

THE CONTRACT IS WEAK

Such is the Opinion of Attorneys Who Have Read It.

They Believe It Would Be Overridden By the Master and Servant Act.

(From Wednesday's Daily.)
It is understood and agreed between the parties, that the employers shall have the power to discharge the said laborer at any time without cause; and in such event it shall be optional with the said employers to retain the wages of the said laborer until the washup in the spring of 1901.

That is the first material clause in the contract recently gotten out in blank form, and intended to be signed by the miner who works for the parties in whose interest the contract is drawn.

This one sided instrument further sets forth that the same conditions shall prevail in case the said laborer or miner for any reason whatsoever quits the employment during the time previous to the washup in the spring of 1901. Also, that in case of sickness or injury from any cause whatever, the employer is immuned from all blame or liability, and should he be laid off, or become sick, or for any other cause cease from working during the time the contract is in force, he agrees to pay the generous employer for his board and lodgings, during such time of non-employment, at the rate of \$2.50 per day.

That the contract, like nearly all such agreements, is gotten up wholly in the interests of the employer and without reference to those of the employe, is plain to be seen. Whether or not it will hold in law, and be binding upon those who, through careless neglect of such matters, or by reason of necessity, sign it, is another and equally large question.

It is the general opinion of legally learned minds that were a test case to come before the courts it would result in the puncturing of the contract in several places.

There is no question in such opinion that the contract is in direct opposition to the master and servant act, and that it would be overridden by such act, especially as it makes no exception to it in its various clauses.

The act referred to makes provision that when a servant is discharged without cause, the magistrate before whom the servant makes complaint, may enter a judgment for wages against the master. The contract is very sweeping in that it provides that under no circumstances is the employe to have a right to demand damages for any injury or sickness received or suffered during the time of his employment. It is also doubted by attorneys if this part of the contract could be made to withstand legal attacks, as there are many cases imaginable, many cases of like nature which come before law courts from time to time, wherein it is shown conclusively that injuries sustained by employes in the discharge of their duties are due to the neglect or ignorance of the employer, and in many of such cases damages are awarded the employe. The contract, inasmuch as it makes no exception to any enactment on this point, as in the matter of the master and servant act, is thought to be weak and insufficient to bind the employe to all its terms.

"Of course," said one of the attorneys to whom the contract was shown, "there is no question but what it would often work a hardship on a great many claim owners if called upon in the dead of winter, when they have no means of getting out any gold, to pay out large sums in wages, and if a miner goes to work with the understanding that he wait till spring for his wages, he should abide by that understanding. This contract, however, makes all its provisions protective of the mine owner, and gives no protection whatever to the miner employed."

"The trouble with the miner in such cases is that he signs agreements and contracts of this nature either without understanding its terms after reading them, or through carelessness. The contract, I consider to be weak from a standpoint of law, and if a test of any of its clauses were to be made I think my opinion would be found to be correct."

Comes Back at Him.
Editor Nugget:

Dear Sir—Seeing in your paper a letter signed "Light and Truth," which obviously makes so many mis-statements I cannot refrain from answering it. It recalls to my mind the old Latin saying which, when translated reads, "The mountain labored and brought forth a mouse," but as it is a

small mouse that will not carry a large mountain on its back, "Light and Truth" manfully shoulders the whole load, William Jennings Bryan and all. He is without doubt a Populist, for no one but a Populist would be guilty of such an unusual production. He forces me to take up some of the issues, and the parties back of them, for the last 20 years.

I will take the Republican party and endeavor to show some of the things it has done for the country. If he will do as much for the party he represents I will guarantee him respectful consideration.

First, the Republican party has shown its generosity by giving the "bloody shirt," a respectful burial, and no one but a Demo-Pop would resurrect it. He concedes that.

Second, I accept the statement, "that since 1880 the issues raised were on economic and industrial questions." Now then, which of the two great parties were the first to deal intelligently with these questions. I maintain that it was the Republican party. Did they not in 1888 recommend to congress through their platform the necessity for legislation on industrial and economic questions. In other words the necessity for restrictive legislation on trusts and combines? Did they not again in 1890 force legislation on this point, but which was afterward set aside by the supreme court declaring that congress had no power to fix legislation on industries as between states, but only on the sale and transfer of goods, manufactured and passing from one state to another?

Thus we see that the Republican party was the first to oppose trusts and combines and not the Democratic party as he would have us believe.

Now, I ask him did not the Democratic party have complete control of congress in 1892, and what legislation did we have against these oppressive institutions? None! Again in 1894 did they not have complete control of the senate, and what great restrictive measures did they pass on these trusts and combines? Again must the answer be, not any.

What he charges to the McKinley tariff bill exactly fits in, as the result of Democratic mis-rule, namely, disaster, bankruptcy, poverty, crime; yea, and a very serious strike, the like of which the country has never had to deal with before—that of 1893. Once more the substitution of the Wilson bill for the McKinley bill—result same as before.

