

AIKMAN FINED

Convicted in Police Court This Morning of Violating Ordinance No. 7

MINIMAL FINE OF \$5 WAS IMPOSED

Ordinance Forbids Unmuzzled Dogs Running at Large.

CROWN PROSECUTOR DEFENDS

While Prosecution Was Conducted by Attorney Pattullo - Much Bickering and Quibbling.

Standing room was at a premium in Magistrate Starnes' court this morning when J. A. (Tom) Aikman was called on the charge of having permitted his dog to run at large unmuzzled, contrary to section 2 of ordinance No. 7 of the Yukon territory. Another and really more serious dog case immediately preceded the trial of Aikman where a dog belonging to Joseph Kennebec of Klondike City had not only been at large and unmuzzled, but had bitten one William Reagan. Kennebec was fined \$5 and costs, yet this case did not elicit more than a passing thought, while nearly everybody in Dawson was interested in the Aikman case as it was known that the case was being conducted by defendant's partner, Mr. Wade, who is crown prosecutor in and for the

Yukon territory, and that the claim had been set up by him at a previous session of the court when the same case was on trial that the ordinance under which the charge was laid was not legal, in fact, did not exist. The legality of the ordinance, however, was proven to the satisfaction of the court by the testimony of Dr. J. N. E. Brown, clerk of the Yukon council and territorial secretary, who swore that ordinance No. 7 had been regularly passed on October 28th, 1898. The original ordinance, however, had been lost, but to the best of his knowledge the ordinance book which the witness produced in court contained a verbatim copy of the ordinance as passed. During the testimony of Dr. Brown there were many lively tilts between the crown prosecutor for the defense and Attorney Pattullo for the prosecution, the latter having been retained to conduct the prosecution.

Referring to the lately passed dog ordinance, after having asserted that ordinance No. 7 does not exist, Mr. Wade asked: "Is this the latest wisdom on the dog question?" Mr. Pattullo said the attorney for the defense appeared to be the "latest wisdom on the dog question."

Wade upbraided Pattullo for being retained to assist the prosecution and Pattullo retorted by saying "And you, the crown prosecutor, are here to endeavor to break the laws of the country."

The court said such insinuations must be stopped. Pattullo filed copies of four ordinances bearing on the dog question and Wade objected to No. 7. The objection was noted.

Corporal Piper was recalled, his principal evidence having been given at the previous sitting of the court, to identify Aikman as the man he had arrested. Crown Prosecutor Wade insisted on having the corporal state what Superintendent Primrose had said to Aikman when the latter had refused to go to the guard room and Piper said the words used by the superintendent were: "If we have to knock you down and handcuff you, you will go to the barracks." Just what bearing this was supposed to have on the case was not stated. The crown prosecutor and the witness had a tilt about what constitutes a peace officer, the former contending that Piper was not a peace officer and had no more business where he captured the dog than had the dog itself. Pattullo insisted that the peace officer question would come up on the trial on the other charge against Aikman, that of resisting a peace officer.

The defense moved for a dismissal of the case on the ground that the existence of ordinance No. 7 had not been proved, also on the ground that a late ordinance had annulled it even if it did exist. The motion was overruled. Wade also claimed that the magistrate had no jurisdiction in the case and asked that the case be adjourned until he could apply to the territorial court for a writ of prohibition to prevent the magistrate from further sitting in the case. Pattullo objected to any continuation and also objected to Wade's insinuations regarding the court's knowledge of law. The motion for continuation was also denied.

The defense declined to offer any evidence in its own behalf. In finding Aikman guilty the court said: "The facts show the dog was loose and his owner, Aikman, not in sight; also that the dog was unmuzzled. It is not the duty of the magistrate to decide as to the legality of ordinances, but he must administer the law as he finds it; that if the ordinances are not legal, the sooner it is found out the better, but the magistrate must not doubt their legality until it is proven. In this case I find sufficient evidence to warrant a conviction, but I will defer sentence."

The crown prosecutor moved for a passing of sentence on his client in order that he might give notice of appeal. A fine of \$5 was imposed. A notice of appeal was given.

Mr. Wade then left the court room but was called back, there being another charge against his client, that of resisting a peace officer. He returned and asked that the case be continued. The request was granted and the case will be called next Saturday morning at 10 o'clock. Mr. Aikman paid his fine.

RECEIVED BY WIRE. FORTY MILE FLOODED.

