# AN OLD CREEK IS RESTAKED

## Paystreak Lately Found on Reverted Territory

### All Gold Creek Comes to Front for First Time Since '97 — New Discovery Located and Recorded.

From Wednesday and Thursday's Daily.

One of the latest pieces of information received at the gold commissioner's office is the recording of a new discovery on an old creek—a creek that was stampeded, recorded and prospected to some extent in the days of '97 and subsequently abandoned to whoever might choose to take it up. Three years ago last winter claims on All Gold creek were considered as valuable as those on Dominion, and in fact, in several instances parties who owned claims on both creeks sold their Dominion holdings for a song in order to more quickly develop those on All Gold. The creek is a tributary of Flat creek and is from eight to ten miles long. The lower portion of it widens out considerably, resembling to a great extent the lower end of Dominion. As one proceeds up stream, however, the creeks valley narrows up very perceptibly and in places becomes but little more than a gorge. For several miles it parallels that portion of Dominion between the discoveries and from Caribou is distant only three hours' walk. The divide separating the two creeks has an altitude probably 2000 feet greater than the creek bottoms.

At the time All Gold was staked in '97 great expectations were had of the creek. On practically every claim a cabin was erected, some of them being of whipsawed logs. The work that winter failed to locate a paystreak and within little over a year after discovery was recorded the creek was abandoned. The many cabins have remained tenantless until within the past six or eight months. During last winter parties sank some holes on what was formerly 8 below. But little success attended their efforts at first and with the arrival of spring they found themselves out months of labor and no small amount of actual cash. Other holes were sunk on the opposite side of the creek from that upon which they had previously been working and there they found what they were seeking. Nothing big to be sure, but 10 and 15 cents to the pan looks good when one has formerly found only colors, and small ones at that. The ground was staked and Friday last at the gold commissioner's office an application was made to record a discovery, which was granted. By reason of all the claims previously located on the creek having reverted to the crown, the creek stands practicaly as a new one upon which a stake has never been planted. The stampede occasioned by the filing of the discovery was a small one, which indicated either a lack of confidence on the part of the professional stakers, or everyone has all the property they care for. To yesterday but five claims have been located above discovery and three below.

## STEAMBOAT NEWS.

The water front today is more free from craft than at any time since the opening of navigation. But two steamers are tied up along the docks, the Quick and the diminutive Aquilla.

Tomorrow, however, with the arrival of the Susie, Ora, Flora, Canadian, Crimmins and Lorelei the old time activity will again be resumed.

The Ora passed Ogilvie this morning at 8 o'clock with a big raft of logs in tow. She is billed to leave tomorrow evening at 7 for Stewart river and Fraser Falls.

The Crimmins took a load of freight to Eagle yesterday. She is exected to return tomorrow and will leave at once for Whitehorse.

Word was received this forenoon that the Nora had passed Big Salmon at 8 o'clock. She will be in this evening.

The Dawson left for Whitehorse last night with 31 passengers.

The Susie will be the next boat to leave for St. Michael. She will sail Friday evening the 26th at 8 p m.

The Canadian is expected in the morning.

The Clifford Sifton passed Big Salmon at 9 o'clock this morning and will arrive some time during the night. She returns up river tomorrow evening.

### Ready for Trial.

The following cases are down on the peremptory list ready for trial this week before Mr. Justice Craig:

Tuesday — Munroe vs. Morrison; Henry vs. Lamb; Strickland sv. Fearon; Hamilton vs. Reavy.

Wednesday—McDonald vs. Kennedy; Madigan vs. Doran; Complin vs. Flannery.

Thursday—Healy vs Heimberger; Day vs. Day, Clark vs. Amaud.

Thursday, August 1—Bonnefield vs. Heise; Holt vs. Larsen; Davis vs. Morgood.

Friday, Augus 2—Shannon vs. Keer; Jackson vs. Daniels; Wayling vs. Sprague.

