DAWSON, Y. T., SATURDAY, JULY 20, 1901.

PICOTTE MUST PAY

Money Borrowed to Pay Gambling Losses is Not Gambling Debt-Verdict by Justice Dugas.

This was on a Saturday. On the

given by him in payment of a gam-

for is for a gambling debt; and in

given for the said sum.

given for good consideration.

to 3. Score 6 3, 6-3.

A Complete Line of Harness, Saddlery, Hardware

Bar Glassware a Specialty.

Good Tennis Last Night.

harome somewhat famous inasmuch as asked him to pay Sparks that amount busse on July 5th. The builet entered the action was one instituted to recover of \$6000 to which the plaintiff assented below the right eye and severed the money advanced for the purpose of by giving his check, a part of which settling a gambling debt. Some months was afterwards paid two days after, and nerves and veins leading to the throat setting a garding B. Picotte, a half owner in 17 the balance about nine or ten days and neck. Gangrene set in and paral-Bidorado, lost \$6000 at fare to Tom after by the plaintiff. The defendant ysis ensued. Sparks, who was conducting the gam- gave the plaintiff then and there his I. Judge Brady is one of the leading bling room in the Dominion saloon. O. U. in the following form: When he came to settle for his losses "I. O. U.; payable to John Moe, six thousand dollars (\$6000). N. B. Picotte." he borrowed the money from John Moe, one of the proprietors of the Dominion. He later returned to Moe \$2800 of the amount but refused to settle the balance of \$3200. Suit was begun to refor the outside but was detained upon tiff credited bim; hence the present a capias until he had put up sufficient security with his attorneys to liquidate the amount in case judgment was secored against him. It has long been considered that a gambling debt which is contracted as the result of an illegal game was not collectable, but the court holds that in this case the tab

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Fixtures.

was for a good and legal consideration. The opinion of his lordship upon the question is as tollows: The proof established that the plaintiff is proprietor of a licensed saloon called the "Dominion saloon," and that the back part of it is occupied, with the consent of the plaintiff, by one Sparks, or was at all events on the 4th day of May last, as a gambling \$6000 at gaming, which he owed to

given by Picotte to Moe for the amount

Sparks. After the game was over both the defendant and Sparks came into the barroom where the plainiff was, and the plaintiff was addressed by the defendant who asked him whether his name was good for \$6000 and upon the

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.GROCERIES.. Just received from the outside with orders to close them, out

IMMEDIATELY JAS. E. BOOGE, Mgr. YUKON HOTEL

Just Received

MIRRORS, Several Sizes. CANDY SCALES, Three Styles MILK SHAKE GLASSES ILLUMINUM SHAKERS ICE SHAVE PLANES

SHINDLER,

Thomas McMullen HINANCIAL AGENT

Money to Loan

Canadian Bank of Commerce Bldg. UP STAIRS.

RECEIVED BY WIRE. LUNATIC'S

Prominent Idaho Citizen at Point of Death.

19. - Probate Judge James C. Brady of noon, his physicians having given up by Justice Dugas in a suit which has even more than that the defendant escaped lunatic named Henry Wilm-

Democrats in Idaho. He is editor and owner of the Rathdrum Silver Blade and chairman of the Kootenal county Tuesday next the defetndant delivered second term as probate judge. It is ance of \$3200. Suit was begun to recover the amount and while the action
some hesitation, gold dust valued at
was pending Picotte attempted to leave
for the outside but was detained upon
for the outside but was detained upon

\$3800, on account for which the plain\$3800, on account for wh

action for \$3200 and interest. The plea REGARDING is a denial on the part of the defendant that the plaintiff ever paid \$6000 to Sparks at his request, and that the I. "DOGGIES"

pounded and Killed.

further answer be alleges that the said sum was borrowed by him and was From the number of "dear doggies" knowingly lent by the plaintiff to him, which are seen roaming the street the luxury of a horse and carriage. the defendant, in a certain gambling unmuzzled and untagged it would ap- Superintendent of Public Works J. C. room on the premises of the Dominion pear that the idea has become indellisaloon, for the purpose of the defend- bly impressed in the minds of the ant illegally playing and gambling owners that the recent order allowing and to that end he is devoting extra therewith in the said gambling room, the dogs their freedom also relieved care and attention to the building of at a certain illegal game, towit, the owners from any further responsi- the road from the Ogilvie bridge to the "faro," and that the L. O. U. was billty concerning them. This is alto- mouth of Hunker with the expectation gether a delusive one as the remaining that it will become not only a high-The plaintiff swears that he did no part of the ordinance which provides way of commerce but a place of recreaknow whether the defendant owed that tor the muzzling and tagging of dogs tion for light equipages and bicylists, of the Yukon stables on Third average, sum to Sparks for gambling; that he is still in active effect and the penalty a sort of fashionable promenade. It to the owner for not providing a muzzle might well be called the Champs Elywere during that time, and he even al- and tag for his dog and the liability sees or the Bois de Klondike, or both, leges that afterwards, when the detend- of the dog to being impounded and for the route it will follow will pass ant hesitated to pay the account, and even shot is also in active operation, through sylvan glades and alongside refused afterwards to pay the balance he never was told that the debt had been so incurred. I think I can safely owners of the animals thus found from one end of the world to the other. say that although there is no direct unprotected according to provisions of proof of plaintiff's knowledge, there is the ordinance are equally liable to the or not the pleasures of carriage riding a strong presumption that he must punishment provided.

