

SATURDAY
EVENING

Assessment Court of Appeal in Session

Reductions Are Made When Proven Conclusively to be Excessive.

The assessment court of appeal again met Saturday evening with Mayor Macaulay in the chair. The first case heard was that of P. Burns & Co. passed over from the last session. Representing the company were L. W. Tronice, bookkeeper of the company, and Mr. Arthur Davy. The ground taken for the appeal was the usual plea of excessive assessment, and during the examination, according to the bookkeeper, it developed that the main place of business of the company, judging from where the bulk of the stock is kept, is across the river, the store in Dawson being merely a distributing center. All the live stock of the company and everything else except a few pounds of that and a like amount of this is kept across the river where it is outside the city limits and consequently out of the reach of taxation. At the time the assessment was made there was a pitifully small stock on hand consisting of hams, \$5000; grouse, \$100; halibut, \$300; oysters, \$500. All the cattle and live stock were outside the city limits. Burns & Co. are among the heaviest shippers in the territory in their line. The decision of the board was reserved.

Lilly Bros. are assessed at \$30,000 which, they consider much too high. According to a statement made by one of the firm their imports for the present year amount to \$13,208 upon which they paid freight to the amount of \$15,839 and duty \$1014. On March 31 last they had on hand goods to the amount of \$5000; two months later, \$3000 and on September 1, \$10,000. The assessment was reduced to \$15,000.

Two small assessments against David Doig, one a cabin valued at \$600, were approved, no one appearing to press the appeal.

The assessment against Mrs. Eliza A. Brown was confirmed by default. R. L. Hall had two appeals and was represented by C. W. C. Tabor. One was on the Green Tree saloon property which Mr. Hall declared was the property of James Hall. The former owns only the stock which is valued at \$500. Of the assessment \$2000 was ordered transferred to James Hall. The other appeal was on a lot and cabin located in block B on Seventh avenue assessed at \$900. The cabin is partially on the alley, is unsealable and the owner has derived no rent from it since last February. Confirmed.

H. Douglas was surprised to learn that the assessment on income is made on the amount of business done and cash taken in regardless of what has been paid out and whether or not the business has been profitable. He has a lodging house on Third avenue which he swore yielded an income of \$3000 while for rent and maintenance of the same he had paid out \$3300. Assessment of \$1500 was reduced to \$1000.

When S. Weisberg took the stand to protest against his assessment of \$18,000 he took the customary oath but would not kiss the book, it being contrary to his religious principles. Under such conditions he should have kept his hat on, but he didn't. His evidence was rather conflicting yet it was sufficient to induce the court to reduce his assessment to \$10,000. His stock at the opening of navigation he declared did not amount to over \$1500.

The assessments of W. S. Paddock, M. Rosenthal, W. A. Warwick, and Herbert Grant, the latter for but \$120, were confirmed by default. The game late was dealt out to three assessments of A. J. Prudhomme, he appearing in his own behalf.

The firm of Mesereau & Clark is assessed at \$15,000 which they consider much too high. Mr. Clarke stated they never had had that amount of stock on hand at any one time, a fair average of the amount being \$3000 and they handle only American goods. Alderman Wilson evidently thought the witness was stretching the truth somewhat as he reminded him he was under oath.

License Inspector Worlock upon being appealed to stated that the value of the firm's importations during the present year amounted to over \$70,000. Decision was reserved until tomorrow evening. Mr. Clarke being instructed in the meantime to "produce your books."

D. D. Sawyer is out of the city and his case was continued until his return. The personal assessment of F. A. Cleveland was reduced from \$8000 to \$5000. Dawson Warehouse Company, Vincent Labeucherie, D. W. Zilla and M. S. Eads were confirmed by default.

Mr. Pattullo appeared for Courtland Starnes re the assessment of \$3600 against the residence of the latter. The property has been offered for sale repeatedly at \$2500, but the best offer that could be gotten was \$2000. Reduced to \$3350.

The reason J. Adair appealed on the assessment of \$160,000 against Adair Bros. was because it was grossly unreasonable, enormously out of proportion and was made in his opinion entirely upon a most superficial judgment. In January last they had on hand but a stock of \$20,000; in February, \$15,100 which grew still less until the opening of navigation. In August and the two months following they had stock to the amount of \$120,000 but had never had at any time as much as \$100,000. While outside he had purchased goods to the value of \$325,000 upon which \$54,000 was paid in freight. From August 1 to October 1 their sales had amounted to \$48,000 and from October 1 to date \$48,000.