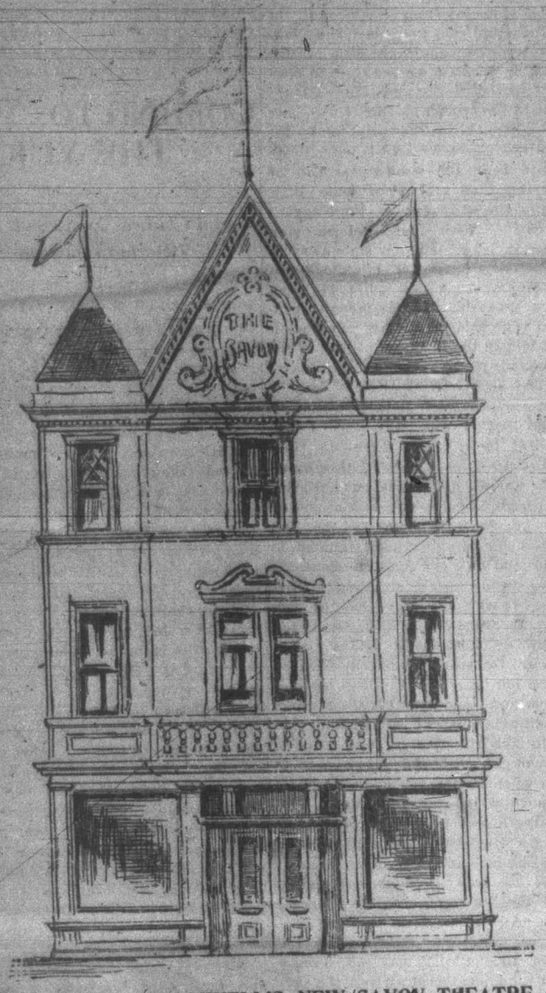
# ANOTHER PLAY HOUSE

## Jackson & McDonnell Erecting the New Savoy.

W. R. Jackson and R. J. McDonnell, of the theatrical firm of Jackson & McDonnell, are building a new theatre on First avenue to be called the New Savoy. The structure is to be a three-story frame building 100x25 feet and will cost to erect $15,000. The seating capacity of the place will be 800 which will make this theater the largest in Dawson. The location of the new theater is on ground leased from R. B. Young, manager of the General Trusts Co., near the corner of Third street, the front of which is now occupied by the Juneau saloon.

Mr. Jackson has sent out for 20 new people to open the house which will be ready for occupany a week from next Monday night. Twenty-four boxes will be arranged on the second and third balconies, chairs being placed at the circle on both floors. The stage is to be 24x22 feet with a movable proceniam arch which when necessity requires will give an added six feet frontage to the stage view. Two stairways will lead from the balconies to the main floor and exits will be built from the front of the building to First avenue and also through the Bank Cafe to Third street. Messsr. Jackson and McDonnell are now operating theaters in Victoria and Vancouver and are to build a new house in Seattle this fall.

The opening night of the New Savoy will be one which will be looked forward to with pleasurable expectancy by theater goes as the management intends giving a specially fine performance with all new people on that date. Workmen are now busy laying the foundation to the theater.




JACKSON & McDONNELL'S NEW SAVOY THEATRE.

# OFFICERS ENTERTAIN

## Major Wood and Staff Give Pleasant "At Home"

The first informal "at home" given yesterday on the barracks grounds by the officer commanding and officers of the N. W. M. P., was a brilliant success as well as somewhat of a new departure in social festivities. It was rather in the nature of a lawn fete only there was no lawn. At the entrance of the pavilion which had been erected near the cinder tennis court stood Major Wood who, assisted by Superintendent Primrose, Inspector Scarth, Inspector Wroughton, Inspector McDonell, and Inspector Cosby received the guests as they arrived giving each a hearty welcome and bidding them accept of their hospitality The interior of the pavilion was tastily decorated with festoons of bunting, flags and robes and easy chairs scattered here and there added all the more to the attractiveness of the scene. A great many ladies attended gowned for the most part in the light, sheer fabrics so alluring these warm summer days, the gentlemen appearing in tennis flannels and outing suits. During the afternoon a concert program was rendered by a band under the leadership of Edwin Bates Lyons. Light refreshments in the shape of ice cream, cake and punch was served continuously. Tennis was indulged in by several of the guests while others were content to engage in society small talk and watch the cricket match in progress. A strong south wind was the only thing which marred the pleasures of the afternoon. Among those present were many of the departmental heads and staff of the government, members of the clergy and a large number of the professional gentlemen of the city.

### King Salmon Caught.

The first salmon caught this season was seined last night at 7 o'clock. This will be news to the fish editor of our evening contemporary who published several days ago a fairy tale about King Salmon "disporting" in the pellucid water at the mouth of the Klondike. The salmon which have been exhibited recently in the markets of Dawson were shipped in from the outside in cold storage. One dollar a pound was paid by the Northern Cafe to the fish man for the prize. This morning the fish were caught in considerable numbers and were on sale at different places for 65 cents per pound.

