

TENTH DAY OF TRIAL

Witness Williams Tells of O'Brien's Proposition to Holdup, Murder and Rob on the Trail—Original Owner of Yellow Dog Testifies—That "Trap Door" Nugget.

From Thursday's Daily.

When court re-convened at 2 o'clock Wednesday witness McGuire was called on re-direct evidence. Regarding the dog Bruce, witness said Constable Pennycook had charge of him at Selkirk before he was brought up to where the search was being conducted; witness identified the dog. McGuire said when he first saw the prisoner at Tagish about the 15th of February and after the arrest he asked O'Brien if he had been around Dyea; also what he was arrested for; prisoner said he was arrested on suspicion; Major Wood had supplied witness with pass to visit the prisoner in the guard room; witness said he offered no bribe, threat or promise to prisoner to get him to talk; O'Brien did not then know witness was connected with the police; witness had been engaged by Will Clayton at the time. Defense objected to evidence of the witness being given as to what the prisoner then told him. The court ruled that as the evidence did not bear on the case in the form of a confession it was admissible. McGuire said O'Brien told him he came from Dawson; left Dawson early in December; the trail was had and prisoner had lingered around Selkirk and the beef cache; that he had last stopped on Lake Marsh; O'Brien said he had got beef at the cache and sold things he had taken out of scows; when asked if he had a partner and his partner's name, O'Brien said his partner's name was not Graves but Hastings; that his partner had left him on the trail and gone back.

August Monquin, a Frenchman, was the next witness, his lordship acting as interpreter. Witness lived in Dawson winter of 1899 and had seven dogs, among them a large yellow St. Bernard and a smaller black one; yellow dog had game eye he got in fight; the yellow and black dogs disappeared one night early in November of that year; witness identified the big yellow dog; he never sold the dogs to O'Brien or anyone; they were stolen; witness never saw the prisoner; witness never saw his yellow dog again until he was brought here a year ago. The witness was not cross-examined.

Corporal Patrick Joseph Ryan was the next witness. He was stationed at Hootchiku in December of '99; on December 30th he learned that Lineman Olsen was missing and went out on the line to look for him and found a trail leading off from Powell's Pork trail; he followed the trail back about a mile and came to a tent; witness explained a map of the trail leading to the tent to the jury; witness had asked Olsen to eat Christmas dinner at the post at Hootchiku and expected him; when he did not come and later did not report at Five Fingers witness' suspicions were aroused. Special Constable Young was with witness when he visited the tent on the 31st; he found several packages of goods in the tent marked "McKay Bros., Dawson"; witness distributed nothing in the tent; he saw a 40-82 rifle which he found hanging to the ridge pole; witness identified the rifle in court. The end of the rifle case was repaired with a piece of underclothing sewed with black thread; a stove was in the tent, the oven lying beside it; witness kept a watch on the tent until January 2d, expecting the owners of the tent would return to it; no one came and on January 2d witness took the rifle away and sent to Selkirk for Constable Pennycook to come and assist in solving the mystery; the canvas of tent was a tarpaulin or sail.

Corporal Ryan continued his direct evidence. He identified a number of photographs taken by himself of the tent, scene of the murder and river bank; witness took and developed the pictures, having them printed by Cantwell; witness never saw O'Brien previous to his arrest; the witness was around where the investigation was going on until some time in March; Detective McGuire, Capt. Scarth and Constable Pennycook were there when witness was; he was present when a number of articles formerly identified were found in and around the tent; witness was not present when the experiment was made with the dog Bruce; no one ever claimed the stuff in the tent except McGuire who claimed his goods. Cross-examined, witness said he learned on December 30th that Olsen was missing; Olsen had promised on the 21st to take dinner at the police post on Christmas.

The crown called for the third time for the names of the witnesses which the defense will introduce and the de-

mand was again refused. The court said when the time comes it will be seen whether the action of the defense in withholding the names of its witnesses is in good or bad faith, the defense having stated previously that it did not then know the names of any witnesses it would have, if it has any.

Harris E. Welch was the next witness. He resides 22 miles above Selkirk and is a wood cutter. The witness saw O'Brien at Anderson's beef cache in December of 1899; another man was with O'Brien at that time; they had two dogs; witness identified the dog Bruce as one of the dogs he saw; the man with O'Brien was smaller and taller than the prisoner and had lighter complexion; the two men called at the beef cache about 9 o'clock at night and wanted to stay all night; the request was granted; they had supper and breakfast and then said they had no money and wanted to pay with goods they had on the sled; the bill was about \$5 and seeing he could get nothing else, witness took stuff from the two men in trade.