"What has been your profit on those sales?" was queried.

"All I could get, possibly 25-30 or 35 per cent."

A number of consignments the witness stated had come in their care for other people and had been hauled direct from the wharf to where they belonged without even as much as passing through their store. He said the average stock carried by his firm would not amount to over \$62,000. Decision reserved. The decision of the assessment against the steamer Casca owned by Adair Bros. and Wm. Rennie, \$20,000 on income, was likewise reserved.

Miss E. M. Fitch, Edward Liebman, E. E. Kellogg, A. Fortin and Mrs. L. M. Lynch was confirmed by default.

H. E. A. Robertson appeared on behalf of Townsend & Rose, the firm being assessed at \$25,000. Mr. Rose was placed on the stand and swore their average stock would not exceed \$12,000 which sometimes was as low as \$5000 and again as high as \$30,000. The fixtures, etc., of the store had been built three years ago at a cost of \$4000. Sales average \$6000 a month and profits 20 per cent. Importations since last March amount to \$40,000, the cigars numbering 400,000, about half domestic and half imported. No jobbing is done in tobacco as the margin is too small. Reserved.

The Bank of British North America was passed until Tuesday evening and the following cases were set for Wednesday evening: N. C. Co., N. A. T. & Co., Joseph Burke and the Yukon Sawmill Co.

The last case heard by the court was that of the B. Y. N. Co. which was represented by Arthur Davey, who had his facts and figures arranged in a most commendable manner. The assessment of the company this year amounts to \$500,000 on income and \$40,000 on realty holdings and personal property. No objection is made to the latter, but to the former a most vigorous kick is registered. Last year the total earnings of the road amounted to \$961,215, of which but \$33,101 was profit, which represented only the months from May to November inclusive. This year the statement is made up to the first of the year to September 30 and by departments is as follows:

Passenger earnings, \$217,851, of which amount \$160,508 was earned by the boats and \$57,345 by the stages. Freight by boats, \$410,718; by stages, \$10,000. Mail by boats, \$8,000; by stages, \$168,486. Express by boats, \$8,543; by stages, \$6,231. Miscellaneous, \$12,000, making a total of \$841,829. To the court Mr. Davey asked the question if it was the intention to appropriate the entire earnings of the road as a basis upon which to make the assessment, and if such was the case by what right was it so done. The statement was also made that the assessment this year was \$299,000 greater than last year when made under the auspices of the territory and not the municipality and yet the business done this year was less than last year. A rebate of \$3000 will be received on last year's taxes as soon as funds are available for that purpose. Through business transacted

this year between Dawson and Skagway amounted to \$1,100,000 of which the steamer lines receive half and the railroad half. The tonnage to September 20 amounted to 17,333 tons and 5032 passengers, including locals, were carried. The mail service it was said had netted \$32,000. The case was reserved.

There will be no session of the court this evening on account of it being the regular meeting of the council.

GAMBLING CASES

Mr. Justice Macaulay Dismisses Them With a Caution.

The half dozen men charged with gambling were assembled in the police court this morning, charged with gambling in a common gaming house. It was first requisite to the prosecution that the place where the men were arrested should be proved to be a common gaming house, and therefore J. W. Marshbanks was first called as a defendant to the charge that he was the keeper of a gaming house known as the "M. & M." club. Mr. Marshbanks acted as his own counsel and Sergeant Smith appeared to prosecute.

The sergeant called two or three policemen but he was not able to prove that the men seen on the premises were gaming for money, that there was a bank and that the games were run for the direct profit of the proprietor, so Mr. Justice Macaulay had to find that the charge against Marshbanks was "unsustained," and that against the other defendants therefore fell to the ground.

But he read the defendants a homily on the subject, saying that there were elements of suspicion in the charges and he was merely giving them the benefit of the doubt, and that they must be very careful as gaming would not be tolerated, as it was in the old days, in the territory.

LITTLE DOING

Mr. Justice Craig Sits in Chambers This Morning.

Mr. Justice Craig sat in chambers this morning which will be the only business he will transact this week. The Fournier and La Belle cases coming on next week, the regular vacation week of the court, his lordship is taking the present week instead in which to prepare his judgments in cases heard the fore part of the month.