It is expected that an unusually large catch will follow this season as telegraphic advices from the lower river state that an immense school of salmon is now on the way up river. The first fish caught weighed 27 pounds.

### Shot by Game Warden.

Delta, Colo., July 15.—Deputy Game Warden F. A. McHaney, a halfbreed Indian, shot and killed W. A. Womack and fatally wounded A. L. Hinchman, who, it is claimed, resisted arrest when illegally fishing in Grand Mesa lakes. McHaney gave himself up and was taken to Gunnison for safe keeping, as the feeling against him among people in the vicinity of the lake is very bitter. For several years there has been friction between the citizens of Delta county and the game wardens who were stationed at the lake to prevent the public from fishing there. The citizens claim that the lake is public land, stocked with fish. William Radcliffe, on the other hand, claims exclusive fishing privileges on account of stocking the lake, and by virtue of a state law, and he employed the game wardens to protect his rights.

### Attempted Murder.

Butte, Mont., July 15.—James W. James, fireman at the Gagnon mine, only missed being a double murderer today through his excitement and bad aim. His stepdaughter, Sadie Landgreen, has been engaged to George W. Schindler for some time. The stepfather has been opposed to the marriage. This morning, while James was at work the young couple got married. When James returned home this afternoon and heard of it he sent for Schindler and his bride. Either his excitement was too great or his aim was too poor. He missed both shots. Before he could shoot again a policeman who was near by rushed in and arrested him. The charge will be attempted murder. James had made threats against the young couple in case they married.

# STORY OF THE UNION PACIFIC

## In Early Days of Its History When Indians Were Wild.

### The Baby Was Dosed With Paregoric and the School Ma'am Fainted—But the Sioux Were Defeated.

"Keep that kid quiet," said Bankers in a hoarse whisper.

"I'm doing the best I can," said his wife, trying to hush the little one, who was sobbing and moaning in her lap. In the baby's milk wagon a bitter fight was going on between paregoric and pain, and the latter was dying hard. The wind drove the rain against the side of the car and made it rock to and fro. "Emma," said Mrs. Bankers to her friend, "take that bottle and hold it between you and a crack in the car, and when it lightens drop ten drops into the spoon. I suppose we must not strike a light."

"You bet you don't strike any light here unless you are ready to give up your chignon," said Bankers, without taking his eyes from the crack through which he was peeping. Emma took the bottle, and at each flash of lightning dropped a drop of hush medicine into the spoon, and when she had put in ten drops they gave it to the baby. That made 20 drops. It was dangerous, but it was sure death to all of them if the baby cried aloud.

The rain came in great sheets and with such force that it seemed that the car could hardly hold the rail. It was not a Pullman car; just a common red stock car standing on a siding, with a few armfuls of straw upon the floor. Occasionally Bankers turned to glance at the two women who were crouching in one end of the car, and when the lightning lit up their faces they were fearful to behold. Now the rain, cold as sleet, came through the cracks in the car and stung the faces of those within. Mrs. Bankers had seen three winters at Wood River, but her friend, the young woman who had come out to western Nebraska to teach school, was in every sense a tenderfoot, and the experience of this wild night had almost driven her mad.

"There they are," whispered Barkers. Now the women put their eyes to a crack, and when a flash came they could see a reef of feathered heads that formed a half circle around the house, like a feathered boa about a woman's neck. Half the band dismounted and made a rush for the cottage. The door was broken, and the red devils swarmed in. One of them took a newspaper and lighted it at the open fire place to make a torch, and by the light of it the little party in the stock car could see the Sioux running, half crouching, from room to room in search of the occupants. Finding the place deserted and smarting under their disappointment, the Indians now set fire to the house and by the light of it started to loot the railroad station, less than a hundred yards away.

The station agent had been warned, as the others had been, by a Pawnee scout, but had bravely refused to leave his post. He had made no light, but sat in one end of the dark little room which served as ticket office, telegraph office and sleeping room and as the Indians approached opened fire. At the very first shot the leader of the murderous band leaped high into the air, came down on his feet, leaped up again and again and finally fell in a heap, to rise no more. With a deafening yell the angry band made a rush for the door and began to beat against it with tomahawks, clubs and guns.