Constable Sergeant Edward Tuffy of the N. W. M. P. testified that he yesterday weighed three bullets given him by Captain Scarth, among them a mushroom flattened bullet which was found in the ground under the pool of blood where Clayton is supposed to have been murdered it weighed 195 grains; the others weighed 260 grains each.

Thos. Firth being recalled, identified the pearl handled knife found in O'Brien's tent as having been won by Will Clayton at a bowling contest in Skagway in September, 1898 in the presence of witness and then presented by Will Clayton to his brother Fred H. Witness was not cross-examined.

Chris Williams of French Hill, was the next witness. He knew the prisoner, having met him at the Treadwell mine on Douglass Island in '98; witness next saw O'Brien on the Skagway trail in '98; he afterwards met O'Brien in Dawson in August of '98; it was in May when he first met O'Brien on Douglass island; O'Brien had suggested to witness a business enterprise, but the defense objected to the answer as to the nature of the enterprise being stated on the ground that it was irrelevant. The jury was withdrawn while the question on which the objection was based was being discussed. The crown opened the discussion and said it intended to prove by witness Williams that at Juneau O'Brien told Williams he was just from London, had beat his way from there to Juneau and he proposed to Williams that as there were many people traveling out from Dawson with long poles of gold that they two (O'Brien and Williams) come to Dawson, find out when people with money were about to start out, precede them one day up the river and waylay and murder travelers, they rob their bodies and later put the bodies and all evidence under the ice. The defense cited law as to the inadmissibility of the evidence. Decision was reserved by the court until this morning.

The jury was brought back and Will Clayton was called to the witness stand. He positively identified the knife found in O'Brien's tent as having been given by him, the witness, to his brother Fred H. Clayton; he identified it by a file mark on the large blade; witness identified two keys, one as the duplicate key to the upper drawer of his safe in Skagway, the other to a lower drawer in the same safe; witness produced duplicate keys from his own pocket; letters, marks and numbers were identical; one brother carried one set of keys the other brother the other set of keys; witness produced the drawers from his safe in Skagway and the keys found near O'Brien's tent opened the respective drawers; witness also identified one of the black silk mitts found on O'Brien's hands at Tagish just after his arrest; the mitts were from Clayton's Skagway store and the invoice of their purchase by the firm from the wholesale house was produced; the mitts produced in court were not mates but represented two different pairs; witness explained to the jury the marks or threads around the wrist by which he identified the mitt; as one side of the mitt appeared more glazed than the other, witness said it had been worn on the left hand more than the right, the mitts being reversible on either hand. Cross-examined, witness thought the glaze on the mitt had been made from contact with a bicycle handle. It was noticed that the prisoner never looked at Mr.

Clayson while the latter was giving his evidence. Court adjourned until 10 o'clock this morning.

This morning (Thursday) witnessed the opening of the tenth day of the trial of George O'Brien charged with the murder of Lynn Relfe. As usual, the courthouse was packed almost to suffocation.

On the opening of court this morning his lordship handed down a ruling admitting the evidence of the witness, Williams, regarding a proposition made to him by O'Brien in May of '98, the proposition being that they two (O'Brien and Williams) waylay and murder travelers on the Yukon, rifle their bodies and dispose of them by putting them beneath the ice.

Chris Williams was re-called to the stand. O'Brien told witness at Douglass City he was from London en route to Dawson; that he had beat his way all the way from London; O'Brien was broke and would go into the messhouse with several hundred others and eat unnoticed; one day O'Brien accompanied witness across the bay and that day O'Brien proposed to witness that they buy rifles and go to the Yukon and hold up people on the trail; O'Brien told witness they could make lots of money by such work as it would be easy to do away with bodies and no one would be the wiser for it; witness told O'Brien he would not go into such business; witness arrived in Dawson August 2d, '98, and O'Brien was the first acquaintance he met in Dawson; witness brought down a scow load of whisky from Whitehorse for a man named Barrett; O'Brien then proposed to witness that they steal a barrel of the whisky. The last sentence was ordered stricken from the evidence; witness owns valuable mining property in the Koldike. Cross-examined, witness said he and O'Brien were hunting across the bay the day O'Brien made the proposal to him to buy rifles and hold up travelers on the trail; witness first talked to O'Brien in the dry room of the mining company at Douglass Island; they talked for perhaps an hour; witness had been in the hospital three weeks and was just out; witness told O'Brien he (witness) had formerly been in the United States navy; employees at the mine did not think it wrong to take their friends into the messhouse to eat; witness also got O'Brien a bunk at the bunkhouse at the mines; witness had since told his partner, Anderson, of his conversation with O'Brien; witness and O'Brien spent an afternoon hunting but found no game and did no shooting; witness told O'Brien he was coming to Dawson to mine; witness gave O'Brien no grounds for making the proposal about holding up people on the trail; witness told O'Brien it was too risky a business and that he (witness) had not been brought up that way; witness saw no one with O'Brien when they met in Dawson; witness was a longshoreman in Seattle before coming to Douglass Island; before coming to Seattle he had been sailing from San Francisco, was previously in the U. S. navy and was honorably discharged; was a deep water sailor before entering the navy; he first went to sea when 14 years old; is now 29 years; witness knows a Miss Parker in Dawson; he wanted to marry her but did not threaten to kill her or himself, if she did not marry him; he just gave her up and survived the disappointment. Questioned by a juror, witness said that to the best of his recollection, the prisoner told him at Douglass Island his name was Ross.