Matters coming up in chambers this morning were few in number and of comparative little importance. In Falcione vs. W. P. & Y. Ry. a motion was made to charge a certain order on a fund now in court. Motion was dismissed. Thomas vs. Henderson came up on an order in terms by consent. Anderson vs. Ripstein a motion was made by counsel for defense for security for costs. Reserved.

His lordship will render judgment tomorrow morning in the appeal cases of Paulette Barge and Marguerite Benoit.

NEW STRIKE IS MADE

Unknown Creek Between Dawson and Fortymile.

A stampede down the river is expected to materialize very shortly. Just where the location is could not be learned any more definitely than it is a stream flowing direct into the Yukon somewhere between here and Fortymile, but which limit could not be ascertained. A Frenchman arrived in the city late Saturday and hurriedly secured an outfit of grub with which he returned from whence he came the same day. To a couple of friends he stated that he had made a new strike down the river but as he had not recorded discovery he refused to give out any further information regarding its location. He had sunk two holes in both of which he had found pay, but he was desirous of sinking a couple more before he recorded.

Suit for Wages

A. D. Fields appeared in the police court this morning, to answer to a suit for wages brought by one of the workmen on his claim named Stewart. He showed that complainant was well aware that he could not pay the full amount at once, and had brought the suit merely for the purpose of embarrassing him, and he offered to pay \$100 in court and the balance of the \$400 within the next two weeks. Mr. Justice Macaulay gave judgment accordingly, saying, in effect, that the suit ought never to have been brought.

OPENING
GUN FIRED

On Hunker Last Saturday Night

Ross Supporters Held Enthusiastic Meeting—Good Speeches Made.

In response to a notice calling a meeting of supporters of J. H. Ross at the Hillside roadhouse, Hunker creek, on Saturday evening last, about forty-five men of the vicinity gathered to hear the first gun fired there.

On motion, Mr. J. B. McDonald was voted to the chair and Mr. J. W. McLennan appointed secretary. After a short introductory address, the chairman invited any local speakers to address the audience. No one coming forward, Mr. P. T. Congdon of Dawson was called upon. Mr. Congdon delivered an able address on the principal issues of the present campaign, which was apparently very much appreciated by every person in the audience.

After a second invitation from the chair for an address from any one in the audience, Mr. Frank Slavin was called upon. Mr. Slavin spoke to the boys from the standpoint of a miner, calling the attention of the audience and the miners particularly, to a characteristic speech, to several matters of importance affecting their personal interests in the district.

Mr. J. F. Sugrue, well known among the boys as "Barney," was the next speaker, and was listened to with great interest. He touched upon his own position in the campaign, stating that in supporting Mr. Ross in this campaign he was consistently carrying on the work of reform for which he had fought during the past four years in this territory. Mr. Sugrue's speech contained a great deal of information on matters which have been persistently misrepresented to the miners by the agents of the so-called opposition.

Mr. Lane, a local speaker, next took the platform, showing some ability as a talker. Mr. Lane was the only speaker in favor of Joseph A. Clarke, Jr., rather against Mr. Ross. He denounced Mr. Ross, for not having on the statute books a law which would under all circumstances secure payment of wages to the laboring miners. He advised the miners that in the absence of legislation of this nature for their protection they ought to "force protection."

Both Mr. Congdon and Mr. Sugrue found it necessary to again address the meeting briefly, in order to correct mis-statements made by Mr. Lane in the course of his speech.

A vote of thanks was tendered the chairman and secretary for officiating, and the meeting closed about 10:30 o'clock.

FIRST DAY OF ICE

Quite a Quantity in the River Already.

Today is the first day this fall that has brought a real reminder that winter will arrive in the near future and it did not require a magnifying glass to distinguish the ice running in the river. The flows were small and did not appear to be very solid but they were the unmistakable heralds of colder days yet to come. Around the mouth of the Klondike where the bars are numerous and the water shallow the ice was very plentiful, particularly where a number of logs had grounded on a bar. The river was spitting miniature flows every minute during the day. According to Sergeant Major Tucker the thermometer reached the lowest point last night that has been so far recorded this fall, 15 degrees below freezing point.