Having emptied his rifle, the agent now took up a pair of 45 caliber revolvers, and the lead fairly rattle against the door, and no fewer than half a dozen savages sank to the platform, causing the beseigers to fall back a space. From a distance they began to pour the lead into the building, but the agent, crouching behind the little iron safe, was still unhurt. An Indian brought a torch from the burning cottage and attempted to fire the station, but the rain and wind put out the fire. Two or three Sioux, noticing a string of cars upon the siding, began to search for stock or eatable freight. From car to car they ran, thrusting their rifles into the straw. "Uh!" said an old buck as his rifle found something soft in one of the cars, and Bankers felt hurt in his short ribs.

Laying hold of the side of the car, the Indian began to pull and strain. By the merest chance he had taken hold of the car door, and now as it opened he thrust his hideous head inside. Bankers could have blown the top of the Sioux's head off but he knew that to fire would be to attract a dozen redskins against whom he could not hope to hold out long. The women scarcely breathed. The baby, full of paregoric, slept as though it had already entered upon its final rest.

The other two Indians had given up the search among the empty cars and gone back to the station, where the agent, having reloaded all his guns kept the gang hopping and dancing about the station platform. The old Sioux at the car door cocked his head and listened. He must have fancied he heard something breathe, for now he put his hands upon the sill and leaped into the car. He had scarcely straightened up when Bankers' rifle barrel fell across his feathered head, and he dropped like a leaf. The shoolma'am uttered a faint scream, and that was the last sound that came from her corner for some time. The Sioux never moved a finger, and Bankers, having removed the warrior's firearms and ammunition, gave the gun to his wife and then covered the dead Sioux with straw. Already the little frame cottage had burned to the ground, and the rain had nearly quenched the fire. Every attempt made by the band to fire the startion had ended in failure, and the Sioux were now preparing to storm the fort. It was hard for Bankers to keep quiet in the car while the agent sold his life bravely and so dearly to the Sioux, but there were his wife and baby and the helpless school ma'am, who had been persuaded by the Baukers to come to this wild region, and he felt it his duty to protect them as best he could. Presently Bankers felt the stock car vibrate perceptibly, as though it was being rolled slowly along the rails. His first thought was that the Indians were pushing the empty cars down near the station, and that they would set fire to the straw, and then there would be no possible escape. Now there was a roar as of an approaching train, and an instant later a great dark object hove in sight drawing a dozen box cars and running without a headlight. The shouts of the beseigers, the rattle of rifles and the wild storm of the night prevented the Sioux from feeling the vibration or hearing the sound of the approaching train.

The agent, who had been severely wounded, now crawled to the key and called Ogallala. At the first attack he had wired for help, and now he told the operator there he could hold the place only a little while longer. The agent was still at the key when the engine, rolling up to the station, shook the building, and he knew the moment he felt the quiver of it that help was at hand. Instantly the doors of the boxcars came open, and a company of government scouts, all Pawnees except the officers, leaped to the ground. The Sioux were making their last desperate charge upon the station. Before they could realize that reinforcements were at hand they were beset by the scouts, who always fought to kill. The battle was short and decisive, and when the Sioux fled they left more than half their number upon the field.

Probably the most anxious man in the whole party was the conductor of the special train that had brought the scouts from Ogallala. He had ridden all the way on the locomotive, and the moment the train stopped he had leaped to ground and gone through a shower of bullets to where the cottage which had been the home of the Bankers had stood. The sight of the house in ashes made him sick at heart, but there was still hope. They might have taken refuge in the station, and, facing about, the fearless conductor fought his way to the door. By this time the Sioux were giving all their attention to the scouts, and the conductor forced his body through the shot riddled door. The agent lay upon the floor in a pool of his own blood, but he was still alive. "Where are they?" asked the conductor, glancing about the dark room.

"Among the stock cars, if they are still alive," was the reply which came in a faint whisper. "I saw them leaving the house at dusk. Go to them—I'm—I'm all right." And the conductor, having placed the wounded man upon his bed, made for the stock cars.

"Bankers, where are you?" he called, and Bankers answered, only two cars away. Now the conductor lighted his white light and climbed into the car. The brave Mrs. Bankers greeted him with a smile that soon changed to tears, for in the light of the handlamp she had seen her baby's face, and it looked like the face of a dead child. "Emma," she called excitedly, but there was no answer. "Is she dead?" cried the conductor, falling upon his knees and holding the light close to his sweetheart's face.

"No, you chump," said Bankers, "She ony fainted when I killed this Sioux," and he gave the dead Indian a kick and rolled him out of the car.

"But the baby?" pleaded Mrs. Bankers.

