

# THE KLONDIKE NUGGET.

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## ANSWERS TO CORRESPONDENTS.

### Information From Many Sources Upon Many Vexed Questions.

#### Some of Fawcett's Tangles Untangled—Gold Commissioner's Rulings—What Constitutes Hillside and Bench—Rights in the Country.

The correspondence of the NUGGET from all parts of the district has grown to be voluminous, and not a small part of it is in the way of requests for information, which has been given privately as requested. However, the following queries are of a public nature, and the answers to some of them have been secured directly from the gold commissioner, Mr. Senkler, who courteously granted us an interview for that purpose:

1. Ques. Is the gold commissioner acting in a dual capacity, viz., that of gold commissioner and recorder?

Ans. Yes. Messrs. Bolton, Craig and Hurdman are simply subordinates or deputies, for whose acts the gold commissioner is largely responsible.

2. Ques. Is there a new mining recorder of experience, with qualified assistants appointed?

Ans. No.

3. Ques. Are any of the late gold commissioner's and recorder's assistants now in the recording office?

Ans. Yes, excepting Cotley, who has lately taken to field surveying again. It is claimed that the records at the office are in such a state of confusion that none but the present incumbents of the recording office could ever disentangle them. Notwithstanding the total loss of public confidence in the present incumbents of the office, it is deemed expedient and in the interests of the public that the men be retained pending the booking of the records, as it is now being done.

4. Ques. When any new prospects are found will it be safe for a miner, on going to the recording office, to disclose the particulars without being "hood-dooed"?

Ans. Decidedly no, unless your disclosure is made directly to the gold commissioner, Mr. Senkler, who has given orders that discoveries be at once reported to him. Immediately upon securing the find to the discoverer, public notices are posted up in the outer office and sent to the papers. Publicity is found to be the very best safeguard against frauds.

5. Ques. Will assistant recorders be stationed at suitable distances outside of Dawson?

Ans. No. Inspectors are now at the Forks, and will shortly be stationed at Dominion and other places. They are to be empowered to take affidavits of application, which will act as a certificate of record until the parties can reach town.

6. Ques. Will there be presented and distributed copies of the mining laws which now exist, and the rules and regulations which have existed and which may hereafter be made?

Ans. Free copies of the present mining regulations can now be obtained of the inquiry clerk upon application, until the supply runs out. It is the intention of the government to supply all miners with a copy of the regulations to date.

7. Ques. Do the rules and regulations allow mining claims to be staked by proxy?

Ans. No. Must be staked in person.

8. Ques. Can any free miner stake 62 or more claims at one time?

Ans. There is nothing in the regulations to prevent any one person staking a thousand, though only one can be recorded in a division. There is no penalty for staking.

9. Ques. Can any free miner, if not a lady, procure a list of unrecorded or improperly staked ground at the recording office without giving some consideration?

Ans. We believe not. The information contained in the records is by a popular fiction presumed to be public; but really is not so. Such a list as you describe, you are entitled to but will not be given you. The clerks are still preparing such lists for friends; but the consideration is not known. You will, probably, have to give an interest or money or both, to secure such a list. The principle appears to be that the information contained in the records is for the private gain of officials. Amongst the plans for the future is a larger building, more clerks and a set of books for the public.

10. Ques. Have ladies greater rights and privileges, by virtue of their free miners certificates than free miners who are men? Are the laws of the land discriminating or is it only a local custom?

Ans. The preference heretofore given to women in public offices and elsewhere has been a simple outgrowth of custom in a land where women were as scarce as baby's teeth. Observation will show you that the advent of more women has done much to bring the custom you speak of into disuse.

11. Ques. Are ladies exempted from working their claims by the employment of labor?

Ans. No. Claims held by women must be worked as if held by men.

12. Ques. Is this Klondike camp one mining district or is it cut up into divisions, and if so, how many, and for what reasons?