Geo. A. Noble was the next witness. He resides in Dawson and is a miner. Witness knew Lynn Relfe in Dawson up to the middle of December, '99, Relfe was cashier at the Pavilion; witness and Relfe were close personal friends; the morning before Relfe started out he called on witness to get a letter witness wished him to carry to the outside; Relfe was accompanied by Abe Ritzwaller; witness gave Relfe the letter and a nugget and did not see him again; the nugget was of peculiar shape and of about \$73 value; it was pear-shaped and at the thick end was a small piece, which was detached but not entirely from the larger piece; the small pin would rattle and drop down but could not get out; Miss Florence Lamar, then employed in the house, was familiar with the nugget; Mr. Scouse gave the nugget to Noble who has handled much gold nuggets, but never saw one similar to the one he gave Relfe; witness, being supplied with pliable putty, made a model of the nugget for the benefit of the jury.

While the model of the nugget was being made Attorney Bleeker stated to the court that copies of the evidence are being made and he is without means to obtain one. The court graciously promised to supply the attorney with its copy free of cost.

The crown prosecutor took the occasion to remark that he had heard the defense was going to have ten witnesses and if so, he wanted their names given. The defense said the report was a false alarm.

Continuing his testimony, Witness Noble was shown a model of the nugget made by a former witness and said it was a good representation of the nugget. Cross-examined, witness said the former model was more perfect than his own, the putty used by him being too soft; witness had made several

models of the nugget previous to the one made in court; he had seen the model made by Mr. Hilderbrand; when the little nugget would drop down in the big one it had to be pushed back to place with the thumb or finger; witness had seen a trap door.

Miss Florence Lamar was the next witness. She knew Lynn Relfe, having worked at the Pavilion when Relfe was cashier there; she remembered a nugget George Noble had because it was peculiar, being shaped like a pear and having a loose piece in it near one end; the little nugget would come out part way; witness never weighed or saw the nugget weighed but thought it was worth \$12 or \$13. Cross-examined, witness said she knew what a trap door is; that it works like a hinge; the little nugget was near the center of one end of the larger one; witness had made a model of the nugget about two weeks ago for Capt. Scarth and Mr. Wade at Mr. Wade's residence; witness Hilderbrand and Noble were present when witness made the model; witness had met Mr. Hilderbrand twice and had never described the nugget to him; witness is in the theatrical and dancehall business in which she does not remember the names of all the people she meets. Redirectly examined, witness had made model from her own recollections of the nugget; the models all compared.

Capt. Thomas Whelan of the steamer Victorian, was the next witness. Witness knew the prisoner, having met him on or about the first of January, 1900, at Shoff roadhouse on LeBarge; saw him next day when he (O'Brien) was driving two horses; O'Brien told witness he was going out for passengers and witness told him he admired his pluck but pitied his judgment; the horses O'Brien had formerly belonged to Shoff. Witness was not cross-examined.

Maurice M. Marsden was the next witness called. The defense objected to his testimony on the ground that he has been in court off and on throughout the progress of the trial, but his evidence being expert, the objection was not pushed. The witness is an analytical chemist in the employ of the A. E. Co. with Mr. Peraud; he had been handed a stained chip by Capt. Scarth to analyze the stain; three bottles of blood were given witness for analysis at the same time as the stained chip; witness identified the bottle, having sealed them himself; witness did not know the result of the analysis which was conducted by Peraud.

Mr. Peraud was the next witness. He had analyzed a stained chip and three bottles of supposed blood; witness found the stain on the chip to be the same as the contents of the bottles; in the absence of a certain instrument, witness could not swear it was human blood; the microscope used magnified 360 times; witness had compared the blood with horse, cow, dog and human blood but could not swear which it was; it was not inconsistent with human blood. Cross-examined, witness said the blood of all mammals is similar, but in the absence of a spectroscope he had been unable to measure the particles.

