from where they will start for home. In an interview at the hotel before his departure he said:

"While my trip to Seattle has been for pleasure, I have done a good deal of business here, and am now able to say to you that this port will receive more southern cotton for re-shipment to the Orient this year than for any similar period in the past. During the time I have been here I have consulted with the railroad companies operating steamer lines across the Pacific and have received rates on our shipments that are more satisfactory than any we have ever had. They come so close to the Atlantic seaboard rates that they are as good to us."

"There has been a good crop of cotton in the south this year. It is larger than the year before, when we had our record crop, and the reason is increased acreage. For the past two or three years we have been able to sell cotton at something like what it is worth, and this has been an inducement to growers to increase their acreage, and they have not been slow to do so.

"The market demands are heavy. There will be more cotton shipped to Japan and China during the next six months than there has ever been within a similar period before. The English and German orders will be about the same as they were a year ago when they were good.

"Japan will be the largest foreign buyer. Japan manufactures a very large amount of cotton goods for China, and you will be surprised when I say to you that we are receiving in this country goods made of our cotton in Japan.

"China is yearly growing to use more cotton for home consumption. The trade of the Japanese is therefore threatened, and if the increased production of cotton goods in China continues for a few more years at the same rate the Japanese there will be seriously affected.

"This is my first trip to Seattle, and I certainly do not regret it. I have seen a wonderful city. It is one that is growing in a splendid manner, and there is little wonder that it is attracting attention in all parts of the world.

"I believe the time will come when the cotton of the south will be handled through this port. All we ask is to get a rate that will permit this and the cotton shipments will come here."

(Illustrated Bits has the following: "My wife has a way of jogging my memory that I am hardly in sympathy with," said Smith, with a sad smile, as he put away his last month's gas bill.

"About a month ago, as I was preparing to come to town, she handed me a letter with the injunction to be sure and post it at the first pillar-box that I came to. I promised, and stuck the letter in my pocket.

"Now, don't forget," she called after me, 'as the letter is very important.' "I won't," I answered, and straightway proceeded to forget all about it.

"The other day I chanced to be going through my pockets, when I was surprised by coming across the letter that my wife had given me to post long weeks before. Remembering that she had said it was very important, I glanced at it to see to whom it was addressed.

"I was thunderstruck to find that it was addressed to me. Thinking that my wife must have taken leave of her senses, I tore it open and found a note that read thus: "The gas is leaking in the basement. Please send a man to attend to it."

"I don't remember what I said when, on rushing home, I found that the gas was still leaking, but all the satisfaction I got out of my wife was that she thought I should remember to post the next letter she gave me. I think I shall."

He courted a gem of a girl, And told her that she was his pearl. But when they were married Her ma came and tarried, Though he didn't like mother of pearl. —Philadelphia Record.

Send a copy of the Nugget's Christmas edition to your outside friends.

CITIZEN TRAIN

History of a Peculiarly American Production.

A recent American publication is the autobiography of George Francis Train. It had attracted wide attention before it was published. In the New York World of October 12 was printed an article filling an entire page, in which were given the circumstances in which Citizen Train was induced to write the book, and the means by which he did so.

The work was prepared by him entirely by dictation. Altogether it occupied him only thirty-five hours, which is probably the shortest time on record for such a work to be performed. The article in the World described Citizen Train as "the strangest man in America," and contained the following as an introduction to the account it gave of the book itself:

"He was once the best known American on the face of the globe. "He organized the clipper-ship line that sailed around Cape Horn to San Francisco and made American shipping lead the world."

"He organized the Credit Mobilier and the Union Pacific Railroad. "He was one of the organizers of the French Commune. "He built the first street railway in England.

"He has been the business partner of queens, emperors and grand dukes, the familiar friend of the greatest people of the earth. "He has been in jail fifteen times, from the Tombs to a Bastille, and never committed a crime. "He has made more than seventy ocean voyages: He has broken the around-the-world record three times. "He formerly lived in a villa and spent \$2,000 a week in maintaining it. Now he lives in the Mills hotel, at a total expenditure of \$3 a week. "He is Citizen George Francis Train.

"Citizen Train wrote this wonderful story of a wonderful life on the top floor of the Mills hotel, where he occupies a room possibly eight feet long and six feet wide, and where he receives his callers with a dignity, a graciousness and native hospitality that would be in keeping with the homes he used to live in. He has lived in that room for four years, ever since it was built. It has a single bed, a dresser, a tiny table, one chair, and half a dozen paper boxes."

