

THE DAILY KLONDIKE NUGGET.

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VOL. 2 No. 148

DAWSON, Y. T., FRIDAY, JUNE 21, 1901

PRICE 25 CENTS

COUNTER CLAIMS

Are Entered in the Case of Mrs. Emerson Vs. Mrs. Breckenridge.

DEFENSE DENIES THE CHARGES.

Claims That Emerson Was Acting as Manager Only.

EVIDENCE WAS BROUGHT OUT

To Show That Relationship Between Defendants Was Legitimate—Case Under Advisement.

In the police court this morning Mrs. Breckenridge was before Magistrate Howard to answer to the complaint made by Mrs. Emerson that she (Mrs. Breckenridge) had been living with Mr. Emerson while he was lawfully married to another woman.

The evidence of four witnesses was taken the principal of whom was John Langerow who is now a prisoner at the barracks serving a sentence for theft. The witness said that he had worked on 12 Gold Run, Mrs. Breckenridge's claim, on which Mr. Emerson was foreman. Witness had worked from September 16 to some time in March. From the 16th of March until the 1st of January he had lived in Mrs. Breckenridge's cabin which was also occupied by Mrs. Breckenridge and Emerson. The cabin was divided into three rooms of which he occupied one room and Mrs. Breckenridge and Emerson another white the third which was a larger one was used as a dining room. After the 1st of January he (the witness) had taken up his abode in another cabin and did not know what relationship existed between Mrs. Breckenridge and Emerson after that time.

Emerson on the stand stated that he had been acting as manager for Mrs. Breckenridge's claim and denied having at any time any illegal relations with Mrs. Breckenridge.

A L. McPherson an employee of the claim for the past seven months stated he had never known of any illegal relations existing between the defendant and Mrs. Breckenridge. He had occasion several times to go to the cabin early in the morning and had always found Emerson in his own room.

Annie Carrola hotel keeper on 64 Gold Run stated that she had worked from March until June of last year with Mrs. Breckenridge on Dominion and had never observed anything wrong in her character.

Attorney Walsh for the accused asked for a dismissal of the case. The attorney for the prosecution asked that the case be held over to the territorial court. The magistrate took the matter under advisement and will give a decision this afternoon.

RECEIVED BY WIRE. RIVER INTELLIGENCE.

Full Report of the Steamers on the Upper River at Different Points Along the Line.

Lebarge, June 21.—Steamer Zealandian passed down at 9:30 p. m. The Canadian followed at 6 a. m. on the 21st. Steamer Clossett passed down at midnight.

Big Salmon, June 21.—Steamer Columbian passed up at 2 this morning. Steamer Ora passed up at 6:15 this morning.

Lebarge, June 21.—Steamer Flora passed down at 9:30 this morning. Steamer Cimmilus passed down at 1:30 p. m. The Clara-Monarch passed down at 1:30 this afternoon.

Hootalinqua, June 21.—Steamer Zealandian passed down at 11 this morning. Steamer Canadian passed down at 1:30 p. m.

ELEVENTH DAY OF TRIAL

Evidence All in Yesterday Evening. No Defense Was Offered—Crown Prosecutor Wade Addressing the Jury Today—O'Brien Denies Imputation Regarding Theft.

Never was the old territorial court room more densely crowded than this morning, the opening of the eleventh day of the trial of George O'Brien on the charge of murdering Lynn Kelle. All the evidence in the case was in when the previous session of the court adjourned, the prosecution closing at 3:45 Thursday and the defense offering no evidence.

Crown Prosecutor Wade addressed the court and jury this morning. He opened his address by stating that the defense, having entered no counter-evidence, no power of oratory or of reasoning will remove from the minds of the jury the undeniable facts set forth in the evidence of the prosecution. The speaker complimented the jury on its conduct during the case and its unswerving attention to the case and its details. The witnesses, many of whom traveled thousands of miles to give evidence for the crown, were complimented and praised for their efforts in behalf of right; also the government of the state of Washington in loaning a witness to testify in order that justice might apply. Mr. Wade spoke of the Northwest Mounted Police as "the pride of Canada and the envy of the civilized world." He mentioned the invaluable aid and untiring work of Major Primrose, Capt. Seath, ex-Constable Penney, Corporal Ryan, Detective McGuire and others to whose vigilance was due the successful manner in which the crown had been able to present its case to the judge and jury. The speaker spoke of having revealed to the defense the entire outline—the full details of the lines which would be and which were followed in the prosecution of the case.