Ans. The Yukon Territory has, for the sake of convenience, been divided into four mining districts: The Tagish, Pelly, Stewart and the Dawson district. Its Tagish district extends

from the British Columbia line to Tagish post. The Pelly district extends from there to within 60 miles of the Stewart. The Stewart district extends from a point 60 miles above its mouth to Henderson creek, though not including the latter stream. The Dawson district extends from Henderson, including that stream, to the American boundary line. Gold has been found in but two of the districts—Dawson and Stewart. In the case of the Stewart district each large tributary of the Stewart, the Yukon or other stream has been decided at Ottawa to be a separate division. In the case of the Dawson district the former gold commissioner ruled that each stream emptying into the Yukon, together with all its tributaries was a distinct division.

13. Ques. Can a miner legitimately hold a claim in each division of the district at one and the same time by pre-emption?

Ans. Yes; not to exceed four in each district. For illustration, the Klondike and its tributaries being one division, one claim can be staked and held, Henderson being another of the Dawson district, another can be taken there. And so with Indian and Nipemile. Having then exhausted his four rights the miner could not stake, even if Enslay turned out richer than Eldorado. In the Stewart district a miner could take up one claim on Black Hills, one on Scroggie, one on Thistle and one on McQuestion, but would then have exhausted his rights.

14. Ques. Are reservations of fractions and percentage of claims still in operation?

Ans. Yes. All fractions are by order from Ottawa reserved to the crown. There has been a great difference in the ruling of gold commissioners as to what constitutes a fraction. Mr. Fawcett often allowed employees to record ground which was only one-tenth of a full claim. The present incumbent is more particular, and a fraction must be nearly the size of a full claim and nearly square to be recorded. The reservation of alternate blocks of ten claims is still in effect.

15. Ques. Is it a felony or a misdemeanor to alter, take out, destroy or otherwise tamper with stakes?

Ans. Not necessarily. The regulations provide that the alteration or moving of a stake "with the object of changing the boundary" is a serious and punishable offense. This, of course, only applies to recorded claims.

16. Ques. Is the present confusion resulting from numbering claims to be abated by naming claims in the future?

Ans. We do not anticipate any change. Bench claims, today, are practically located by the name of adjacent claim owners, as "bounded on the east by the Jones claim, on the west by the Smith claim, etc., etc."

17. Ques. Will it be necessary for persons owning five, ten, fifteen or sixty-two claims at one time in the district, to work them continuously in a workmanlike manner, some time during the year?

Ans. This is an important question, and we are glad you asked it. The regulations are well known to require a miner to "represent" or work upon his claim for three months in each year. The ruling of the gold commissioner is that if Smith, Jones and Brown each own consecutive claims upon any creek, they will file partnership papers in the three claims, they may then proceed to work one of those claims for three months with three men, or for nine months with one man; and obtain renewals upon all three claims. In the case of Smith and Brown owning one claim, and Smith and Jones another, Smith is a partner in both claims, while Brown and Jones are not, hence both claims must be worked. Claims must be adjacent and owned by the same parties.

18. Ques. Are the bench claims, or portions thereof, which have been taken from their owners and given to creek claim owners, to be restored to them?

Ans. Not if they have been awarded to the creek claims legally. Boundary disputes between creek and bench claims are destined to consume the time of several courts for years to come. It is only just now that the full evils of the regulation boundaries are becoming fully apparent. A decision cannot be given in a general way. If you will submit a specific instance with the necessary dates, etc., we can decide it for you.

19. Ques. Has the gold commissioner the power to interpret laws passed by the legislature, and to add or subtract clauses at his discretion?

Ans. His duties are to interpret the regulations. His powers to add or subtract clauses is no greater than that of you or others. In interpreting the laws he cannot depart from a clearly laid down principle, though in an obscure clause, which may be capable of two interpretations, his judgment is his only guide, so that in effect he may appear to those who have read a disputed regulation another way, to be really making a new law. The duties of a gold commissioner place so many powers in his hand for weal or woe, that it is always

essential that we have not only an honest man in that position but a competent one also. Mr. Fawcett has in several instances arrogated to himself a law-making power which was not his.

20. Ques. Is it obtaining money under false pretenses when the gold commissioner recorder takes away a claim from a miner after receiving from him the recording fee of \$15?

Ans. It is an unfortunate fact that Canadian law books are filled with ways for the government to gather in money from the people, and little or no provision is ever made for restoring moneys wrongfully collected. This enables such men as Thomas Fawcett to take advantage of even their own mistakes for the profit of the government, as in cases we know of where two innocent parties are both allowed to stake and record the same claim through a mistake of the office, and though neither precipitated the contest, the \$15 from both was retained.

