

# EIGHTH DAY OF TRIAL

(Continued from Page 1.)

Continuing from the account of the trial published in the Nugget of Monday, W. H. Swinhart was called to the witness stand, but before he began his testimony the matter of excluding witnesses from the courtroom was discussed. The crown asked the witness to give the names of its witnesses so they could also be excluded, but defense positively refused to do so; the crown insisted and the court sustained the request, when the defense said it had no list prepared; that none of its proposed witnesses were then in court, but a list would be furnished next morning.

Witness Swinhart runs a farm near Selkirk and on December 9th, '99, a man with a yellow dog, which witness identified in court, came to his place and told witness his name was Thompson Ross, that he had a partner and they were going prospecting. Witness was not cross examined.

Ex-Constable Pennycuik was recalled to give evidence regarding having met O'Brien on the trail near the beef cache on December 11th; witness said he had previously fixed the date as the 12th, but was mistaken as it was on the 11th. Witness and prisoner were both in Anderson's roadhouse and witness asked him to turn the contents of a sack he had on the floor; O'Brien told witness it was none of his business what was in the sack and witness replied that he would make it his business; O'Brien then emptied the sack of some candles, soap and yeast cakes; O'Brien told witness he was going up Big Salmon prospecting, but would not need all his stuff, that he had no money and had to trade stuff for beef; that his partner was camped below Hellgate; returning to Selkirk witness saw a man dog around a woodpile and as he approached the woodpile two dogs, the yellow and black ones, ran out and the man came from behind the woodpile and called the dogs; witness recognized the yellow dog in court; O'Brien's partner was camped by the woodpile and witness searched his camp; in searching the camp for stolen goods witness found flour, baking powder, beans, rice, a small amount of each, two hams, roast beef, Eagle brand of milk; the milk was inside of the stove; there was stealing going on along that part of the river and witness was searching for no one in particular, but for stolen goods; the stove had a telescope oven and two damper holes punched. The stove was brought into court and identified by witness; there was no tent over the camp, the beds being made against the cordwood; the witness saw him burning the cordwood and told him he had no business to burn other people's wood; witness saw O'Brien's partner at Selkirk a day, possibly two days, later when he (the partner) walked into the police detachment when witness told him it was all right about his stuff as it had been bought from the A. C. Co.; at the beef cache on the 11th O'Brien told witness his name was Miller; lots of thieving was going on along the river at that time and a man named Portier was arrested and convicted for theft about that time; thieving did not stop on the trail after Portier was convicted on December 14th; on the same day witness started for the above mentioned camp with a warrant for the arrest of the two men, Miller and Ross, but the warrant was not served, the men having moved on; witness next saw O'Brien when he was brought to Selkirk a prisoner. This completed the evidence as to matters before the murder and the witness was questioned about the discovery of the tent a mile or more back from the river and where the murderers are supposed to have lived a few days previous to and at the time of the murder. Witness reached the place January 3d, 1900. To reach the location of the tent witness took the Pork trail from the main trail and

270 yards along the Pork trail again branched off and followed another trail to the tent; Constable Stevens was with witness; they searched the tent finding in it a bunk about a foot from the ground; the tent frame was built of logs. Blue prints of the tent and surroundings were certified to as correct by the witness and placed in the hands of the jury. In the tent was the same stove which the witness first saw at the camp by the woodpile below Hellgate; a sack of pilot bread was found by witness, also a file, pair of nippers, pocket knife, Corporal Ryan visited the cabin the day before the witness and witness had made a sketch of a rifle found there by Ryan, a 40-82 calibre; he identified the sketch; a shank of a hambone was also found in the tent, and a sack of 40-82 cartridges; a package of miscellaneous goods found in the tent were marked "McKay Bros., Dawson." McKay Bros. had a scow frozen in near that place. The goods were canned chicken, sausage, tea and several other items; there were some cans of Eagle milk; the tent was eight feet six inches square; near the tent was a tin which looked as though dog feed had been cooked in it; a wire was tied around a tree and a piece of oil cloth was spread by it; witness found the remains of a fire near the tent and about six feet away from the corner of the tent; witness followed tracks away from the tent but found that they only led to where dry wood had been cut; there were two plates, two knives, two forks and two cups at the tent and the bunk had been built for two men; the tent had been manufactured there, was crude and had been sewed in places with black thread; witness investigated and found the tent canvas had come from McKay's cache and a portion of it had been cut away from where it was frozen in the ice; witness afterwards dug pieces out of the ice and fitted them where they had been cut to the pieces used in the tent; witness went to Hootchiku the night of the 3d and told Corporal Ryan what he had found and Ryan showed him the 40-82 calibre rifle he had taken from the tent; witness started back to Selkirk on the 28th of the same month in company with Corporal Ryan took up their quarters at the Arctic Express cabin and prosecuted a search of the surrounding country until February 19th; the snow was deep and the work of searching was slow; signs of a trail and tracks led from the Arctic Express cabin to the Dalton trail; at that time foul play to Clayton, Reile and Olsen was suspected and a thorough search was being made to, if possible, locate the immediate spot where a crime had been committed; after February 19 work was suspended until March 16th when witness, Inspector Scarth and Detective McGuire renewed the search; on the 18th the three men searched around the tent but for only a short time, witness returning to Selkirk on the 19th with Scarth, McGuire and a man named Chapman remaining at the Arctic Express cabin; on March 21st witness returned to join McGuire, taking the dog Bruce with him from Selkirk, the dog having been brought from Tagish with the prisoner; McGuire pointed out to witness the point from which the down river view could be had of the trail, and also pointed out the open water by the point where bodies could be consigned to the river; McGuire then first showed witness a pool of blood about 40 feet from the river.

