

PROTEST ALLOWED

Fractional Claims Must Not be Squeezed

In Between Creek and Hillside Claims Says the Gold Commissioner.

Gold Commissioner Senkler rendered a decision Saturday afternoon last which set aside the attempt of Edward Connell to locate a fractional claim between the creek and hillside adjoining at 54 below, right limit, Bonanza. The action was entitled John W. L. Gillespie, A. M. Jarvis and Robert Belcher vs. Edward Connell, E. Y. Cabbage and Kittie Hall, the findings of the gold commissioner being as follows: "The plaintiffs are the owners of hill claim opposite the upper half right limit of No. 54 below discovery on Bonanza creek, located on July 26th, 1898, by one H. Messinger. The defendant Connell staked what he claimed as a fractional piece of ground lying between creek claim No. 54 below discovery on Bonanza and the hill claim above mentioned. The position in which Messinger placed his original location posts is the question to be determined in this case. On behalf of the plaintiffs six witnesses were brought who state they saw the Messinger posts in the summer and fall of 1898, and in the spring of 1899, close to the O'Brien tramroad, that is, about 75 feet from the lower line of the hill claim, in which case the hill claim would include all the ground in dispute. "The evidence relied on by the defense is that of Mr. Jephson and Mr. Hawkins. They saw Messinger's name on what they considered his upstream post, near Mr. Ogilvie's post, in May, 1899, Mr. Ogilvie's post being nearly 100 feet up hill from the tramroad. They did not consult Messinger himself, or any person who could identify the post as being in the position as originally placed by Messinger. They also saw a post with Messinger's name on it that they took for his down stream post, namely 100 feet up hill from the tramroad. Messinger himself, unfortunately, can not be found. The plaintiff Gillespie bought in the hill claim in March, 1899, and has worked on his claim almost continuously since that time, most of his work being on the ground in dispute. "I have no doubt the defendants' evidence is correct as far as it goes, and there is a likelihood of a locator staking a hill claim from the Ogilvie posts, but the evidence of this fact, and the fact that Mr. Jephson saw posts with Messinger's name on them nearly a year after the staking at the points stated, is not of sufficient weight to convince me that beyond doubt the Messinger posts were originally placed where Mr. Jephson saw them, in face of the evidence brought

by the plaintiff, and in face of the fact that the plaintiff Gillespie worked on the ground in dispute at different periods during the three years previous to the defendant's staking; and in addition, that this practice of staking fractional claims between the creek claim and hill claim must be guarded against with jealousy, as there is no doubt that under the regulations it was intended the hill creek claim, and when fractional claim should in all cases adjoin the claims are squeezed in between creek and hill as in this case, it must in the majority of cases interfere with the workings of the adjoining claims, and should only be allowed when there is no doubt that the hill claims as staked do not adjoin the creek claim. The protest is allowed with costs."

Pleaded Guilty.

Chas. A. Shattuck, a middle-aged man on whose face is plainly written the two words, "hop fend," faced Judge Macaulay from the prisoner's box in police court this morning and pleaded guilty to having on May 7th stolen a bicycle, the property of Chas. Cutting, from the Seattle hotel in this city, and on May 9th to having stolen a pair of blankets and certain draughtsman's instruments from the Arctic lodging house. Shattuck thought the values placed on the articles rather high, but admitted stealing them. He was remanded until Saturday morning when he will be sentenced.

Hailed With Joy.

St. Petersburg, Thursday, April 17.—Although M. Sipiaguin, the minister of the interior, who was assassinated April 15, was not actually the leader of the reactionary party in Russia, he was leader of those who, in the opinion of many, were responsible for the prevailing situation. His assassination, easily explicable in the present political condition, was hailed with joy in radical circles. For a month there had been daily rumors of Sipiaguin's impending resignation, owing to disagreements with the governor general of Moscow, the Grand Duke Sergius, who had been supporting the novel policy toward the working classes instituted by M. Treppoff, the police prefect of Moscow, which includes the organization of labor unions under police control.

The murdered minister's name was also mixed up with the stories of financial irregularities alleged against so many officials at present. Sipiaguin spent immense sums in decorating his residence. A single chandelier alone cost 50,000 roubles, and he was accused of appropriating 500,000 roubles from the secret service funds.