21. Ques. If a hillside is a succession of benches and a miner stakes a hillside claim of a thousand feet instead of the 250-foot bench, can a prospector stake a bench claim within the boundary of the said hill claim?

Ans. As a rule, no. The ruling upon this point is explicit and clear. Though the hillside may rise by a succession of steps, as you describe, if it is a continuous water shed it can be staked a thousand feet. By watershed is meant that all the water upon it shall run down toward the creek to which the claim is tied. If the thousand feet reaches over the brow of the hill to where water turns and runs away from the claim, then the line is at the highest point of continuous ascent.

## REGULATIONS.

### LOCAL BREVITIES.

Important letters are awaiting Anderson & Nelson at Canadian Bank of Commerce.

Molly Glein is confined to the Anglo-American hospital, where she will be subjected to an operation.

Thomas Jackson has sold his claim in Monte Christo gulch to Messrs. Schneider, Kirk and Trabold, the consideration being \$8,000.

A burning chimney in a Second avenue cabin called out the fire department Thursday night, making two runs for the week.

Mr. Estby, of 33 Eldorado, was able to return to his claim and business duties during this week, after a rather serious illness.

Ame Ameson, of Magnet Gulch, fell down a shaft this week and fractured one of his arms. The fracture was reduced by Dr. Edwards.

Advises from the outside, of especial interest to sound people, is that Humes has been elected to the United States senate by the Washington legislature.

George Martin, while up from Forty-mile some days ago, purchased a steam engine from A. P. Lester, which he will employ on his claim down the river.

R. M. Henningsen and R. S. Walker left this week for Tacoma; the first named to purchase a stock of merchandise, the other to put a collection of bonded claims on the market.

Mr. Williams, who is interested in one of Hunker's rich benches at 25 below, is convalescent after submitting to an operation, and will be discharged from the Anglo-American hospital this week.

Beginning next Monday morning, the royal investigation will meet at the Pioneer hall instead of at the court house. This was decided upon in order that the work of the territorial court shall not be further impeded.

The next dog team to be sent to the coast by the Nugget Express will leave the main office in the Phoenix on Thursday, March 9, carrying passengers mail and express. Orders may be left there, at the branch office at Grand Forks, or at the office of the NUGGET. The most reliable service in existence.

W. E. Press arrived in from Skaguay Friday afternoon with a horse and a heavy load of diversified articles. He was thirty-eight days on the road, and the trip was quite a hard one on the horse, judging from appearances. He reports that one of the horses employed to bring in the big batch of fidd mail, which is a few days out, had to be shot, and that the balance of the trip is being made with dogs.

### Mail Up and Down River.

On Monday, March 3, Mr. M. A. Mahoney, who has the mail contract, will dispatch two dog teams, carrying mail, for Tannana and all intermediate points along the river. On the same date two teams will start for the coast. Mr. Mahoney's experience in winter traveling is a guarantee of quick and safe delivery of all mail entrusted to his care. Can be seen at Pete McDonald's "Phoenix" any evening.

### Services in a Dance Hall.

Mr. Levy, proprietor of the Horse Shoe Dance Hall—formerly the Oatley Sisters—has kindly loaned the Salvation Army his hall again, for a Sunday evening service March 5, at 7:30 p. m. A large crowd attended the last meeting among whom were a good number of ladies, so we extend the invitation to all. Comfortable seats will be provided.

### New Discovery.

In accordance with the recent orders of the new gold commissioner, Mr. Senkler, the following notice has been posted up in the outer office:

"A new discovery is recorded today at this office. The given description is as follows: On the main fork of Sixty-mile creek, about 100 yards up the creek from the mouth, between the outlets of Gold and Miller creeks, and being about fifteen miles from Dawson."

It is a curious fact that the publication of these notices is killing the stampeding business dead. When such information was suppressed at the office, the discoverers would tell select party of friends, and they would whisper it to others in an ever widening circle of information. Each hearer would suppose himself one of a small exclusive circle to be in possession of the news, and the result would be a rush of thousands of people to a point of which they had but the vaguest information, and the chief recommendation of which was that it was being talked of in whispers.