At this stage of ex-Constable Pennycuik's evidence an adjournment was taken until 10 o'clock today. The matter of holding night sessions was talked over but Attorney Bleeker stated that he was not physically able to attend the conduct of the case both day and night. A number of ladies were present at the session yesterday afternoon.

gerous condition, especially between 40 and 60 below Bonanza complaints are continually being heard from the teamsters, one freighter actually upset his load in one of these holes. Such a condition ought not to exist on a government road. These places should have been looked after before this.

**All Hall Emil.**  
Emil Mohr, the genial merchant of this city, has arrived in Dawson after an extended journey to the Fatherland and all of continental Europe. He brings with him his same jolly and cheerful face and the glad hand of good fellowship, as well as a large consignment of the more material things of earth. He will enlarge the store now occupied by Mohr & Wilkins and buckle down to business in a few days after he has squared himself with the boys who had it that he was coming back a benedict and who had made extensive preparations to welcome Mr. and Mrs. Mohr. Such, however, it turns out, is not a fact and Emil has returned heart whole and fancy free.

Ladies and gents' shoulder braces. Cribbs & Rogers.  
Elegantly furnished rooms with electric lights at the Regina Club hotel.

**The Cloud Shooter Returns.**  
After a long winter, Prof. Leonard, the aeronaut, returns to Dawson, bringing a story of his rambles through Mexico, Arizona and California, and reports the outside looking very quiet. Mexico is coming to the front on account of American capital opening a great number of mines. That republic in future will be a great field for the American miner, as the natives can not be trusted with the handling of giant powder.

The Mexicans like ballooning next to bull fighting and old men and boys raise their hats out of respect as the aeronaut passes, but they will cut out enough of a balloon, should it land a mile from town, to make a tent and clothe a family.

Prof. Leonard has his flying machine half finished, and expects wonders from it when completed. He expects to give this city one of those splendid ascensions for which he is famous in the near future.

**The Road Bad.**  
The government road between Dawson and the Forks is in fairly good condition, but there are still several places which are not only in a bad but dan-

# ROUGH AND TUMBLE

## Young Leedham Is a Gladiator in the Ring.

There was a go last Saturday night at the Savoy theater which for uniqueness of events and unexpected results beat anything in the history of fistic encounters ever chronicled in Dawson. The contestants were Curly Carr and Young Leedham. After waiting an exasperatingly long interval after the advertised time of the meeting the men appeared in the ring. Then another wait occurred. There were no gloves. Messengers were dispatched to borrow a pair, but they came back empty handed. At last an old and heavy pair was thrown into the ring and the men were ordered to get ready. Time, 10:35. When the men stripped for the fray the first surprise was handed to the assembly. Leedham showed in form like a youthful Hercules. Swinging his arms constantly in a peculiar fashion to their widest extent and bringing his hands together he advanced towards Curly who stood on the defensive. "Bang" went his left like a shot, catching Carr straight between the eyes and knocking him out of equilibrium he fell sprawling on the floor. With victory shining in his eyes Leedham then rushed Carr driving him clear over the ropes where they were separated by Referee O'Donnell. Coming to center again Leedham sawed the air. Carr scowling savagely. "Biff" went the left with sickening force and Curly's head was nearly lifted from his shoulders. The onlookers yelled for joy. Leedham rushed at his man drunk with the plaudits of the multitude and a clinch followed. Coming again with a mad rush, like an angry bull, he hurled Carr against the ropes with such force that he tore the ropes to the floor, Carr again going down. This stopped the round which had not consumed the regulation three minutes. The audience screamed with delight at the spectacle and yelled with joy as one of the stage hands entered the fallen ring, ax in hand, to repair damages. After the ropes were replaced time was called and Leedham rushed for his man and clinching, hugging him like a bear and whipping his arms like a fan! Breaking away he came back with a swing of his left which landed on Carr's body with a report like a pistol shot. Clinching he picked Carr up and hurled him to the floor flat. Referee warned Leedham to fight clean. Leedham swung again and landed on Carr's jaw and then again threw him to the floor. O'Donnell again warned the fighter, who by this time seemed to have gone clean mad. Time was called here. Leedham rushed at his man at call of time forcing him to the ropes, a clinch followed. Again Leedham rushed and clinched and here Carr got in the first blow, driving in a right on his opponent's body. What little sense remained to Leedham left him after that and driving a left in on Carr's jaw he ruffed his man, clinching and with a giant's strength lifted Carr in the air and dashed him flat to the boards. The referee here stopped the go and awarded the contest to Carr on a foul. Leedham hurled defiance at Carr, saying he could lick a dozen Carrs and rushed upstairs after Carr, whom he said he would smash into little bits. He was restrained, however, by his seconds.