The deceased was by no means talented and owed his position to influential friends, especially to Fount Shermetieff, the bosom friend of Czar Alexander III, and to the Dowager Czarina, who is largely under Count Shermetieff's influence. Shortly before Sipiaguin was appointed minister of the interior he married the eldest sister of Count Shermetieff's wife, a brilliant woman, 26 years of age, who is now a warm friend of the Czarina.

Count Shermetieff was deeply interested in Lieut. Gen. Prince Viasemski. The latter, who was a member of the council of the empire, was severely reprimanded by the Czar for

ASSAULTED AN OFFICER

While on Early Sunday Morning Lark

Napoleon St. Louis Fined \$10 and Costs and Ten Days in Jail.

The next time a policeman tells Napoleon St. Louis to move on he will probably do so without waiting to argue the matter in a combative way. Napoleon was in police court this morning charged with assaulting Policeman Peter Eagan, also with having been drunk at the time of the assault which was at four o'clock Sunday morning. The officer's testimony was that Napoleon and several others were standing on the street in a bunch and that he ordered them to move on. No attention being paid to the order, he repeated it and gave Napoleon a shove. The latter, an athletic young fellow, resisted the officer's advances by striking him with his fist on the left ear. The constable then picked up a piece of wood but did not strike the offender with it, but called to Samuel Cropper, colored, to assist him. Napoleon was then handcuffed and taken to the barracks. Eagan admitted calling the prisoner "a d---d Frenchman."

Samuel Cropper testified to seeing Napoleon "biff" Eagan one in de jaw," but heard Eagan use no bad language nor did he assault the prisoner. Samuel also said Napoleon was "three sheets in de wind."

Unable to counteract the evidence against him, Napoleon was fined \$5 and costs on the charge of having been drunk and \$10 and costs and 10 days at hard labor for assaulting an officer, or 15 days if the fine is not paid. In summing up the evidence Judge Macaulay paid a high tribute to Constable Eagan's record as an officer and to the police generally for the gentle but firm manner in which they deal with refractory persons.

While not wholly excusing the officer for losing his temper, his honor thought no man should resent being called a Frenchman, as no Frenchman has any cause to blush for his nation or people.

Reckoning Without His Host.

A little story from the Atlanta Constitution seems to indicate that Tennyson is not a name to conjure with in some parts of the south. A poetical traveller, stopping at a Georgia inn, dismounted from his horse and called to the landlord, who was lounging on the veranda: "Wrinkled ostler, grim and thin, Here is custom come your way. Take my brute, and lead him in— Stuff his ribs with mouldy hay!" "Ef you say that agin," said the landlord, "I'll lam you side the head with this hickory! That's a boy here to look after the horses!"

Brewitt, the tailor, wants to see you. Large stock of new goods. Prices reasonable. Old stand, Second avenue. Special power of attorney forms for sale at the Nugget office.

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N. F. HAGEL, K. C. - Law office, Monte Carlo building, First avenue. Phone—Office, 129b; residence, 86c. Dawson, Y. T.

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Regina Hotel - J. W. Wilson, Prop. and Mgr. Dawson's Leading Hotel. American and European Plan. Cuisine Unexcelled. Newly Fitted Throughout—All Modern Improvements. Rooms and board by the day, week or month. 2nd Ave. and York St. Dawson.

Signs and Wall Paper - ANDERSON BROS. - SECOND AVE. REMOVAL NOTICE. On or about May 1st the YUKON BAKERY will remove to their new quarters on Second avenue, opposite S. Y. T. building, where they will be pleased to meet their many friends and patrons.

LAYS TO LET - Lays to let on 14 chovy Hunker and 20 below. Apply C. W. C. Taber, Orphanum Bldg.

BANK SALOON - Wines, Liquors and Cigars 25c. 1st Ave. and King St. Dawson, Y. T.

Retiring From Gent's Furnishing and Department Boot and Shoe We have decided to withdraw the above departments from our business and will sell EN BLOC making payments agreeable to purchaser at RETAIL. NECKWEAR. NEGLIGEE SHIRTS. HATS, all shapes. CLOTHING, made by W. E. Sanford Manufacturing Co. Boots & Shoes. The Celebrated Slater and Ames Holden. Full line Miner's Hob Nailed Waterproof, the most sensible shoe in the market. SOCKS, largely English imported goods. COLLARS. CUFFS. UNDERWEAR, Marino natural wool and Silk. Our announcement as above is Bona Fide and by giving us a call we will convince you. Macaulay Bros., One Door Below Norquay's Drug Store Front Street Seattle, Wn.

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