Engineer Alfred Williams, of the Klondike Mines Railway returns to Skagway tomorrow on the Dawson. He says there is nothing further to be done on the road this season, but they now have most of the material material here for beginning work and that he shall return in February or early in March and begin the actual construction of the road.

Special power of attorney forms to sale at the Nugget office.

PACKAGES
BY MAIL

Newspaper Mail Closed on the First

Express Charges on Mail Packages From Whitehorse to Dawson.

The Toronto Globe of Oct. 6th has a statement that after Oct. 1st only first-class mail matter would be accepted for the Yukon, but that a few newspapers might be thrown in at Whitehorse whenever the first-class mail matter fell below the stipulated weight per weekly mail of 700 pounds. This, of course, rules out the parcel mail altogether. In the sixty-five mail sacks which were brought in by the Whitehorse yesterday were a number of small packages and Postmaster Hartman thinks this is liable to occur for the next two or three mails, as the department was notified by wire that navigation on the Yukon was not likely to close much before the end of the month.

"I have written letter after letter," said Postmaster Hartman this morning, "asking that newspaper-mail be allowed to be sent in all the winter through. I have urged upon the mails until Oct. 15th in any event. But upon this latter point I have received no reply whatever. All the information I have upon the matter is what is contained in the Toronto Globe."

"I have been told that freight will be brought from Whitehorse over the new government trail at 15c per pound this winter. If that is so the government ought to be able to pay that rate on newspapers. To come by freight these newspapers would only be delayed two or three days, and I do not apprehend that there would be any great amount of kicking at that. I have done everything I could to get in newspaper mail this winter."

"In these sixty-five sacks there are many sacks of newspapers and small packages, and I suppose they will keep on being mailed right along. The only way to get them here will be to arrange with the express company to carry them in from Whitehorse."

How the people of the Klondike are to get in their small packages during the winter is a matter of a great deal of interest to many, and therefore the express company was seen in regard thereto. Mr. Miles said that the company were going to operate with the White Pass stages, and that the minimum charges on small packages would be \$2.50 from Puge Sound and British Columbia points. The rate of shipment over 50 pounds would be at the rate of 50 cents a pound, making in all 60 cents per pound.

On packages coming by mail to Whitehorse the charges would be 50 cents per pound, the minimum charge for any package being \$1. Two pounds would be brought in for this sum and 50c per pound charged thereafter.

On shipments of gold the company would charge 12 per cent, which is only a quarter of one per cent higher than the summer rate.

"We handled last year in the neighborhood of half a million in dust over the ice," said Mr. Miles, this morning, "and we had in the neighborhood of five tons coming in. This was principally additions to the stocks of dry goods which the merchants had run out of, and newspapers. We handled all the newspapers, and probably will do so this year."

LEADS THEM ALL.

Yukon Territory the Big Thing in Capises.

Sheriff Ellibek made a statement this morning to the effect that more capias warrants are issued in the court of the Yukon territory in five years than are sworn out in five years in all the balance of the Dominion put together, and the remarkable part of it is that very rarely does anyone who is wanted escape. Action was had Saturday on two capias that were issued several days before, both parties being apprehended at Whitehorse and both plying up rather than being brought back to Dawson at this season of the year. F. M. Terry was arrested at the instance of Wm. Turibull and it cost him \$250 and costs to square matters. Charles Hilly dug up \$330 at Whitehorse before he was allowed to proceed.

Meeting Tonight

A political meeting for the discussion of campaign issues has been called for this evening, in A. B. hall. It is expected that it will be largely attended.

A match game between Harry Brault and Joe Bingham vs. Geo. Palmer and Foster Powers for \$100 a side, best three out of five, takes place at the bowling alley at 11 o'clock tonight.

SWELL OVERCOATS OF THE SEASON

Are broad shouldered, rather loose fitting garments with vertical instead of straight pockets and small plain rounded cuffs. The fabrics from which these coats are made are Principally of the Rough Faced Variety—such as Heavy Cheviots and Worsted—Vicuna in Oxford Gray, Cambridge Gray, Olive, Brown and Black. The acme of perfection and fashion are embodied in the Overcoats we are handling this season.

Prices Range From \$15 to \$35

We also have a full line of Fur-lined Coats with genuine Otter Collar and Cuffs; also Fur-trimmed Coats as well as all Fur garments.