Was not the idol of the Democratic party Grover Cleveland, the greatest friend the trusts had? Look at the futility of that party when it comes to dealing with great economical and industrial problems. Nor did prosperity return until the return of the Republican party to power, and with them the restoration of the McKinley tariff in the Dingley bill—result, renewed confidence in commercial and industrial circles; renewed prosperity all over the country.

Just a word as to the present strike. What is the cause of it? Primarily the Democratic party. In the coal mines the owner leases the ground to operators, who in turn are obliged, by the terms of their lease, to mine so many tons of coal annually. These operators put a great deal of machinery on the ground and are at great expense thereby, so that to give up their lease they would be at great financial loss. Competition steps in, forces the market lower and lower on the price of coal—result, margin of profit is so small, the wages of the miner is cut down to meet the competition, as the operator cannot close down and give up his lease, as I have already stated, without great loss. Whence does this competition come from? Where but from the Democratic strongholds in the south, the very seat of Democracy. Two or three of the southern states have adopted the plan of hiring out the convicts to the highest bidder, these are taken into the coal mines and worked until they drop. All they get in return is a scant supply of the coarsest food and the cheapest possible clothing. The product of this convict labor is brought into direct competition with the paid labor of the north, hence the result in the present strike; and this itself is the result of the Democratic institutions in the south which make it so.

Again equal rights to all. Bah! What a shibboleth for the Democratic party. For shame! Did they and are they not making a great effort to disenfranchise the negro, and this is the party that boasts of equal rights!

Finally who are seeking to undermine the republic and republican institutions? Who are endeavoring to bring about class legislation which must always be subversive of republican institutions and equality of rights. Who, I say, but the Democratic party.

Then what is your duty as a man who loves his country and her institutions? What is it, I repeat, but to vote for the party or the man that has made the country what it is, the best on God's green earth.

CALIFORNIA REPUBLICAN.
Canadian rye at The Pioneer. Jos. E. Seagram, '83, Walker's Canadian Club, Walker's Imperial rye. crt

POLICE COURT NEWS.

Magistrate McDonell this morning rendered a decision in the case of Mand Townsend vs. O'Brien & Jackson, which case was heard Monday forenoon. The plaintiff who is an actress, brought suit for \$206 as wages due her while employed by defendants at the Savoy theater. Of the amount sued for only \$83.60 was admitted by defendants to be due from them. The order of the court is that the sum of \$181 be paid in for plaintiff, also the costs of the court, the same to be paid within five days.

Raymond Gale, an 18-year-old boy who was employed during the summer on one of the lower river steamers, pleaded guilty to the theft of a fur cap valued at \$5, the property of Alex Smith. The boy said he was in need of money and stole the cap and sold it. He was given some good advice, also two months at hard labor.

Yukon Public Museum.

At the meeting held last evening for the purpose of instituting a museum quite an assemblage of interested persons gathered, and the business was carried on to a very successful issue for a single meeting.

Commissioner Ogilvie was chosen chairman and stated briefly the object of the meeting, and the benefits from many standpoints which would accrue should the final object for which the meeting was called, be attained.

Mr. Alfred Watson was selected secretary, and a committee of five was elected to elaborate and report on a scheme for the founding of a permanent museum to be known as the Yukon Public Museum. This committee is formed by the following named gentlemen: Commissioner Ogilvie, Dr. Brown, Alfred Watson and Messrs. Tyrrell and Purchase.

The committee will meet tomorrow evening at 8 o'clock to begin its work.

Portland Cafe Reopens.

E. L. Harwood has taken the Portland and is making extensive alterations in the place. A large window is being put in on Second avenue and the interior is entirely remodelled. The restaurant will be conducted as a first-class cafe and nothing but the best obtainable will be served. The initial dinner will be served tomorrow.

Best imported wines and liquors at the Regina

Irish whiskies at The Pioneer. John Jameson & Son celebrated brand. crt

Clarets, Ports, Sherries at Pioneer. crt

LOST AND FOUND

LOST—Sunday, October 14, lady's nugget bracelet; leave at this office, reward, Miss Stewart. p-6

PROFESSIONAL CARDS

LAWYERS
BURRITT & McKAY—Advocates, Solicitors, Notaries, etc.; Commissioners for Ontario and British Columbia. Aurora No. 2 Building, Front street, Dawson.

ALEX HOWDEN—Barrister, Solicitor, Advocate, etc. Criminal and Mining Law. Room 21 A. C. Co's Office Block.

MACKINNON & NOEL, Advocates, Second st., near Bank of B. N. A.

HENRY BLECKER, FERNAN DE JOURNAL BLECKER & DE JOURNAL, Attorneys at Law, Offices—Second street, in the Joslin Building. Residence—Third avenue, opp. Metropole hotel Dawson.

PATTULLO & RIDLEY—Advocates, Notaries, Conveyancers, etc. Offices, First avenue.