Starting in on a review of the evidence, Mr. Wade referred to the matter of proving the corpus delicti and that, in order to prove that of Kelle, it was also necessary to prove that of Clayton and (then) the tripple murder having been a single transaction. The defense had objected to the evidence regarding the two latter bodies, and the court, with an eye single to justice and right, had very properly admitted the evidence. Continuing, the arrival of the victims at Minto roadhouse, their stay there over night, their departure, light-hearted and happy on Christmas day, a day of peace on earth, good will among men, their short journey up the river on their way to John Lovel ones on the outside and their meeting sudden, unexpected and brutal death at the hands of cold-blooded and heartless murderers and assassins. He spoke of the stopping that day at Hootchiku of Mail Carriers Burgess and Mercedes, otherwise they would have reached the scene of carnage and assassination at about the time it was enacted. Line-man Olsen failed to keep his engagement to eat dinner with Corporal Ryan at Hootchiku and his failure to appear later aroused suspicions which investigation confirmed and search began; the trails were inspected and at length the tent more than a mile back from the

river was found. Its presence there was not explainable from a legitimate standpoint; no wood camp was there; it had not been used by travelers on the trail, but it was occupied by stolen goods and was the home of the perpetrators of the Christmas day tripple murder. The search which followed and its wonderful and extraordinary results. Detective McGuire and Constable Penney were graphically described "as day succeeding day they worked on their hands and knees in the frozen snow, sifting it through their fingers in quest of evidence; of their success in finding such small but tell tale articles as the thin crown of a human tooth, a domestic pin, a flattened bullet, shells, particles of human skull, etc. By the tent a mile back were the remains of a fire in which were found eyecups, buckles, buttons, fragments of charred clothing and other things; keys, knife, electric bell, bottle and other articles that would not burn were found in a two feet of snow and from 30 to 50 feet away from where other articles had been consumed by fire. The evidence was conclusive that the men who occupied the tent were the same as committed the murders. The instinct of McGuire and Penney in fishing out and uncovering the old trails from beneath two feet of late snow was described; the various blazed trees and the silent message the men intended to convey by an accomplice were described. There were no motives of revenge in committing the murders; they were premeditated, cold-blooded and heinous, the only motive being robbery and loot and for this motive the murders were shot down like dogs. The murderers were possessed of Finnish cunning and made their plans with much hard work and physical exertion; many trees had been chopped away with a dull ax; a site was selected which gave a clear view of the trail; all was done in a manner showing the hand and management of a past master in crime. A spot near the open water was selected and all arrangements perfected for disposing of the bodies of their victims. The tent was provided in an obscure location as a place of retirement after murder was committed as it would not do to burn the clothing of the victims near the trail. All was provided with a guiding hand and the program was carried out by the murderers to the letter. The finding of the 40-30 shell on the ice and experiments later made by McGuire and Penney by shooting a board at the spot where the first pool of blood was found and firing at it from the point where the skull was found showed that the bullet would pass through Clayton's body just where a bullet did pass through his body entering his back.

The murderers had lain in wait for their victims; one of them rushed out and drove them from the trail and up the bank and there they were shot, killed and robbed; the bodies being later carried, dragged or hauled a few

yards and put into the river which was open at that point. The three exact spots on which the victims died, and the indications of a mighty struggle where Olsen was killed, the finding of indisputable evidence at each spot fully demonstrated beyond all shadow of doubt that the men met their death at the point described and it further fully demonstrated beyond a doubt that the perpetrators of the crime were the same as had occupied the tent a mile back from the trail, and the next thing to do was to identify the perpetrators of the crime and the occupants of the tent as O'Brien and his partner whose name is believed to be Graves. This the crown prosecutor proceeded to do.

O'Brien and Graves were at various points along the river for weeks previous to the murder; they always had two dogs, one yellow, one black. They told different stories at different places; they gave different names at different places, and immediately after the murder O'Brien leaves for the outside and his partner disappears from the ken of man. On the river O'Brien's name was Miller, his partner's name was Ross. When the prisoner was arrested at Selkirk his name became O'Brien and that of his partner Hastings. After the murder it was inadvisable for the two men with the two dogs to travel together and they separated. Graves may have been disabled at the time of the murder. If he was disabled, the man who planned the murder was not the man who would lead him alive; therefore, if Graves was disabled in the fight he went under the ice with the three victims. On the other hand, Graves may have come back down the river to Dawson.

On the trail going out after the murder O'Brien was desirous of selling the yellow dog. He even bought a team in order to lose identity as the man who had been traveling with a yellow dog. Then he had considerable money while when he left the jail a few weeks before he had only \$40. Constable Penney's finding the stove he saw at the woodpile camp of O'Brien and Graves at Hellgate in the tent back of where the murders were committed was a matter to which Mr. Wade called the special attention of the court and jury.

On December 20th O'Brien and partner stopped at Capt. Powell's roadhouse; they had no money, so they slept on the floor and cooked their own grub. They then said they were going up Big Salmon prospecting. Previous to passing the mouth of the Pelly they had told other witnesses they were going up the Pelly river prospecting. Mr. Wade described the peculiar conduct of O'Brien and his partner at the Arctic Express cabin for two or three days, and of the strange conduct of O'Brien in warning Powell away from the cabin, the prisoner having a rifle in his hand at the time. On the 16th, 17th and 20th of December and a week previous to the murder the two men (O'Brien and Graves) were shifting their quarters from the Arctic cabin to the tent back from the river and for the next several days neither of the men were seen nor had Graves ever been seen since. The lunch box having arrived recent was taken until 9 o'clock.