"She's all right," said the husband. "Only a little too much paregoric." And so it proved.

"Here, Em'," said Bankers, shaking the young woman, who was regaining consciousness, "brace up. You've got company."

"Are we all safe?" asked the schoolma'am, feeling for her back hair. "Oh, my dear, brave friend, you have saved us all!"

"Yes, I've been," said Bankers, "hiding here in the straw while the agent was being murdered."

"But you saved the women," said the conductor, who was overjoyed at finding all alive.

"Yes," said Bankers, "that's something after all."

And all this is not a dream. It is only a scrap of history at the time days of the Union Pacific. The station agent is an old man now, one of his legs is shorter than the other—the one that was shot that night. The baby, having recovered from the severe tussle with colic and paregoric, is now one of the most charming women in a western city. The conductor of the soldier train is at this writing a general superintendent of a well known railway. The snow of 40 winters have fallen upon his wife's hair. It is almost white, but her face is still young and handsome, and I remember that she blushed when telling this story to me and recalling the fact that she had fainted in a stock car on that wild night at Wood River.—Exchange.

### Canadians Are Satisfied.

Ottawa, July 15.—Recent advices from London go to show that the Hon. David Mills, minister of justice, representing Canada on the conference in connection with the proposed reorganization of the imperial privy council, has expressed the views of his colleagues in the Dominion government in deprecating any change as far as concerns the existing status of the final court of appeal for the empire. In regard to the reformation of that court, it is proposed by Mr. Chamberlain to appoint Canadian and other colonial representatives to the house of lords, when, during a term of seven years, they will be made members of a proposed new tribunal, which would supersede the present judicial committee of the privy council.

It is stated that there is as strong opposition from the other colonies as from this country, to the proposed amalgamation of the privy council with another court which represents the house of peers. While, it is claimed, such an arrangement might provide a court of final resort which would be representative of the different portions of the empire, it would introduce a new and undesirable element. The new court would, in essentials, be a parliamentary court. The existing judicial committee of the privy council of England is not. A case, appealed to this tribunal, is theoretically an appeal direct to the crown, and its findings constitute advice to the sovereign, to whom all his subjects have the right to look for equal justice.

Moreover, the house of lords has never presumed to exercise jurisdiction over the colonies. To amalgamate, therefore, the law lords with judicial committee, as proposed, and then to this body add the law lords for the colonies would practically mean to abolish the privy council, as Canadians know it, to eliminate the appeal to the foot of the throne, and to substitute for it an appeal to a parliamentary tribunal, wholly of Great Britain in theory and preponderatingly of Great Britain in fact.

"The criticism of eminent Canadian lawyers has been specially directed to Lord Ashbourne's proposal. The Australians, it is pointed out, in framing their constitution for the new commonwealth, sought to eliminate appeals from their own highest courts to the privy council of England. Canadians, on the other had, are well satisfied to have recourse to the highest court of the empire, for two reasons.

First, there are two systems of law in Canada—the one based on the Roman law, as applied for centuries in France and afterwards adapted to the province of Quebec; the other, the English common law as it applies, but qualified and interpreted by their legislatures and courts, in the other provinces of the Dominion. Second, with one or other of the two systems exercising a dominating influence upon the mind of any individual jurist, it has been considered desirable that there should always be recourse to a learned and impartial tribunal, whose findings would not be colored by either prepossession or preference for one system of law.

As adding a Canadian judge to the council could only be done on the theory that his opinions would be of great weight upon Canadian questions, and would therefore be accorded extraordinary attention by his colleagues, the result of the proposed change would apparently be to provide for an appeal from the five judges of the Canadian supreme court, the final court of appeal in this country which sits at Ottawa, to one Canadian law lord sitting in London.

### Fifteen Negros Killed.

Hereford, Tex., July 15.—Word reached this place today of a regular pitched battle and wholesale killing between Mexicans and negroes who are working on the new Rock Island extension in New Mexico, 100 miles west of here. The trouble originated in the killing of a Mexican by a negro some weeks since. The authorities undertook to arrest the assailant, but his friends interfered and they were obliged to withdraw. Last week some 35 or 40 Mexicans armed themselves with Winchester repeaters, and went after the negro. A battle took place in which 15 negroes were killed outright and several wounded. The casualties among the Mexicans cannot be learned.

The trouble occurred at Spencer's railroad camp, near Liberty, N. M., in a sparsely settled portion of the territory, where peace officers are few and the law is not rigidly enforced.