

ORA GRANDE PROTEST

Question of Boundary Lines on No. 2

Decision by the Gold Commissioner as to Rights of Plaintiff in the Action.

Gold Commissioner Sentler has handed down a decision in the matter of R. B. Ackerman, Colin Hamilton and Robert Hight against Thomas Lamar. The protest has to deal with the boundary lines of the claims and the position of certain stakes. J. B. Patisso appeared for the plaintiff and Auguste Noel for the defense. The judgment reads as follows:—

Creek claim No. 2 Ora Grand was staked on November 13th, 1897. The fractional claim between Nos. 2 and 3 was staked on the 13th day of July, 1892, and hill claim opposite the upper half, left limit of No. 2 was staked on June 5th, 1901, all owned by the plaintiffs.

The defendant, the owner of creek claim, lower half of No. 3 Ora Grand, obtained record on the 30th of November, 1899, and applied for and obtained an extension of his boundary lines on July 14th, 1900. A plan of survey of the lower half of No. 3 was advertised under section 46, of the placer mining regulations, and this protest was brought on the ground that said survey conflicted with the plaintiffs' claims above mentioned.

Creek claim No. 2 is the prior claim, being an old 500 foot claim, and the question to be determined is the original position of Mr. Crawford's upstream post. He swears positively he placed his upstream post as shown on Mr. White-Fraser's plan, 519.5 feet upstream on the base line from his number one post, and identifies the position by a post that is cut off close to the ground. In July '99 two witnesses, named Craig and Waddell, were on the ground and saw the upstream Crawford post. They corroborate what Crawford states as to his position. The defense bring the evidence of Odegaard and Clavelle, to show that Crawford's upper post was over 150 feet further down stream. Odegaard was on the ground in 1899, but Clavelle not until 1900. As to Lamar's evidence, he admitted on cross-examination that he did not stake his claim on the day that he swore he did in his application and his evidence is otherwise indefinite.

Crawford is the only witness who was on the ground in 1897, and taking into consideration the evidence as to the position of the shaft sunk on the line between the claims Nos. 2 and 3, I believe Mr. Crawford's statement is correct, namely, that his number two post was originally placed as shown on Mr. White-Fraser's plan.

The plaintiff, Robert Hight put in the record of fractional claim between claims 2 and 3 contending that that was all that was necessary to make out a prima facie case that the "cut-off survey" conflicted with his location. I think he is not correct in this. He must prove that he staked ground that conflicted with this survey. Mr. Cantley's plan must be amended by making the down-stream boundary line of the lower half of No. 3 a line passing through the base line at right angles at a point 49.5 feet below Mr. Crawford's upstream post as shown on Mr. White-Fraser's plan. The actual position of Colin Hamilton's upstream post of hill claim opposite the upper half of No. 3, left limit, is rather indefinite. Mr. Hamilton states where it was placed approximately and the claim is described as opposite the upper half of Number two, the upstream line of said hill claim shall be the down-stream line of creek claim, the lower half of No. 3, as described above.

Although the plaintiff Ackerman did not prove his representation work and renew his claim before the last hearing of this case, and the upper half was relocated, he has shown that the representation work was actually done. He has, therefore, a right of action to recover the property. I do not think that his right to bring this action would lapse because the ground has been relocated under those circumstances.

Caught A public official in Baltimore tells the following story:— "A man dropped into the office one day while I was writing a letter to my wife. He stood directly behind me. I continued to write and at the same time entered into conversation with him in a desultory sort of a way. The impudence of the fellow was so well established that I felt sure he was reading every word written. Finding it impossible to continue the letter, I wrote, 'I shall now close, as there is an impudent fellow looking over my shoulder reading everything I write.' The man jumped back and exclaimed, 'It's not the truth, sir. I have not read a word of what you have written.'"

AXES TABOOED

Wilson Found Guilty of Ill Treating His Mules.

Mr. Justice Macaulay this morning rendered judgment in the famous mule case heard yesterday finding the defendant guilty and imposing a fine of \$1 and costs. In submitting his decision the court stated that he must consider that horses and mules come under the same head, at least such must have been the intention of the statutes. There was no doubt but what Wilson had ill treated his mules in striking them with an axe, though no injury was inflicted. An axe was not a proper thing to employ in chastising refractory work animals, neither is a shovel nor a chain. Better results could be secured by the use of something less severe and he must find the defendant guilty. In imposing the sentence due consideration was taken of the fact that the animals had not been injured and the fine was made the minimum amount.

