

COMMITTED FOR TRIAL

Chris. S. Christensen of 78 Below Bonanza

Given Preliminary Hearing in Police Court This Morning on Charge of Perjury

Chris. S. Christensen of 78 below Bonanza, who is charged with perjury, was committed for trial this morning by Mr. Justice Macaulay in the police court.

Attorney W. H. White, who is acting for the defendant, stated that it would be impossible for the defense to prepare its case for the sitting of the criminal court which takes place this week, and it was agreed to have the trial take place at the sitting of the criminal court next month.

The first witness called for the prosecution was J. S. McKay who is acting clerk of the territorial court. The evidence of Mr. McKay was relative to certain documents connected with the civil action of Cole vs. Anderson and Christensen, and the interpleader case of Moncrieff vs. Christensen and Cole vs. Anderson and Christensen.

The affidavits which were sworn to by Christensen before W. M. McKay and J. H. Shannon in which the paragraphs embodied in the information laid against Christensen and which had been put in as exhibits in the civil action above referred to were produced.

A stop order in the case of Cole vs. Anderson and Christensen, dated Aug. 21 and filed Aug. 23rd, 1902, a notice of application for order of the interpleader action, copy of summons, order signed by Mr. Justice Magulay directing the money to be paid into court at the trial of the case of Cole vs. Anderson and Christensen, and the notice of the court that the moneys in question should not be paid out without notice being given to Moncrieff were likewise produced and marked as exhibits.

In answer to Crown Prosecutor Pattullo, who conducted the case for the crown, Mr. McKay stated that the amount paid into the court in the action of Cole vs. Anderson and Christensen was \$3900.

Gen. Craig, court reporter of the territorial court, was the next witness and produced a transcript copy of the notes taken at the trial of the case in question which was tried on March 24th. He read the evidence taken in that trial the portion which related to the evidence of Christensen in which the latter upon cross-examination by Mr. Justice Craig had contradicted himself upon the affidavits which had been filed by him in September last.

Mr. Justice Craig which was true, his statement on oath or his affidavit, he had replied that he knew he had been notified and had paid the money into court upon being ordered to do so. The other affidavit was referred to asking why he had made it Christensen had replied that he did not remember.

W. M. McKay, the attorney, was then called and identified his signature upon the affidavit as did also Attorney R. W. Shannon upon the affidavit that was sworn to before him. Neither attorneys remembered Christensen as being the man who made the affidavits but stated that the oath had been administered in every case when an affidavit is made.

F. G. Crisp of the law firm of Gwitham & Crisp, was the next witness called and stated that his firm had acted for Moncrieff in the actions above referred to. His firm had obtained a stop order on payment of a certain mortgage which had been assigned to Moncrieff.

The assignment of the mortgage had been made to Moncrieff on the 5th of July last and the money had been paid on the 7th. Christensen had admitted to witness in the presence of A. C. Bannerman that he had received notice of the assignment shortly after it was made and before the money had been paid into court.

A letter written by Attorney Haegel, who acted as solicitor in one of the cases to the firm of Gwitham & Crisp was produced but was objected to by Attorney White for the defense.

On cross-examination the witness stated that the interview had taken place on the 8th of September and that the money had been paid into court on the 15th of August, the date it was due.

A. J. Bannerman was the next witness called and testified that he had negotiated the sale of the mortgage from Anderson to Moncrieff. The original mortgage from Christensen to Anderson was for \$5,000, but \$2,000 had been paid, leaving a balance of \$3,000 due. Moncrieff had purchased the assignment of the mortgage for \$2,500 on the 5th of July, giving a check to witness for same and the money had been paid at the bank to himself on the 7th of July. Moncrieff and witness had considered the transaction a legitimate and bona fide one.

Witness had seen Christensen with in 10 days after the assignment and told him not to pay the money into court and told him of the assignment and read to him a portion of it.

Robt. Moncrieff was the next witness and stated that he had purchased the mortgage from Anderson for \$2,500, giving cash for it. The transaction had been negotiated by Bannerman and he did not know the parties. He paid the money on the 7th of July and it had only been repaid him by the court recently.

Mr. Moncrieff's evidence completed the case for the crown and his lordship then committed Christensen for trial. In ordering the commitment his lordship made some remarks which the attorney for the defense thought might be prejudicial to his client and so it was requested that they be withheld from publication.