Capt. W. H. Scarth was the next witness. He identified a certain chip and three bottles he had given Witness Marsden for analysis; the chip was cut from O'Brien's sled by witness; the bottle of blood were taken from the separate pools of blood found on the scene of the supposed murder; witness also sent samples of the blood outside for analysis. Report from outside chemists was not put in evidence. Witness Scarth found a number of dark yellow dog hairs behind O'Brien's tent; the hairs were same color as those of the dog Bruce; this was on March 22d; witness was engaged several weeks in working up clues of the murder; he had much experience in locating trails in the snow and it is not difficult to get on open places where the snow is drifted; witness detailed the action of the dog Bruce when taken out and told to go home as related by previous witnesses; witness, McGuire, Pennycook and Buxton followed the dog and found him lying behind O'Brien's tent; the dog remained and Pennycook returned and called him away; witness was present when the double-bitted ax was found 15 feet northeast from O'Brien's tent; the ax has since been in the possession of the witness; the object of searching around the Arctic Express cabin was to find if a trail led to the Dalton trail; witness saw tracks leading back to the trail; he was not with McGuire when the latter found the tracks.

Recess was taken until 2 o'clock.

They Are Waiting.
Mr. R. J. Burde, editor and proprietor of the Whitehorse Tribune, is in the city for a few days, having arrived on the steamer Whitehorse. He says the people of his town are patiently awaiting the outcome of some development an experimental work now being done on the copper ledge near there and on which results depend whether Whitehorse will be a substantial town or only a camp along the line of travel between Dawson and the outside.

Boiler Accident.
A report reached Dawson at noon today which was afterwards verified by telephone from the barracks at the Forks, that the big boiler used on No. 4 Eldorado creek blew up this morning. No fatalities resulted, although one man was injured.

COMMITTEES APPOINTED

To Make Arrangements for Celebrating the 4th of July.

A meeting was held in the Board of Trade rooms last evening for the purpose of taking the initial steps towards holding a sports meeting on the Fourth July, about 40 gentlemen being present.

Mr. F. W. Clayton occupied the chair, and after stating the object of the meeting, called for nominations for the office of permanent chairman of the celebration. There only being one nomination, in the person of Mr. Edward B. Condon, that gentleman was unanimously elected.

After a few remarks from the chair, the meeting was called upon to elect a permanent secretary, which office fell to Mr. J. Newton Storry, who has acted in that capacity on other occasions.

A committee of three consisting of Capt. D. B. Olson, Messrs. E. A. Mizner and G. H. Mead, were appointed to interview the members of the Victoria Day celebration with a view to celebrating Dominion day and the Fourth of July conjointly, making one celebration under the head of Fourth of July and Dominion Day Celebration.

A resolution was passed to the effect that the appointment of a nucleus for the various committees be left in the hands of the chairman, each committee to have power to add to its number.

After a few items of minor importance had been discussed, the meeting adjourned till Friday evening, the 21st, at 8:30 p. m. at the Board of Trade rooms.

The following committees were appointed by the chair:

General—Mr. Edward B. Condon (chairman), Messrs. E. A. Mizner, F. Delaney, Col. MacGregor, Capt. D. B. Olson, G. M. Mead, W. M. McKay, J. T. Lithgow, L. R. Fulda, E. C. Senkler, R. M. Cowan, A. Spitzel, E. F. Botsford, J. Dougherty, Hugh McKinnon, H. Stewart, J. Klein, G. M. Allen, W. A. Beddoe, T. Townsend, F. Thompson, H. T. Willis, R. P. McLennan, F. W. Clayton, D. Doig, W. H. B. Lyons, J. A. Clarke, R. S. Tobin, D. Matheson, W. Fairbanks, J. L. Timmins, L. L. James, Geo. Butler, A. D. Field, Sam Stanley, Chas. Worden, W. Chappel, F. E. G. Berry, Thos. A. McGowan, Wm. Young, Chas. Barwell, H. Te Roller, A. P. Stevens, Jos. O. Hestwood.

Finance—D. Doig, H. T. Willis, G. H. Mead, A. Spitzel, H. Stewart, D. Matheson, J. L. Timmins, F. E. G. Berry, Geo. Butler, Thos. A. McGowan.