Taking it all together the meeting was a warm number, but Leedham should in future be compelled to fight inside of a cage with his adversary on the outside.

Fresh arrivals of fruits and produce every day at Barrett & Hui's Third ave. Reliable people to deal with. Best prices to the trade. Headquarters for candied eggs.

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Latest photo buttons at Goetzman's.

Send a copy of Goetzman's Souvenir to your outside friends. A complete pictorial history of the Klondike. For sale at all news stands.

Oregon cheese and Canadian Full cream cheese. Selman & Myers.  
Kodak tripods; Goetzman's.

**WANTED**  
WANTED—Good general servant for family of two. Apply Mrs. Ridley, DeLobel cabin, First ave.

In the Territorial Court of the Yukon Territory.  
Between  
ERNEST LEVIN, Plaintiff,  
And  
FRED TRUMP, PATRICK MARTIN and ANNIE MARTIN, Defendants.  
To the Above Named Defendant, Fred Trump:

Take notice, that this action was on the 13th day of June, 1901, commenced against you, and that the plaintiff in his writ of summons claims: An accounting of all partnership business; partition or sale of said partnership business; such other and further relief as the nature of the case may require; costs of this action.

And take notice that the court has by order dated the 13th day of June, 1901, authorized service of the said writ of summons on you by the insertion of this notice for three weeks after the date of said order in the Nugget newspaper.

And further take notice that you are required within 40 days after the last insertion of this advertisement inclusive of the day of such insertion, to cause an appearance to be entered for you in the office of the clerk of this court, and that in default of your so doing the plaintiff may proceed with this action and judgment may be given against you in your absence.

W. L. PHELPS,  
Advocate for Plaintiff,  
Whose address for service is at the offices of Messrs. Woodworth & Black, rooms 3, 4 and 5 Victoria building, Dawson, Y. T. c7-6

# THE ELECTRICAL KITCHEN.

No More Overdone Roastlor Underdone Fuddings.

Cooking would be more of an art and less of a gamble if the heat could be put where it was wanted and nowhere else and its intensity were under the perfect control of the cook. The oven that will not come up to the right temperature or that will not bake on the bottom, the chimney that draws the wrong way when the wind is from the northwest, the dampers that refuse to do as they are bid, the kindling that burns out without lighting the coal, all tend to make cooks the most ill tempered of mortals.

The gas range is admirable in that it supplies a heat that can be tempered at will, but it fouls the air. It burns up the oxygen and leaves carbonic acid gas, and if there is a gas stove connection that does not leak a little I have yet to see it. Perhaps the escaping gas may not favor the food, but some profess themselves able to detect it in the viands. But be that as it may dwellers in city houses need more pure air rather than less of it. If we do not live as long as we might, it is because we shut out the sunlight and the air too carefully.

The electrical kitchen is not only admirable, it is ideal in its application of heat. It does not steal oxygen. It does not foul the air. It is steady. It can be directed to the top, bottom or the sides of the thing to be cooked, for it does not depend upon the combustion of fuel or the convection of hot air, but upon the resistance of iron to the electrical current.

Instead of having to plan so that the cooking be done when the fire is in the range the electrical kitchen is ready at any hour of the day or night to bake or broil, set the stewpan to sizzling or the hot water urn to bubbling, to brew the 5 o'clock tea or to disconnect the midnight Welsh rabbit from the fear that the alcohol bottle is empty and all the drug stores shut up, to temper the chills of the spare bed or to warm the toes under the desk, to heat the curling iron or the smoothing iron, all these appliances being connected by a flexible wire cord to a socket in the wall whence comes the energy.

It is an exemplification of the wholesale principle. Instead of 1,000 chimneys smoking at a tremendous sacrifice of coal there need be but one big fire whose heat is turned into motion, that into electricity and that in turn back to heat again.—Ainslee's Magazine.

Send a copy of Goetzman's Souvenir to your outside friends. A complete pictorial history of the Klondike. For sale at all news stands.

Oregon cheese and Canadian Full cream cheese. Selman & Myers.  
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BOOKING OFFICE NOW OPEN.  
For Passenger and Freight Accommodations apply at Co.'s Offices, A. C. Co.'s wharf.