RETURNING From the Tanana to Circle - Low Grade Ground

The stamperers from Circle to the Tanana diggings have commenced to return and are bringing back with them the same reports as have been received in Dawson. The country is described as having extensive gravel deposits which are of low grade and which will require machinery and pumping plants to work. It is not a proposition such as Dawson was in 1897 and '98 when the miners could go out and in a few days rock or pan out several hundred dollars, but will require time and the expenditure of money to advance its development.

Such is the purport of a letter received today by the N. C. Co. from its agent at Circle. The letter also states that most of the stamperers have signified their intention to go back upon the opening of navigation.

LOCAL BREVITIES. A Dominion miner named Taylor and his partner left Saturday with two teams of five dogs each for the Tanana. They took but 800 pounds weight from here, intending to get the bulk of their outfit at Eagle.

The first rehearsal of "Erminie" took place Thursday evening at St. Andrews hall, over forty of the society being present and evincing the greatest enthusiasm in the forthcoming production. The cast of the principals will not be made for some little time, but it is thought that Mrs. Ritchie will be prevailed upon to assume the title role.

GROUND IS DIVIDED

Precedent of the Appeal Court Followed

Both Staked Immediately After Midnight and Are Held to be Equal Owners.

In a decision handed down on Saturday by the gold commissioner the precedent already laid down by the court of appeal concerning the proper procedure on the part of the mining recorder when two or more persons stake the same piece of ground simultaneously was carried out. The action was that of Frank Newton vs. George Brimston and the controversy was over the hillside adjoining the upper half, left limit, of 37 below lower on Dominion. The judgment is as follows:

This claim was formerly held under a grant for one year from July 27th, 1901, and on both parties to this action staking the ground in question on the morning of July 28th, 1902, they were advised by the mining recorder that the ground was not open for location until the next day because July the 27th, 1902, the last day of the existence of the grant under which the claim was formerly held, was Sunday and the owners under said grant held the ground for another day. They both then staked the following morning and the defendant, Brimston, received a grant.

"I am of the opinion the recorder erred in refusing the applications for the ground under the staking that took place on Monday morning, the 28th of July. The grant was for one year and the fact of the last day of the existence of the grant being Sunday or a holiday does not extend to the existence of the grant for a day. The Interpretation Act does not cover this case. The rights of the parties, must, therefore, be considered with respect to their staking on the morning of Monday the 28th of July.

"According to the statement of the case put in, both parties staked the claim on the morning of the 28th of July, immediately after 12 o'clock on the night of the 27th. They did not stake together, their respective times being different, but each staked immediately after 12 o'clock according to his own time. Newton staked first, but Brimston claims he staked shortly before 12.

"I am of the opinion that this is a case where I must follow the ruling laid down by the court of appeal in Long vs. Lindacker, both parties staked according to their best judgment immediately on the ground coming open for location and I must hold that the claim should be divided equally between the parties, that is, an undivided one-half interest each."

ESKIMO FROZEN Cape Prince of Wales, Jan. 16th; 1903.—Oomaugsook, an Eskimo about 30 years old, was found frozen to death on the highway, in the village of Kingcar. He had been invited to spend the evening with Ootooktik who had just distilled some whisky. Oomaugsook, on trying to find his way home, was lost in the deep snow drifts, where he perished before morning. There has been very little whisky made this winter, and it is not likely that it will last long.

On December 13 last they began to dance, and men, women and children have danced from early morning light till midnight on all days, even Sunday's not being kept by the chief and some of the old converts of the mission. To relieve the tired feeling caused by dancing they will try whisky for a stimulant, all the time neglecting to catch seal and bear, so that in March and April there is apt to be much destitution in the village.

The government should have an agent here to compel them to support themselves in season, and there would be less need of relief goods in the future.

Jones Wins Game. The playing in the bonspiel for the Hartman trophies is nearing an end, the semi-finals in the losers' series having been played off on Saturday between the rinks of Jones and Macpherson, resulting in a victory for the former by a score of 14 to 9. In the winning team Dr. R. Macfarlane played substitute for Wm. Gibson, who was unable to appear. Only the finals are yet to be played on both the winners and losers side. On the former the play will be between Jones and Moncrieff, the game being scheduled for Thursday next. The finals in the winners' series will be between Crisp and Lithgow, for which no dates has so far been set. The winners of each side will play each other for the trophies offered by H. G. Wilson.