Were married When the City of Seattle moored at Skagway Mrs. D. Livingstone, true to her solemn appointment with the gallant and popular postmaster of whitehorse, waited down the gang-plank and was driven in a cutter immediately to the Fifth avenue hotel. The wedding ceremony was performed at 8:30 o'clock in the evening, yesterday. There were present some 30 friends of the bride and groom—residents of this city and Whitehorse. The ceremony was performed by Father J. G. Cameron after the beautiful ritual of the Episcopal church. The bride was led to the altar and given away by Mr. H. M. Lay, manager of the Canadian Bank of Commerce and the groom was led from the vestry by Dr. S. D. Cameron, his best man.

Later in the evening Mr. and Mrs. Lay entertained the bride and groom and a few intimate friends to a wedding dinner—Skagway Alaskan.

The Weather Today.

Ideal winter weather has followed the blizzards of the past few days, the thermometer today being but 10 below. During the night and also the greater part of the day a light snow has been falling which will add to the already excellent condition of the roads and trails. The maximum and minimum of the past twenty-four hours was 8 below and 25 below.

LONG HAUL TO DUNCAN

Stewart River Trail Said to be Good.

Gus Hegg and Partner Prospecting a Tributary of Lake Creek.

V. A. Paife, who keeps a road-house at Stewart crossing, has been in town for a couple of days and returns tomorrow. He says there are two or three outfits busy freighting the goods left by the last steamer at the crossing up to Duncan and the other creeks, and that the trail up the river is good.

It has been reported to him that the men on Scroggy creek are into good pay and are well satisfied with the outlook. There are about twenty-five men working away but saying little and most of them are French-Canadians. A few days before he left Gus Hegg came to the crossing to get some supplies. He and his partner, Malcolm McLean, have been prospecting a tributary of Lake Creek, 15 miles from the Stewart.

Will care for one or two good dogs for their use during the balance of the winter. Apply Nugget office.

LOST.—Saturday roll of hills amounting to \$40. Finder please return to Nugget and get reward.

BOUCHER PROSPECTS

New Creek Is Making Good Showing.

Believed That Main Paystreak Is Underneath the Creek Bed.

S. Le Blanc, a claim owner from Boucher creek, arrived in Dawson yesterday. He came over the ridge from Boucher and stated to a Nugget representative that the trail is exceedingly good condition.

In some stretches it is practically closed to traffic and Le Blanc himself had considerable difficulty in getting through with his dog team. He suggests that a couple of men should be employed by the government in the neighborhood of the 23 road house to keep the trail open. Otherwise communication may shortly be suspended.

There have been a number of severe snow storms of late and the roads in consequence are badly drifted. Mr. Le Blanc says that Boucher is looking first rate and that it will yet give a very good account of itself. In the neighborhood of 120 men are working on the creek and all are satisfied with the outlook. His own claim, No. 45 below discovery, has several holes down to gravel and he exhibits a very nice prospect obtained at a depth of 12 feet from the surface. Four pans showed an aggregate value of thirty cents which is a remarkably good showing.

In the opinion of most of the men on Boucher, the real pay streak will be found under the creek bed. Their opinion is based on the fact that the bedrock on both sides slopes toward the left of the stream and virtually forms an angle beneath its bed where the main pay streak is presumed to be located.

POOL ROOM EXPLOSION

Hundred People Gambling in Room.

Turf Exchange Building at Little Rock Wrecked—Thirty People Injured.

Hot Springs, Ark., Dec. 24.—By an explosion of gas or gasoline this afternoon, in the cellar of the Turf Exchange, a club house and pool room operated by Chambers & Walker, the building was badly wrecked and thirty persons were injured, sixteen of whom are in a serious condition.

When the explosion occurred, about 4 o'clock this afternoon, the pool room was crowded with more than one hundred people. Just as a race at New Orleans was being called by the operator of the floor of the building seemed to rise, and in an instant a report that shook the entire building rang out. The upper floor and back walls of the building fell on the mass of struggling men, who were wildly scrambling to escape to the street.