Signs of Industry. The Texas state department of agriculture has gathered statistics showing shipments of fruits and vegetables from that state to northern and eastern markets. Five years ago there was practically no business of this kind, but for the season just closed 5,675 carloads have been sent out, mostly to St. Louis, Kansas City and Chicago. The number of cars of peaches was 1,380; watermelons, 917; tomatoes, 1,159; potatoes, 1,406, etc.

The Judson Iron Works of San Francisco has contracted for a large amount of steel work on two new bridges to cross the Russian river in California. Each of these bridges will be about 1,200 feet long.

The Fall River Line is asking bids at Fall River, Mass., on two new steamers, one for passenger and one for freight service.

The production of rails at the Edgar Thomson Steel Works, it is said, has been so heavy recently that the Baltimore & Ohio and the Pennsylvania railroads are unable to handle the output. As a result thousands of tons of rails are being stacked in the mill yards.

The average movement of freight over the Pittsburgh & Lake Erie railroad is at present 6,000 cars a day, a record never before equaled by that road.—Railroad Gazette.

"Bragg was telling me at the political meeting last night that his grandfather died very suddenly on the platform at a great public gathering."

"Did he have the nerve to tell you that?" "Yes, wasn't it true?" "Oh yes, excursions, I believe, were public in those days when his grandfather died."

Few men acquire polish from the grindstone of adversity.

PROFESSIONAL CARDS LAWYERS PATULLO & RIDLEY, Attorneys at Law, Dawson, Yukon Territory. Rooms 7 and 8 A. C. Union Bldg.

Causes of Slips and Falls. An expert claims that slips and falls really come from a disordered stomach. He argues from this fact that persons in Dawson contemplating their diet should be careful of their diet and always buy groceries of Dunham, where they are sure of getting the purest and best.

N. C. Co. TEMPERATURE 20 Cts. Pound Corned Beef 20 Cts. Pound

Northern Commercial Company

Christmas Turkeys INSIST ON GETTING THE PRODUCT OF THE

Pacific Cold Storage Co. TELEPHONE 62 ASK YOUR BUTCHER FOR OUR CORN FED STOCK.

FELL DOWN DEEP SHAFT

A Sulphur Miner Meets With an Accident

Although Falling Nearly 45 Feet no Serious Injuries Were Sustained.

Some men may fall down a shaft no more than ten feet in depth and come forth with broken limbs and mangled broken necks. Others may fall five times that distance and never turn an eyelash.

Of the latter class is Jack Chisholm, of discovery claim on Sulphur creek. Chisholm was engaged yesterday afternoon in making some necessary repairs in the cribbing of a forty-five foot shaft. He had arranged a ladder upon which to work and with hammer and saw was busily engaged at his job.

Without go much as a warning the frail support suddenly gave way and in the twinkling of an eye Mr. Chisholm was resting on bedrock 45 feet below.

Lusty cries from the bottom of the shaft brought immediate assistance and the victim of the accident was hastily conveyed to the surface and taken to his cabin.

A doctor was called in and an examination made. No bones were broken and with the exception of a shaking up which he will have occasion to remember for some time Chisholm is just as sound as ever. He will be doing business at the old stand as usual in a very few days.

Employment Agent—I have a job that will just suit you. She is a young widow, and is very fond of children. Mrs. Richleigh—But we have no children. Employment agent—Oh, that'll be all right, me'am. She has six of her own.—Chicago News.

GOOD CLOTHES Always Create a Good Impression. If you need a new Suit, Overcoat or pair of Trousers you should get only the best. To do that you must go to

GEO. BREWITT, The Tailor 114 SECOND AVENUE SATISFACTION GUARANTEED

Just in by Express A new and beautiful range of Collars, Ties, Belts and Handkerchiefs. See our new Pattern Collars and Belts. SUMMERS & ORRELL, 112 1/2

Monogram Hotel AND STORE No. 6 Below Chicken Creek, Alaska.

Good meals, good beds, good hot Scott O. Holbrook, proprietor. Take out-of-the-mouth-of-Lost-Chicken which brings you to the door and saves you three miles travel on the river.

PROFESSIONAL CARDS LAWYERS PATULLO & RIDLEY, Attorneys at Law, Dawson, Yukon Territory. Rooms 7 and 8 A. C. Union Bldg.

Causes of Slips and Falls. An expert claims that slips and falls really come from a disordered stomach. He argues from this fact that persons in Dawson contemplating their diet should be careful of their diet and always buy groceries of Dunham, where they are sure of getting the purest and best.