Prices Range From \$25 to \$150

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We have in stock a Large Assortment of Sleighs suitable for children. Pointes' Frame Sleighs and Winter Infant Sleighs.

N. A. T. & T. COMPANY

IMPORTANT
WITNESSES

In Murder Cases Have Arrived

Escorted by A. Marcou, an Agent of the Secret Service at Ottawa.

Among the arrivals Saturday evening on the Whitehorse were Mr. A. Marcoux, of the Dominion secret service stationed at Ottawa, accompanying Mrs. Denis and Mrs. Gilbert, of St. Francis, a small town in Beauce county about 40 miles from Quebec. Both the ladies are witnesses for the crown in the murder trials to be heard next week and both have been brought from their far eastern home for the purpose of testifying in the cases. Mrs. Denis is a sister-in-law of Bouthilllette, one of the victims, having married her sister. He was to have left for the Klondike several months before and finally did start on the last trip he was destined to ever take, but on account of the illness of his wife a delay was unavoidable. The illness of Mrs. Bouthilllette proved fatal, she dying about a month before Bouthilllette took his departure. Five motherless children were left, and since by an assassin's hand they are left fatherless as well, thrown upon the tender mercies of a busy world. They at present are being cared for by an orphan asylum in the city of Quebec.

The testimony of Mrs. Denis will be that of the identification of the clothes worn by Bouthilllette at the time of his murder. That of Mrs. Gilbert will be similar. The latter kept house for Bouthilllette for a month prior to his departure for the Klondike and packed his trunk when he left.

Mr. Marcoux states that when Bouthilllette left his home he did so alone. He had previously arranged to meet Beaudoin and Constantine, the former at his home and the latter at Montreal. His departure being delayed, however, his friends refused to wait any longer and left without him, though they met again at Vancouver from where they traveled in company until they met their death.

In company with Detective Welsh, the eastern secret service man had a look at and a short interview with the two alleged murderers yesterday. He did not remember of having ever seen them before and they had but very little to say.

Mr. Marcoux stated that he as well as the ladies enjoyed the trip coming in very much indeed. A year

WATER FRONT NOTES

Mr. Calderhead received a private telegram from Whitehorse this morning that the White Pass was not out no more boats from there at that there was quite a lot of freight there. This included hardware, machinery, furniture and a lot of food and feed. He said his company will try to run the La France back to Dawson. She leaves this evening among those who had happy turn passage by her at noon were Mr. and Mrs. Goetzman, the photographer Skookum Jim and his family, J. A. Stone and Miss Jessie Stone, W. J. Murphy, A. Smith, E. O. Cross, J. Finlay, F. Leach, C. Johnson, F. E. Clarke, A. F. Hoffman, H. Martin, W. H. Daly, G. Henderson and about thirty second class.

The Columbia is to go out this evening. The Casca came in yesterday evening with a full load of freight and is to go out this evening. The Lightning arrived at Whitehorse this morning and is to be set on for the return journey. The Wilbur Crimmin was on a boat at Hootalinqua this morning. The Tyrrell leaves this evening for Fortymile.

The Columbia got away at 10 o'clock this afternoon with the following passengers: J. L. Brown, G. Berger, Joseph Ferrell, F. L. Bacon, Mr. and Mrs. P. Murphy, Mrs. Kramer, Geo. Cox and J. Fraser.

The Dawson leaves for Whitehorse tomorrow.

ROSS IS GAINING

Encouraging Reports From Klondike City and Other Points.

Dugald McMurray and A. I. Macfarlane yesterday made a close canvass of Klondike city and the whole of the territory, along the bank of the Klondike up to 80 below in Bonanza. They saw and talked with many of the people and their reports are very encouraging. Throughout the whole of the district they are assured that at least 80 per cent of the voters will support Mr. Ross in Klondike city full reports were not obtainable, but they are assured that the per centage given for the rest of the district is not too large.

Meeting on Bear

At eight o'clock tomorrow morning the supporters of James Hamilton Ross will hold a meeting in the schoolhouse on Bear creek for the purpose of organization.

WANTED—Good woman cook with position. Address E. K. Nugget office.

FOUND—One white and yellow dog, crossed shepherd and malamute. Apply Hotel Hotel, 54 below the bar. H. W. Valley.

Auditorium—Galley Slave.

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