The news of the disaster spread rapidly and soon Central avenue was jammed with people. Reports were current that several persons had been killed. The police and firemen took charge of the building and the work of rescue began. Men were pulled from under the debris in a terribly shattered state. One of the most pitiable sights was when "Billy" Helwig, the blind manager of the Lamar bath-house, was taken from the ruins.

R. C. Chambers, one of the proprietors of the Turf Exchange, is one of the lessees of the Fort Erie, out, race track, and is one of the best-known sporting men in the country. His condition is serious.

The exact cause of the explosion has not yet been determined. It is said by some that gas which had escaped in the cellar of the building was ignited in some manner, causing the terrible accident. Another report which is probably correct, says a driver of a gasoline wagon was filling a tank in the cellar when the explosion occurred.

hunters who know nothing about the creek have scattered adverse reports concerning it. He does not want a boom started but feels confident that by spring Boucher will prove a pleasant surprise to many people.

DICK GRANT LOST

His Brother at Halifax Inquiring for Him

Manager Rogers, of the White Pass received a letter in the last mail from Frank J. Grant, of 87 Creighton street, Halifax, N.S., enquiring the whereabouts of his brother Richard J. Grant. The latter started from Halifax as fireman on the steamer Alpha, which was purchased for the Alaskan trade but was wrecked. Grant then came to Dawson and for a time was firing on the steamer Sybil. This is the last his friends have heard of him. His brother writes that he has some exceedingly valuable information for him.

DOWN RIVER STAGE

Twice a Week to Forty Mile From Now on.

Beginning next Tuesday Ben Downing will run two stages a week to Forty Mile, and the Tuesday stage will continue on to Eagle. It will leave the Calderhead wharf at nine o'clock.

For Organization

Dawson, January 7th, 1903. A meeting of the friends and supporters of A. J. Brudhomme will be held this evening at 8 o'clock at the Prudhomme committee rooms on 2nd avenue, (south of the Ottawa hotel) in the Dawson Flume & Hose Company's old stand, for the purpose of organizing for the coming Yukon council election. All friends and supporters are cordially invited to attend.

Traces of Palmer

It transpires that A. Palmer, who is being required for, was a carpenter working on the La France last summer. Mr. French having come across a time check signed by him on June 17th last. This information may aid in further tracing him.

Many Are Homeless

St. Petersburg, Dec. 24.—While full details of the recent earthquake disaster at Andijan, Russian Central Asia, are not obtainable owing to lack of communication, the dispatches received here describe the situation as horrible. The temperature has fallen to the freezing point, and thousands of persons are homeless. One section of the city has been completely destroyed. Only one church and coffin shop are standing. The first shock drove the inhabitants generally out of doors, otherwise the loss of life would have been much greater.

Notwithstanding the offers of free transportation, they are remaining in the vicinity of the city, which will be rebuilt. A substantial start has been made in the collection of relief funds. Andijan is a cotton center, and exports 40,000,000 pounds of cotton annually. The population, numbering 56,000 souls, was growing rapidly. Of twenty gins, sixteen have been destroyed. The Saris are not like Russians—they are private owners of land, but live in cities and towns. The houses in Andijan are principally one story high, and are built of unburned brick. The war department here informs the correspondent of the Associated Press that everything is being done to relieve the sufferers.

Rebels Gain Courage

Willemstad, Island of Curacao, Dec. 23 (by boat from La Guayra).—The revolutionists, strengthened by the impossibility of the government's suppressing the smuggling of arms and ammunition into the country, and by the fact that it has no feet at its disposal, have made answer to President Castro's proposition that they turn their arms against the foreigners who have attacked Venezuela, by referring him to Gen. Matos, their only chief capable of dealing with the matter.

The rebels have regained courage. The government, which signed with them an armistice of ten days, which ends tomorrow, has 3,600 men at Barquisimeto and 2,500 near Caracas, but all others who had enrolled themselves to fight against the foreigners have retired.