At one time during Mr. Wade's address this morning he referred to the prisoner as an old-time thief when O'Brien sprang to his feet in the prisoner's box and said, "I have never been convicted of theft in my life." The court commanded him to sit down and he did so, relapsing into the morose attitude which he assumed at all other times for the past two days.

(Continued on page 3.)

A Place for Ladies.

One of the handsomest and by far the most attractive candy stores in Dawson has been recently opened on Second avenue near Carney's new place. Mrs. West is the proprietor of the place. She having recently brought in a complete stock of candies and accessories of the business.

Excursion Planned.

An excursion is planned by Gashott's beach club to Eagle City. It is hoped to secure the new steamer Prospector for the trip and to bring back a load of freight to celebrate the fourth of July in Dawson.

Rex Hams, 25 cents.

Eldorado Warehouse, Third avenue and Second street.

Canned spring chickens.

Selmar & Myers.

INSPECTS ROADS

Commissioner Ross Visited Bonanza and Eldorado Creeks Yesterday

ROADS IN FAIRLY GOOD SHAPE

Thinks They Will Be Satisfactory With Some Filling.

HE WAS GREATLY IMPRESSED

With the Amount of Work Now in Progress Especially on the Hillside Claims.

Commissioner J. H. Ross made a trip to the Forks, upper Bonanza and Eldorado yesterday on a tour of inspection. Speaking of the object of his trip to a Nugget representative this morning Mr. Ross said: "The business of the office, requires such close attention that it is impossible for me to get away on a long trip at the present time and in order to acquaint myself with the country I intend making several short trips to inspect the various creeks and see where the roads require immediate attention."

"I found the roads on Bonanza and Eldorado to be in what I consider pretty good condition. Of course we all know that the frozen ground does not make a very solid foundation for a road and there is always more or less of a shrinkage in the road while the ground is thawing. With a little filling in in places the roads can be put into excellent condition."

"I was very much impressed," he continued "with the amount of work which is being done especially on the hill claims and the immense dumps which are being taken out. Another fact which interested me greatly was the improved methods which are being used."

"On No. 6 above Bonanza the entire surface of the claim is being uncovered by the use of plows and scrapers propelled by electricity. The current is obtained from the power house in Dawson. I had no idea that such modern methods were being employed in this country. Another thing which interested me was the big dredging plant which is being erected at below on Bonanza, a large part of which is already set up. If the dredger is proven to be a success it will be a great advantage in the mining industry."

The commissioner will start tomorrow morning for a trip up Hunker, Red Chance and Gold Bottom, returning in the evening. A little later on when the rush is over he expects to take a several days' trip over Dominion, Sulphur, Gold Run, Hunker, and the balance of the outlying creeks.

A Distinguished Visitor.

Hon. John E. Wink of Juneau, is in the city on his first visit. For nine years and as territorial court judge he occupied the bench for the district comprised of Seward and San Juan counties, Washington. Nearly four years ago he moved to Juneau since which time he has enjoyed an extensive and lucrative law practice in the U. S. district court of Alaska. Since coming north he has been Alaska attorney for the Pacific Coast Steamship Co. Judge Wink is in Dawson in the interests of clients and will be here until some time next week.

If you like fine excursions, cool drinks or delicious ice cream try Mrs. West's new store on Second avenue.

Kodak tripods; \$3.50 Gosteman's. Latest Kodak finishing at Gosteman's.

Make Your Purchases for
Summer Clothing Now!

LIGHT WEIGHT SUITS,
UNDERWEAR,
SHOES,
HATS.

SARGENT & PINSKA

Self-Dumping Ore Cars...

The most complete patent car on the market. Call and examine it.

Wagons

SINGLE AND DOUBLE

Galvanized Iron, Building Paper and Builder's Hardware at

...THE LADUE CO...

Hotel McDonald
THE ONLY FIRST-CLASS HOTEL IN DAWSON.
C. W. HINES, Manager

JUST IN....

TAR PAPER,
SHOT GUNS,
RAT TRAPS.

SHINDLER,
THE HARDWARE MAN

HOTEL METROPOLE

THIRD AVENUE, DAWSON
NO BAR

Sitting Rooms, Veranda, Bath and Toilet on Each Floor.
Best Rooms and Sanitary Arrangements

SELLING OFF REGARDLESS OF COST

Vacating Bargains In
Women's, Misses' and Children's
Store July 1st. SHOES
And All Other Lines.

HUB CLOTHING STORE
SECOND AVENUE, NEAR PIONEER DRUG STORE.

D. CARMODY

Has now on display at his new store on Second Avenue, near Shoff drug store.

THE FINEST CLOTHING AND GENT'S FURNISHINGS EVER COMING TO THE KLONDIKE.

These goods are guaranteed the latest and best best in Style, Cut and Finish.

I AM SELLING AT EASTERN PRICES. CALL AND BE CONVINCED.

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A Large Shipment Arrived on Scows
Prices Low and Quality Guaranteed

McLennan, McFeely & Co., Limited

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THEN YOU WILL NEED
A Trunk, Valise, Hand Bag, Telescope Box, Steamer Shell or Steamer Chair, or perhaps something in Washing Apparel.

COME AND SEE US
And we will fit you out for a comfortable trip...

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