Sports—Hugh McKinnon, W. Fairbanks, T. Townsend, J. Dougherty, W. H. B. Lyons, W. M. McKay, R. S. Tobin, R. S. Cowan, H. Stewart, E. F. Botsford, L. L. James, C. Barwell, J. T. Lithgow, A. F. Stevens, Jos. O. Hestwood.

Parade, decoration and printing—Capt. D. B. Olson, Messrs. E. A. Mizner, R. P. McLennan and H. Te Roller, F. W. Clayton.

The above gentlemen will kindly accept this publication as an official intimation.

Members of each and every committee are requested to attend the meeting to be held at the Board of Trade rooms on Friday evening at 8:30 p. m.

Beef Goes Up.
Chicago, June 4.—Beef on the hoof, as stockmen say, has been advancing in price for the last two weeks, until the retail butchers of Chicago have found it necessary to raise their prices to customers, just as the butchers have done in New York. The unusual feature of the advance is that it affected only the cheaper grades of meat and thus places the burden on the people who cannot afford sirloins and porterhouses at 18 and 20 cents a pound.

The advance on what is known as "cheap stock," such as loins, ribs and checks, is 2 1/2 cents a pound as compared with the prices a month ago.

"Beef carcasses have gone up nearly \$1 a hundred pounds in the last two weeks," said a representative of Armour & Co., "but this is nothing unusual. Cattle always are higher at this season of the year. The advance will not continue long and it has reached the top mark already."

An explanation for the increased cost of beef is in the late arrival of warm weather and the consequent scarcity of grass fed cattle from the west. The packers have been drawing on the supply of corn fed cattle, with the result that farmers have demanded better prices.

A Wedding.
A quiet wedding occurred Tuesday night the contracting parties being James Tate of Portland, Oregon, and Mrs. Mary Van Buren of the same city.

Mr. Tate is a carpenter by trade and came to Dawson last fall. Mrs. Van Buren arrived in Dawson last Sunday on the steamer Columbian. The ceremony was performed in the presence of a few friends at the Col. Bowie residence on Second street. Rev. E. A. Heatherington officiated.

The Standard Library standard meals for 75 cents are the standards of perfection.

REBELLION FINISHED

Insurgent General Calls Surrenders to the U. S. Officers.

ARMED RESISTANCE AT AN END.

Was Considered Most Formidable of Remaining Insurgents.

THE WIRE IS COMPLETED

First Message Sent Over Branch Line to Fort Simpson—Notable Work Ended.

From Thursday's Daily.
Manila, June 16, via Skagway, June 20.—The insurgent general Callis has signed terms of surrender. He was considered by the American officers as the most dangerous insurgent remaining on the field. His surrender practically brings armed resistance to an end.

Wire Is Complete.
Vancouver, June 16, via Skagway, June 20.—The government branch wire to Fort Simpson has been completed. The first message was transmitted today.

RECEIVED BY WIRE.
AMERICANS WINNING
Yankee Marksmen and Jockeys Capturing Prizes Abroad.

Paris, June 16, via Skagway, June 20.—Milton Heury, the American jockey, has won three races at the Longchamp meeting. Tomorrow he rides Foxhall Keene's Olympian for the Grand Prix.

Crack Shooting.
London, June 16, via Skagway, June 20.—American trap shooters have won three straight out of five projected matches. Their English opponents have presented the victors with a valuable cup as a trophy.

RECEIVED BY WIRE.
ALCEDO THE VICTOR

Swift Horse Approaches the Record of Great Salvator.
New York, June 16, via Skagway, June 20.—Alcedo won the Suburban in but two-fifths of a second more than the record of the great Salvator, of 1:35 1/2. Alcedo was at 20 to 1 four days ago. The horse was ridden by Spencer. Water Cure was second and Toddy third.

STRUCK OIL IN 16 WELLS
A. L. Stephens Has Valuable Oil Interests in California.

A. L. Stephens, formerly cashier of the A. C. Co. and whose return to Dawson was noted in the Nugget of yesterday, has acquired valuable interests in the new coal oil regions of California. Mr. Stephens brings with him a splendid photograph of an oil field in which he is interested showing 16 separate wells in active operation.

He states that the crude article is coming into general use both for fuel and power purposes. A number of railway companies are altering their locomotives to accommodate them to the use of oil and patents are being taken out for newly invented burners to be used on cook stoves. The oil business has already assumed tremendous proportions in California and is turning out millionaires at a very rapid rate.

Claire Berry the famous Eldorado magnate has an interest in the same wells with Mr. Stephens. The latter gentleman is highly pleased with the prospects ahead of him.

He is now in Dawson looking after certain mining interests he holds on the creeks and expects to remain here for some length of time.