## THE WATER-FRONTERS ARE ACTIVE.

### Preparing to Serve a Monster Petition on the Government.

#### Ask That the Use of the Ground for Present Purposes Be Perpetuated—Large Mass Meeting Held.

Occupants of the water-front are on the point of taking an important step to end one feature of the controversy which has agitated their ranks for the past several months. A largely attended mass meeting of interested ones was held Thursday night at the Pioneer restaurant to listen to a report of their committee and talk over the projects. Messrs. Fish and Spring presided while Mr. Hall acted as secretary. As will be remembered, when the late fire swept through the upper portion of the water-front, permission to rebuild was temporarily refused by the commissioner; but the gentleman was finally induced to give his consent with the proviso that occupancy of the ground was to extend only to May 1st next.

The water-fronters now propose to address a monster petition to the government, represented by the commissioner, asking that permanent use of the ground for business purposes be permitted. The petition sets up: First, that the occupants of the water-front have been notified that they, with their buildings and stocks, must vacate the premises; second, that if compelled to do so at the time specified it will entail much hardship upon them; third, that business has been unexpectedly dull during the winter and many of the occupants will be without means to meet the cost of removal and building operations; fourth, that the present location of the occupants is most conducive to the good health of the town, from a sanitary point of view; fifth, that the water-front is unsuited for any other purpose than that for which it is at present used.

At the meeting last night, a committee, consisting of Messrs. Fish, Gardner, Solid, Spring, Hall, Hamburg and Hamilton reported on the progress being made and stated that the petition had already received the signatures of nearly 2,000 persons, none of whom are occupants of the water-front. The sense of the meeting was that the interests of the movement would be best subserved by a respectful and dignified presentation of the situation and all present seemed to be encouraged by the seeming prospect.

Of course, some talk was indulged in on the rent side of the controversy, it having come to the ears of some that the agent of Morrison & McDonald, through their attorneys, Pattullo, Ridley & Clement, are about to proceed to the collection of arrearages forthwith and by the application of stringent means where opposition is met with; but this has nothing to do with the project above described. Some of the water fronters have paid their rent from the first, others are waiting for the trial of a test case to prove the right of Morrison & McDonald to their lease and others are unable to pay for want of means. One man is in arrears for upwards of \$1,200, while many are back for less, but still large amounts. One business man told a reporter last night that he had not taken in 25 cents in the past two days, while another said that if his choice lay between hanging and paying the back rent he would, of necessity, be obliged to select the gallows. Trial of the Kiefer case is expected to take place before Judge Dugas this month, at which time the second feature of the controversy may be decided definitely.

The water fronters have accumulated the sum of \$300 to defray the incidental expenses of the movement, and vigorously brand as absolutely untrue that the sum of \$1,700, or any other than that one first named, has been raised.

### Bates Discharged.

The case of the Queen vs. J. L. Bates, in which defendant was charged with theft and receiving stolen property in connection with Billy Moss, took place before Judge Dugas on Thursday and Friday and resulted in the complete vindication of Mr. Bates. The crown had sought to show that Bates was connected with the robbery of Stauff & Zilly's cache on the night of February 2d, but the evidence produced consisted practically of Constable Skirving's statement that he saw Bates under the sidewalk where a part of the stolen property was and the remarks attributed to him at the time of his arrest. The prosecutor also referred to Bates' other late legal troubles. To offset this, Moss was placed on the stand by the defense and told a strong story that, notwithstanding his own conviction, did Bates' case a great deal of good. Bates also took the stand to explain his whereabouts at the time of Moss' arrest, and denied positively that he ever left his house during the night, or that he left First avenue when he went out to get a drink in the morning.

Moss' story was that upon arriving down town on the morning of the 3d he was hired by a stranger to haul some loaded sleds to Bates' restaurant and asked Bates to help. Bates replied that he knew nothing of the goods and did not have time to help. Bates testified that he did meet Moss outside the restaurant, but that Moss said nothing about any goods, and did not ask his help.

Atty. Pattullo ably defended Bates.

The Regina Club Hotel Bar is the standard of Dawson in quality.

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