The revolutionists have planned a march on Caracas by three roads. The leaders, Ramos, Antonio Guerra, Urbanieta and Penolaza, with 2,500 men, will march via Guatire, Antonio Fernandez, Osio and Crespo Torres, with 2,500 more, has left Camana, and Gen. Rolando, with 2,500 troops, will go from Alta Gracia. Ammunition is expected to arrive every day near Caracas.

The situation for President Castro is considered to be again perilous, attacked by foreigners and his own countrymen, he can with difficulty resist the shock, as the government's resources have vanished. The president's departure for La Victoria is for the purpose of trying to check the war advance to the capital of the revolutionists.

Hittner and Readick—Auditorium.

HANDY WITH HIS TEETH

A Drunken Brawl and How It Ended

Eugene Barnard Bites a Piece Out of the Nose of Adrian Cadieux.

Eugene Barnard, the same who pleaded guilty yesterday to being drunk and disorderly, was again before his honor this morning on the charge of having committed an assault with the intent of doing grievous bodily harm upon the person of Adrian Cadieux, the offense having taken place on the morning of the 4th. The prisoner was not asked to plead, the examination being but the preliminary to his committal to the higher court for trial.

The affair which resulted in Barnard's arrest was the finale of a fight that took place between him and Cadieux in which both showed the marks of the encounter. The prisoner's left eye was in mourning and Cadieux's nose was invisible by reason of it being swathed in bandages. Barnard, it is alleged, having bitten off a good sized chunk from the left limit.

Dr. Sutherland was the first witness called. He had been called upon to attend Cadieux between 12 and 2 Tuesday morning. He found upon examination that a piece of Cadieux's nose on the left side was gone and was informed it had been bitten off by the prisoner. There was considerable hemorrhage and the piece that had been removed was entirely missing. The injury was such as to cause permanent disfigurement unless a delicate operation were submitted to, a piece taken from the cheek or some other part of the body and grafted on, thus making to a certain extent a new nose.

The testimony of Dr. Lachapelle was corroborative of the preceding witness. He had also attended the injured man and found a portion of the left nostril completely gone. He was told that the piece had been bitten out and upon an examination of the wound he had come to a like conclusion. The wound would always leave a gap in the nostril as the cartilage had been completely cut away.

Cadieux was called to the stand. He is from Duncan creek and only arrived in the city six or seven days ago. Knows the accused and only has a vague remembrance of what happened on Monday night. Both were drunk and the first thing he knew the fight began. It was started in the saloon and while he was enacting the part of the underdog the anthropological act took place.

Barnard was without counsel and cross examined none of the witnesses with the exception of Cadieux. The latter was asked who had started the fight and he admitted to having gotten in the first blow and also to having been the aggressor.

Barnard put in no defense and had but little to say other than that he had but little education and did not understand English perfectly. The offense having been clearly proven his honor bound the accused over to the territorial court for trial.

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Uncle Sam's War of Extermination

Weeding Out the Pirates on the Malay Peninsula.

Imprisoned in the village of Le-gamp are thirty-four men who comprise one of the last bands of the famous old Malay pirates. Some of them are Chinese, but the majority are Malays and Tagalogs. Within a few days they will be paroled on trial for having attempted to take possession of the steamer Dos Hermanos while it was at Virac. Through the watchfulness of Uncle Sam's island policemen the pirates were captured after a fierce battle, in which two of the buccaners were killed and three of the crew of the Dos Hermanos were also slain. For this crime the men now under arrest will undoubtedly be sentenced to death.

The severe battle that followed was seen at Virac, and dozens of pirates set out for the boat. They soon overpowered the pirates and then took them ashore. One of them confessed that they belonged to a band of freebooters, whose headquarters was at Napindan. He said their plan was to run the Dos Hermanos to some neighboring shore, kill all of the officers and passengers, and then sail inland with their booty.

The constabulary of the island of Luzon was set on edge by the Dos Hermanos affair, which had followed closely upon a similar attack on the steamer Commandante, owned by the Louis Yango & Co. The Commandante's attack took place near Napindan. The boat, carrying a heavy cargo of merchandise, besides some twenty of petty merchants and buyers, was set upon as it was entering Laguna de Bay. Between fifty and sixty pirates had been fishing in canoes at the source of the river. As the Commandante approached, they suddenly dropped their nets and made for the steamer. At the same time a number of men on board drew knives and declared that they would kill any one who resisted the men in the canoes.