have known for what it was due; but even accepting as proven that he knew trate McDonell this morning charged First avenue is but little over half mile been sent from there for him, it, I believe that under the circum-stances the I. O. U. given by the de-without a muzzle The information the rocky road to Dublin. Everything found the door locked and Alexander fendant was given for good and legal was laid against the wrong person, but from muck to slabs and sawdust was on the outside while McLaughlin was consideration. A reference to the authorities on that point leave in my instead of Adar and notwithstanding mind no doubt on this subject. It is the contract which takes place between the players that is illegal, and which a court of justice cannot enforce. Here the undertaking by the plaintiff to pay that a contract which takes place between the court of justice cannot enforce. Here the undertaking by the plaintiff to pay that a car lived the manufer that the the undertaking by the plaintiff to pay dog that ever lived the magistrate verbial long-felt want. In the course Alexander was also put on the stand that amount to Sparks after the game found him guilty of the charge and followed by the new road there will and testified that Bergman had left was over was not an illegal undertakfined him \$5 and costs. The dog not be even the smallest bill to climb him in charge of the business while he ing, and that I. O. U. therefore as catcher and assistants have been very between the bridge and the mouth of had gone to see what was wanted at Last evening one of the best matches upwards of 30 dogs found roaming the ural fall of the river. of the season was played between Duff. streets unmuzzled. It is the intention erin Pattullo (owe 15) and O. S. to strictly enforce the provisions of the closely follow the foot hills, that loca-Finnie (owe 30). Pattulio opened the ordinance and the dog catchers are tion being considered the better one, returned he found the doors securely

easily the first three games by excellent found running at large.

drives and volleys at the net. The Boiled the Body. pace was, however, too fast to last long San Jose, Cal., July 12. -The body soil along the water's edge is admir. The door had been fastened with a in good stead by placing the next six dered last March by highbinders, was boiled in an iron cauldron last night. In the second set there was splendid by order of the county authorities. and Finnie's steady play availed him of Lee Wing, a Chinese, who was murplay on both sides, but Pinnie who This process was considered necessary and wash gravel. Several miles of nated belonged to his wife and that he was in the better condition won by 6 in order to obtain the 16 bullets the road will pass through a forest, had recently purchased the building which they fired into the man. They thus adding additional charm to the and had been trying to get a settleme

Wednesday evening at the Standard theater while at work. Just prior to the O'Brien sketch going on, the jewel meeting of the City Library Association year and almost every month of the in company with a number of others in company with a number of others a letter was read from the privatet secwas left on a shelf in the dressing retary of Andrew Carnegie, dated from the trail just above the Cliff house is dispute and not a criminal case. room. Upon returning a few moments Sikbo Castle, Scotland, stating that he obstructed by masses of earth, stumps later one of them was missing. Elsewhere in this issue will be seen a nobrary for this city, providing that the side, and which has to be shoveled out tice of reward for t'e return of the city would furnish \$2000 a year to by the first luckless individual who to another party's property contrary to Perinet R. Fils Extra Sec Champagne, was in response to an appeal for aid any future trouble it is the intention

Denver, July 12.—Forest fires are raging in two sections of the state and it is feared that they will destroy a vast amount of property before they Denver, July 12. - Forest fires are can be controlled or extinguished, est, approximately 42 imles.

Kodak tripods ; \$3.50 Goetzman's.

VICTIM

Spokane, July 15, via Skagwy, July Superintendent of Public Works Tache Will Construct Bois de Klondike

And Extend From Ogilvie Bridge to Mouth of Hunker

ALONG WORLD-FAMED RIVER

ment to Himself as an Officer

From Friday's Daily. Dawson is to have a speedway, one that perhaps is not as long, not as track as its namesake along the shores of strong columns of British troops. bling debt, and that the amount sued They Must be Muzzled or Im- of the Hudson, but one which when completed will prove a revelstion to those who traverse it for the first time and a joy forever to such as can afford Tache is determined to leave a lasting monument to himself in the Yukon

> Heretofore it is a question whether come immediately on important busihave not been more than offset by the in charge of the place he went to the James Adair was called before Magis- character of roads the city afforded, saloon but found that no message had busy during the past several days, and the creek, a distance of eight intles, the Dor

first set in splendid style winning now hot on the trail of all canines but Mr. Tache has later decided upon fastened and saw Mcaughlin inside the casily the first ti ree games by excellent found running at large. tance lies along the river bank. The to open the door but he had refused. ably adapted to making a good road-chain drawn across from one side of Valuable Diamond Lost.