WADE & AIKMAN—Advocates, Notaries, etc. Offices, A. C. Office Building.

TABOR & HULME—Barristers and Solicitors, Advocates, Notaries Public, Conveyancers Telephone No. 48. Offices, Rooms 1, 2, 3, Orpheum Building.

N. F. HAGEL, Q. C., Barrister, Notary, etc., over McLennan, McFeely & Co., hardware store, First avenue.

ASSAYERS.
JOHN B. WARDEN, F. I. C.—Assayer for Bank of British North America. Gold dust melted and assayed. Assays made of quartz and black sand. Analyses of ores and coal.

MINING ENGINEERS.
J. B. TYRRELL, mining engineer, has removed to Mission st., next door to public school.

DOMINION LAND SURVEYORS.
T. D. GREEN, B. Sc., Dominion Land Surveyor. McLennan, McFeely & Co.'s Block, Dawson.

RECREATION - HEALTH
Anderson's Gymnasium
THIRD AVENUE
Entirely refitted. Instructions given. Bowling Alley in connection. Membership—\$5.00 a Month.

..CITY MARKET..
KLENER & GIESMAN, PROPRIETORS
A First-Class Meat Market
For First-Class Trade

COMPETITIVE PRICES.... Second Ave. Opp. S. Y. T. Co.

FULL LINE CHOICE BRANDS
Wines, Liquors & Cigars
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A COMPLETE LINE
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S-Y. T. CO., Second Avenue.

AMUSEMENTS
The Orpheum **The Standard**
WEEK BEGINNING OCT. 29
WEEK OF OCT. 29-NOV. 5, 1900
The Versatile Actor,
EDWIN R. LANG
Will Appear this week in the Celebrated
Four Act Drama,
Queen's Evidence
MISS JULIA WALCOTT, assisted by MR. ALF LAYNE, will appear in Mr. and Mrs. Kendall's Farce Comedy
HE, SHE AND IT
DON'T MISS THE OLIO
Jas. Townsend's High-Class "The Gambler"
New Scenic Effects. Big Show. New Specialties
FRED BREEN.
First Appearance of **ONSLOW & PYNE**, Sketch Team. Prof. Parkes' New Pictures.
GRAND MASQUERADE BALL
4 Cash Prizes. FRIDAY NIGHT, NOV. 2

SAVOY - THEATRE
WEEK COMMENCING MONDAY, OCTOBER 29, 1900
The Night's Entertainment opens with **Jim Post's** laughable comedy
THE GLORIOUS FOURTH
Post & Ahley follow in a side splitting comedy sketch
See the Winchell Twins in "WANDERING BY THE SEA"
Full Scenic Effects. A HOT ONE. Composed by Dick Mauretta
ALSO AN AGGREGATION OF HIGH-CLASS VAUDEVILLE ARTISTS

DAWSON SKATING RINK
CORNER FOURTH AVE. & FIRST ST.
Open To The Public **Wednesday, Oct. 31st**
186x92 feet of Clear Ice, all enclosed. Practice Hockey games by Clubs from 6:30 to 7:30 and 10 to 11 p. m. Public Skating from 7:30 to 11:00 p. m. Full Band in Attendance.
Admission 50 Cents. Charles Jennings, Prop.

Grand Benefit Entertainment
Under Auspices of the
FRATERNAL ORDER OF EAGLES
Savoy Theatre, Sunday, November 4, 1900
Grand Production of "U & I"
Under direction of JIM POST
Reserved Seats On Sale At Reid's Drug Store

ARCTIC SAWMILL
Removed to Mouth of Hunker Creek, on Klondike River.
SLUCE, FLUME & MINING LUMBER
Offices: At Mill, at Upper Ferry on Klondike river and at Boyle's Wharf. J. W. BOYLE.

Bonanza - Market
All Our Meats are Fresh Killed and of First Quality.
TELEPHONE 33
Third Street, Opposite Pavilion

REMOVED.
BILLY GORHAM, The Jeweler, has removed from the Orpheum Building to a new location on...
THIRD ST., NEXT TO GANDOLFO'S
A Full Line of Souvenir Jewelry in Stock. Special designs made to order.

Table de hote dinners. The Holborn.
"YOU KNOW ME"
If you cannot find what you want, try
..RUDY'S DAWSON DRUG STORE..
EVERYTHING IN THE DRUG LINE

Want The Place **PAPERED?**
See N. G. COX About It.
First St., Bet. 2nd & 3rd Ave.
A FULL LINE OF WALL PAPER IN STOCK

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DAY AND NIGHT
Don't hesitate to call at our store should the hour be late—Some one is always here to wait on you.
Prescriptions requiring absolute accuracy in compounding is our strong suit.

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Office in Their New Building, Third St., Bet. 1st and 2nd Aves.
A First-Class Livery Stable in Connection.
Hay, Grain and Feed For Sale.
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