The pirates got aboard without any difficulty and made way with \$40,000 in silver. Some of this was recovered later in the bamboo plings in the homes of the pirates. After the Commandante incident the ganboat Laguna de Bay, Oeste, Napindan and Florida were detailed to patrol the Pasig river. The pirates kept under cover for some time, and it was finally thought they had dispersed. The ganboats then returned to Manila, but since the attack on the Dos Hermanos and the confession of one of the men who was captured it was decided to center the warfare on the pirates upon Napindan, and the Laguna de Bay now watches that settlement constantly.

Harder than the insurrectionists themselves to capture are the Malay pirates. They will all themselves with anyone who is willing to take a portion of their booty, and who is strong enough to protect them in return. Much to their dismay they have found that Uncle Sam's agents would not accept any of their plunder. Hounded constantly by the constabulary, they are beginning to seek other fields. Some of them have gone to Samar, Mindanao and Negros, while others are plying their trade on the Sulu archipelago. At present there are not more than 500 pirates on the island of Luzon. Two years ago there were over 2,000 of them.

Long before civilization found its way to the Philippines, piracy was actively practiced there. It undoubtedly had its beginning among the Moslems living on the Sulu archipelago, who levied tribute upon neighboring islands and robbed Chinese merchantmen. When Magellan started out to find a passage connecting the Atlantic with the Pacific ocean, his first landing near the Philippines was at a group of islands

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where the natives proved themselves to be the most artful of artful dodgers. Several of them stole a small boat from Magellan's ship, and the great navigator gave the name of Ladrona (the Spanish word for thief) to the islands. After the Spaniards had settled in the Philippines a piratical alliance was effected between the Sulu and Mindanao potentates, and piracy was prosecuted with great vigor by organized forces equalling those of the Spaniards. For over two centuries a half Musulman junks ravaged every coast. Not a single peaceful island was spared. Piracy became an incessant scourge, and it cost the Spaniards river of blood and millions of dollars only to keep it in check.

The exploits of the Mohammedan buccaners attracted the attention of Chinese adventurers, who attacked boats bound for the Philippines. Finally, Li-Ma-Hong, a corsair who had been operating on the coast of China, decided to capture the island of Luzon. With a fleet of sixty-two armed junks, having on board 3,500 men, he set out to organize a kingdom on Luzon. After fierce fighting he was repulsed and then he fled to the province of Pangasinan. The Spaniards attacked him here, and he was driven away from the islands.

For this riddance the Spaniards gave thanks to St. Andrew; and that martyr became the patron saint of Manila. Mass' in his honor is still celebrated on November 30, which is a public holiday. The next pirate to worry the Spaniards was Koxinga, a former mandarin. Koxinga captured the island of Formosa, in the middle of the seventeenth century, and established himself as a king. He had become acquainted with an Italian Dominican missionary named Vittorio Roccio, whom he created a mandarin, and from Roccio had learned of the wealth owned by the Spaniards.

Koxinga decided that the Spaniards ought to pay tribute to him, and so he sent the priest to the Philippines with a message threatening to attack the Spaniards unless they paid homage to him. The position of Roccio as a friar and the ambassador of a Mongol adventurer was an awkward as it was novel. He was received with great honor in Manila, where he disembarked and rode to the government house in the full uniform of a Chinese envoy. Koxinga's threats only resulted in the massacre of hundreds of Chinese in Manila. Roccio returned to Formosa and spent the rest of his life there as a Mongolian.

With the beginning of the eighteenth century piracy in the Philippines developed into a sort of trust. Chinese buccaners were pursued unrelentingly by the Spaniards, but the native pirates seized boats without being hindered. A strange story is told of a young Spanish pirate who held sway in the China sea about thirty years ago. This Spaniard was known as Juan Lopez, and he is said to have belonged to a noble Castilian family. He was a "black sheep," however, and had been sent away from Spain and given a government position at Manila in the hope that he would reform.

His uncle, a wealthy merchant in Manila, took him into his home and did all in his power to reform the lad, but Juan wouldn't keep in the traces. One evening he got into a

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The Nugget From Vol. 4—No. ALL

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