Entire Town Inundated by Rush of Water - Big Jam Causes Water to Rise - Big Companies' Stores Greatly Damaged.

Fortymile, May 18.—An immense flood of ice and water visited Fortymile yesterday which at one time threatened to sweep away every vestige of habitation. At 9:30 a. m. the ice moved in front of Fortymile and went out in a solid sheet until the island below Fort Cudahy was reached where it jammed, piling end on end to an incredible height. An extremely high flow of water followed both from the Yukon and Fortymile river, which was dammed by the ice jam and with alarming rapidity backed up for miles around the surrounding country. The water rose with such rapidity that citizens were compelled to run for their lives, many of whom camped on the surrounding hills. Others escaped in boats. No lives were lost but many narrow escapes were noted.

Buildings heretofore considered far above high water mark were entirely submerged, others lifted from their foundations and washed down river with the flood. All the records of the gold commissioner's office were saved, but with the greatest difficulty. About one mile of government telegraph line extending from the crossing of Fortymile river to the telegraph office was completely demoralized and wire and poles buried among piles of ice and debris 15 to 25 feet high. The telegraph office was everywhere.

entirely submerged and the operator took refuge in the second story of the A. C. Co.'s messhouse. Telegraph operators made temporary repairs last night while wading waist deep in water, to establish communication with Dawson.

The total loss will approximate \$50,000 to \$100,000. The largest losses were sustained by the A. C. and N. A. T. companies, whose stores and warehouses were flooded and the goods damaged. The jam broke last night and the water has now subsided.

The representative of the N. A. T. Co. at Fort Cudahy wired Mr. J. J. Delaney, manager of the company at Dawson, the following telegram this morning: "Flood worst ever know in history of camp. Our loss is exceedingly heavy."

Fortymile, May 18, 1901.—Capt. J. E. Hansen:

Yukon extremely high yesterday. Six and one-half feet of water; higher than ever know in the history of the country. Damage to goods in warehouse and store will figure up into thousands. Messhouse submerged in four feet of water. All my personal belongings ruined. The streets are filled with rubbish of all description. Large losses. C. I. HALL.

Meeting Advanced.
The executive committee of the Victoria day celebration will meet next Monday night at 8:30 at the Board of Trade rooms, and not Tuesday as previously advertised, many members of the Arctic Brotherhood having requested the same.
J. NEWTON STORRY, Sec.

SETTLE THAT HAT BET
AT
Sargent & Pinsky's
The only house in Dawson that sells the high-grade
STETSON HAT
Same price as charged for cheaper goods.

The Ladue Co.
LOOK OUT FOR US THIS SEASON!
We will import more goods than ever before. The combination does not frighten us. Big bargains await you in carefully selected commodities.

THE LADUE CO.
IF YOU BUY IT OF LADUE CO. IT'S GOOD.
Pure Drugs Patent Preps Toilet Articles
Reid & Co.
Minors' Drug Store - Front Street

RECEIVED BY WIRE. ICE JAMS ALL CLEAR.

Advices From Up River Show River Open Except Five Fingers.

Hootalinqua, May 18.—Steamers Ora, Nora, Flora and Sifton started for Dawson, each determined to be the first boat in. The steamer Bailey is stuck in Thirtymile three miles above Hootalinqua. The Flora and Ora leads in getting away, they pulling out early this morning. The Sifton and Nora passed down at 9 a. m.

Five Fingers, May 18.—The jam at Rink rapids is broken, but still holds at Five Fingers. The river is entirely blocked there and water is backing up. Can almost wade across the Yukon any place between Rink rapids and Five Fingers.

Selkirk, May 18.—Jam broke here at 7 a. m. and ice is now running fully. Pelly throwing immense quantities of ice.

Selwyn, May 18.—Big jam broke here at 11 a. m., and is still rushing down. River bank piled high. Yukon has big flow of water.

Stewart, May 18.—Lots of ice passing here; evidently comes from broken jam near Thistle.

Ogilvie, May 18.—River all clear at this point.

And the Dog Ran Off.
Yesterday evening a large, evil-eyed dog was monopolizing space on First avenue in violation of section 2 of ordinance 7 when Sergeant Bettes and Constable Scofield hove in sight. "He is our meat," said they, metaphorically speaking. One officer collared the dog and drew from his pocket a hat band with which to hold his "Carlo-ship" while the other performed the puncturing act. They walked out to the center of the street. To make sure of no "flash in the pan" the shooter took a fresh cartridge from his pocket and fitted it in his gun. The dog obligingly held his head in the proper position as if to have his picture "taken." "Hold steady and look pleasant," said Constable Scofield and—bang!