WANTED - A girl to do general housework. Apply at 323 Fourth avenue, between Dube and Albert streets. Call mornings.

Carnation Cream, 6 cans for \$1.00, guaranteed. Ahlert & Forsha.

LIBRARY SITE

Tenders Will be Opened Tonight by the City Council

Mayor McLennan has called a special meeting of the city council for this evening to consider and open the tenders for a site for the Carnegie library. Up to 3 o'clock this afternoon ten tenders had been deposited with the city clerk with the possibility of several more coming in before the close of business at 5. The tenders contain the description of the lot or lots offered and the price for which such will be sold and it is up to the council to make its own selection. None of the members of the council have given any intimation of the site that they most particularly favor, though it is tacitly understood that the location decided upon will be as near central as possible. One site that has been tendered that is thought very favorably of is the southeast corner of Fourth avenue and Queen street, in the same block with the public school. It is not compulsory that any of the tenders be accepted and even if any particular one is favorably regarded it may not be decided upon this evening.

WINTERED IN SCOTLAND Mr. J. U. Nicol, the well known distiller of siphon soda, pop and root beer, returned a few days ago from bonnie Scotland where he has spent the past winter visiting the scenes of his childhood and renewing the long forgotten taste for porridge. Mr. Nicol had not visited his parents in ten years and it was with a feeling of unmitigated joy that he once more beheld the land of his birth. The bulk of his time was spent in Edinburgh and Glasgow with an occasional trip to London. During the winter he met Mr. and Mrs. Charles Milne who were touring Scotland and spent a couple of days very pleasantly with them.

STORE IN PERIL N. C. Co.'s Store at Circle Threatened by Fire.

Word has just been received at the N. C. Co. of a fire which occurred at Circle City some time ago which endangered the company's store for a considerable length of time.

The fire occurred in a cabin belonging to the company and located next to the store. The "rush" to the Tanana had taken the larger share of the population out of the town and being short of help the greatest difficulty was experienced in getting the flames under control. It was then only by tearing down another cabin situated between the one burning and the store that the fire was kept from spreading. The cabin was burned to the ground but the loss was inconsiderable as no further damage resulted.

Will Arrive Tomorrow A telegram was received this morning stating that the stage containing Mr. Justice Dugas, H. E. Ridley and other well known Klondikers, had passed Yukon Crossing yesterday morning and would arrive tomorrow morning between 10 and 11 o'clock. His lordship has sent word to the commissioner that he will be ready to again take up his duties in the court on Wednesday, April 1.

Whence, Why, Where? Where did I come from? Straight from God, Like the shell from the sea, or the sprout from the sod. You are part of it all, no less, no more. So stop your queries, and trust, and adore.

"What did I come for?" You came for a cause, To strengthen the purpose, to better the laws. Like the rivet or bolt of a great machine, You are all important, though all unseen.

"Where am I going to?" Never mind! Just follow the signboard, that says "Be kind." And do the duty that nearest lies. For that is the pathway to Paradise. —Ella Wheeler Wilcox.

A Modern Love Song. In the state of Mass. There lives a lass I love to go N. C. No other Miss. Can ever I wish. Be half so dear to me.

R. I. is blue And cheeks the hue Of shells where waters wash On her pink-white phiz There Nev. Ariz. The least complexion Wash.

"La" could I win The heart of Mimi, I'd ask for nothing more, But I only dream Upon the theme, And Cons. it o'er and Ore.

Why is it, pray, I can't Ala. This love that makes me ill? N. Y., O., W. Kan. Nev. Ver. I Propose to her my will?

I shun the task 'Twould be to ask This gentle maid to wed. And so to press My suit, I guess Alaska Pa. instead. —Brooklyn Eagle.

Fancy two plants being so unfriendly that the mere neighborhood of one is death to the other! Yet that is the case with two well known British plants. These are the thistle and the rape. If the field is infested with thistles, which come up year after year and ruin the crops, all you have to do is to sow it with rape. The thistle will be absolutely annihilated. —London Standard.

To actual consumers, over-the-ice eggs 15c doz. N. A. T. & T. Co. Job Printing at Nugget office.

QUARTZ STAMPEDE.

To Indian River Occurred Yesterday Morning.