Will be used as evidence in the trial of Mrs. Eddie O'Brien and the misforme to lose a very valuable diamond assassins.

Will be used as evidence in the trial of Will the river be obstructed from view, some heavy blasting will be necessary and no ides of doing anything unlawjust below the mouth of Bear creek ful and had only taken that conses where the entire force of the river action to force a settleme maintain it. The offer of Mr. Carnegie happens along. In order to prevent

portion of the bluff. The road when completed will be the

One of the fires is on the banks of Chalk creek, in Chaffee county and the other in Larimer county. Both are said to be in timber on school lands.

Best mixed drinks in town-Sideboard. Fruit juices at Selman & Myers.

RECEIVED BY WIRE. CAPTURED

Situation in South Africa Continues Gloomy.

London, July 15, via Skagway, July 9. Lord Kitchener in a dispatch to the war department confirms the report of the capture of the wife of Acting President Schalkberger and says the risoner has been brought to Pretoria Returning British officers do no eak hopefully of the situation is buth Africa. They report that the rallvays and small zones are securely held by the British around Bloemfontein down and have resumed their namual diate British influence, but little promade. The railway from' Johanne burg to Laingsuck is still menaced and the Dutch section along the South Orange river is still being ravished by guerillas while the broad districts of the Transvanl and Orange river colonly are only kept quiet by being emptied elaborately constructed, nor as fast a of population through repeated marches

JUDGMENT RESERVED

In Case of McLaughlin Charged July 31st. With Forcible Entry.

noon J. McLaughlin was on trial be-fore Magistrate Scarth charged with forcibly entering and taking posses controlled by Jonas Bergman and Frank Wishard

in two days this week have impounded the grade being confined to the nat- Bergman was away he (Alexander) had It was first proposed the road should located in close proximity and had

fendant and asked for a dismissal of the

would donate \$10,0000 for a public li- and roots sliding down the mountain argued that the prosecution had estabcertain sections of the criminal code and asked that McLaughtin be sent to of Mr Tache to blast away an immense the superior court for trial. The magistrate reserved his judgment.

Fresh Lowney's candies. Keily & Co., druggists. The Plannery, first class family cotel.

Any kind of wine \$5 per bottle at the Regina Club botel.

RECEIVED BY WIRE

SKAGWAY SNUBB

After Chamber of Commerce Arranges to Entertain River and Harbor Committee, the "Marble" is Extended

Skagway, July 19 .- Skagway people train was again run down to the wha are feeling very sore over the treatment and the party at once be erday moroling. When they left the party, all arrangements for a swe

merce were on hand to receive commer they boarded a train at the reception last having been completed. wharf and were sushed over to White- The people feel that they have be norse where they were banqueted. On clearly snubbed and great indigation their return yesterday evening the expressed

RECEIVED BY WIRE. RECEIVED BY WIRE. NEW PARTY FORMED

Bolted Old Party.

Cleveland, O., July 15, via Skagway, party and called a state convention for than ever and with no signs of com

Mrs H. C. Macaulay and two chillern arrived on the Whitehorse. Stenographer Blankman is back at is old desk in the police court. Mrs. Harry Edwards was smong the

Mrs. Frank P. Slavin and two chil-ren arrived on the Whitehorse and rank is the proudest man today in

J. L. Timmins is erecting a galvan-red iron warehouse on Third averue between Second and Third streets for-old storage puproses.

Work is progressing rapidly on the new brick warshouse on Third avenue. Three arched front entrances are now in place and the sidewalls are increasing in height every day. When completed the building will have a very metropolitan appearance and will be a contribute to the town.

Tache will return to Whitehorse to norrow evening, accompanied by Jus-ice Dugas who goes for the purpose of stablishing a court at that thriving village and to hear several cases said to have been pendin for some time. Mr. Tache will begin the construction Whitehorse and will return again to Dawson within a week or ten days ac- he has been unable

ompanied by his wife and daughter,

Mrs. Henpeck—I have no control over my husband at all any more. Mrs. Wunder—What's wrong? Mrs. Henpeck—He secured a certified copy of the census enumerator's rec-ord, abowing that I had given his name as the head of the family.—Baltimore

Latest Kodak finishing at Goetzman's, Photo supplies reduced at Goetzman's, user Drug Store

STILL ON

Ohio Bryan Democrats Have Metal Workers Did Not Retern

ranged and the fight is on more bitter promise. A general order for a strike everywhere was issued last night and it is believed it will be obeyed.

STEAMBOAT NEWS.

morrow evening at 7 o'clock. The Eldorado will leave

Pass & Vokon Route, morning by the steamer V

A consignment of freight are Fort Egbert

Italian Consul Alare

ing the Italians through the Mr. Piazza has wired the gove ing him to afford his s

... Ames Mercantile Co...

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\$4.50 Per Kit

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