Instead of falling down on the street a pallid corpse, the dog, having pulled out his engagement, took a rapid scout up the street and the officers took a genuine geyser from a hundred or more spectators but took it good naturedly. Then Constable Scofield put his hand in his pocket and found the bullet which had dropped from the cartridge which he had fired at the dog.

Presto, Change!
Where garbage was formerly hauled to the extreme northern portion of the city to be dumped into the Yukon, it is now, according to a late order of the health officer, hauled to the extreme southern part of the city and dumped into the Klondike a few feet above the mouth of the ditch which runs from that point through the slough and into the Yukon by fire hall No. 2. The reasons for the change in the location of garbage "chutes" are not apparent, but they are doubtless good ones. However, there are many Missourians in Dawson.

A Serious Charge.
A. J. McMasters was arrested yesterday on the charge of having pointed a revolver at Theodore De Larn. When the case was called in police court this morning Attorney McKinnon appeared for the prisoner and asked that the case be continued until Monday morning, which request was granted. Until that time McMasters was released on bail in the sum of \$500.

Water Front Piper.
Sheriff Ellbeck yesterday appointed Corporal Piper to have charge of the water front during the present season. The selection is a good one.
Derby ping tobacco is in the market to stay; there's a none better.
Try Allman's scullarium bath.

PHILIP MORRISEY

Instantly Killed on 31 Below Lower on Dominion This Morning

BY BUCKET FALLING ON HIS HEAD

From Mouth of Shaft Through Mistake of Windlass Man.

HEAD WAS CRUSHED TO PULP.

Accident Happened at Ten O'Clock—Police at Caribou City Notified—Monger Reports Obtained.

A fatal accident occurred on claim 31 below lower discovery on Dominion when about 10 o'clock this morning Philip Morrisey was instantly killed by a bucket filled with dirt dropped from the mouth of the shaft, striking him fairly on the head, smashing it to a pulp.

The claim is owned by Larsen and Thompson and Morrisey was in their employ. He was at work at the bottom of the shaft when a bucket filled with dirt was drawn up by the windlass man. The latter through some mistake failed to land the bucket properly and it fell back into the shaft with the result as above stated.

The crushed man was gotten out within a few moments after the accident. The police at Caribou City were notified and will take charge of the body. No particulars were obtained regarding the dead man or where he was from.

SALE

Rubber Goods, 1st be

20th

To Collect Taxes.
Tax Collector Ward Smith was out yesterday and today on a roundup of delinquent taxpayers and several levies on personal property were made, a police officer accompanying the collector for that purpose. The latter action usually causes the delinquent to dig up, when the levy is called off.
Seal of North Carolina, Best Virginia and Kentucky tobacco blended.
Rubber gloves for studding, Cribbs & Rogers.
To the Finest.
The best 31 meal and best bread in Dawson is served at the Martony Cafe, First avenue.
Try Allman's scrub-baths.

LINEN

We have now on sale the most complete line of
Cable Cloes, Napkins, Doilies, Covers, Sheets and Pillow Cases
Ever shown in Dawson and at Most Attractive Prices.
Hotel and Restaurant Keepers
We call your especial attention to this sale.
AMES MERCANTILE CO.

Hotel McDonald
THE ONLY FIRST-CLASS HOTEL IN DAWSON.
JOHN O. BOZORTH, Manager

Orr & Tukey.
FREIGHTERS
ON AND AFTER MAY 6 DAILY STAGE
TO AND FROM GRAND FORKS
Leaving each place at 8 a. m. & 3 p. m.
Office - A. C. Co. Building

The O'Brien Club
Refitted and Handsomely Furnished
A First Class Bar Is Run in Connection for Members.

Marshbank & Murray.
50c Whiskies
SOLD FOR 25 CENTS
At Dawson's Finest Saloon
"THE PIONEER"
GEORGE BUTLER, PROPRIETOR
First Avenue, Near Second St.

Dog Muzzles
We manufacture muzzles on the spot. Made of Leather, Wire or Band Steel and complying fully with the ordinance and made to fit.
McLennan, McFeely & Co., Limited