There was quite a stampede precipitated by Herman Wolzetham who came into town Saturday night and showed samples of quartz, the value of which he claims to have discovered on Indian river. A party of nine was quickly organized, among whom were Thos. Chisholm, Aedy McKenzie, Louis Spitz, Colin McDonald, Jack Smith, Holmes and three others, and started during the small hours of yesterday morning. The location of the property was not defined, the most definite information given out being Indian river. It is stated that assays from the rock will run \$150 to the ton. The party will be back tomorrow morning.

Case Re-Argued The case of Evoldsen vs. Boyes et al. in which a writ of mandamus was applied for to compel the mining recorder to issue to the plaintiff a grant to certain mining property he had staked, was re-opened and re-argued this morning before Mr. Justice Craig. The argument for the writ came before his lordship several weeks ago, but as the matter is somewhat complicated and the judgment will to a large extent establish a precedent for future cases of a similar character, it was desired that additional argument be afforded upon certain points that were heretofore not quite clear. No intimation was given out as to when the judgment might be anticipated.

Prizes Selected The prizes that will be given at the fancy dress carnival at the rink on Wednesday evening are now on display in the window of Reid the druggist on First avenue. They are quite elaborate and well worth striving for. The managers again desire to impress upon the minds of those attending that they must hunt in their names and the character impersonated at the ticket window. The grand march will occur at 8:45 sharp at which hour the gong will bang for the lineup on the ice. Swift's Bacon has no equal.

TWO STAGES

One Yesterday and one Today With Mail

A White Pass stage with 280 pounds of firstclass mail arrived at 1:45 today with the following passengers: James Moore, Wm. McVing, Lars Engset, Thos. Corbett, Jas. Fleming, John O'Brien, Wm. Miller, Ida Marshall, Alex. Bailey, F. J. Fuller, Mrs. F. L. Rich, Mr. McCarthy, W. L. Doyle, Mrs. Doyle. A White Pass stage arrived at 10:30 yesterday with 360 pounds of mail and the following passengers: J. T. Burke, Mrs. Burke, G. E. Burke, Rose Mack, Will Butler, Miss Mullen, C. Johnson, Louis Garringer, W. J. Reid, J. Garwin. Another stage is due tomorrow.

A Profession That Pays. The baseball payrolls will hardly bear out the proposition of Mr. Schwab that a college education as a preparation for the serious business of life is "not so much." Back-lot practice with curved balls and the "stick" may yield larger results than exhaustive work at a curriculum. And what figure must Willie Keeler and his \$10,000 for playing in nature's playtime cut before the eyes of the ambitious law student who sees ahead of him, perhaps, as the crowning of years of work, a circuit judge'ship at \$6,000 for the whole year's work?

For Alaska Congress has done great things for Alaska this session. Though no re-education has been eliminated from the license law. The cable appropriation.

Professional Cards

CONGRESS HAS DONE GREAT THINGS FOR ALASKA THIS SESSION. THOUGH NO RE-EDUCATION HAS BEEN ELIMINATED FROM THE LICENSE LAW. THE CABLE APPROPRIATION.

TEMPERATURE 7 a. m. March 26, 1903. - 6 Below 7 a. m. March 26, 1903. - 11 Below 7 p. m. March 26, 1903. - 2 Below

Hair Mattresses

MADE OF GENUINE CURLED HAIR. \$16.00 Each for 3-4 Size \$20.00 Each for Full Size. Secure one while the price is low. We are selling Wool Mattresses cheap as ever.

Northern Commercial Company

NOTICE! To Canana Stamperers...

Why haul your outfits one hundred and ten miles farther when you can buy them from us at Eagle City, Alaska, directly on the route via Circle City to the Tanana. We have a large stock of Fresh New Goods in everything you need, excepting Teas, Salt, Picks and Rubber Boots, at prices much lower than are quoted from any other point. We are the nearest to the new Tanana diggings where supplies can be had. No Customs duty to pay or inspection to be bothered with.

PEOPLES & WOODRUFF, EAGLE CITY, ALASKA.

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Dawson's Leading and Most Influential Newspaper. The Nugget has the BEST Local News Facilities, Telegraphic Service and Mining Reviews, and is ALWAYS RELIABLE.

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Delivered to Any House in the City for \$2.00 Per Month. On and After February 1, 1903:

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