

RECEIVED BY WIRE.

CLAIM
TITLETo Jack Wade Property Vested
in Those Who Found
Gold

BY DOING LEGITIMATE PROSPECTING.

Title by Power of Attorney Don't
Go With Skagway Jury.

HARD FOUGHT LEGAL BATTLE.

By a Process of Stretching District
Lines the Yukon May Get Repre-
sentation in Parliament.

(From Thursday's Daily.

Skagway, July 12.—The Jack Wade creek lawsuit ended here today, the verdict being in favor of the defendants. Considering the amount involved it was the greatest legal battle ever fought before an Alaskan court.

There were but three witnesses for the plaintiffs and four for the defendant, the six days that the trial lasted being taken up in the arguing of law points involved, the attorneys being Allen, of Seattle, for the plaintiff, and Jennings, of Skagway, and Delaney, of Juneau, for the defendant.

The verdict of the jury seems to have hinged on the fact that the plaintiffs had not discovered any gold or other precious metal at the time the claims were located, and that, therefore, such location could not be properly made.

Wells, one of the plaintiffs, immediately on the rendering of the verdict, instructed his attorney, Allen, to apply for an appeal. Application was made and granted. The plaintiffs are confident that the U. S. supreme court will reverse the decision of the Skagway jury.

(The claims involved in the above suit are Nos. 1, 3, 4 and 5, above lower discovery. No. 1 is owned by Chas. Hall, of Fortymile, Madison and one other. No. 3 is owned by Camp, Fredrickson and three or four others; No. 4 by Al Roland and a man named Hogins; while No. 5 is owned by G. L. Steelsmith and Chas. McDonald, the latter man being in Dawson at the present time. These claims were located two or three years ago when it is claimed one man went on to Jack Wade and without prospecting, located for himself and absent friends without having legal power of attorney. Later the defendants went into and thoroughly prospected the country, relocating the same property in due form. After doing considerable work on the property the first locators turned up and, seeing that the claims were valuable, went to Sitka, where an injunction was granted by Judge Johnson prohibiting further work. In behalf of the several second locators G. L. Steelsmith went out over the ice and on to Sitka in January, where, by the aid of proof carried with him, he succeeded in having the injunction dissolved and the news being telegraphed to Dawson and forwarded on to Jack Wade, work was resumed, but only for a short time, when suit for possession of the claims was instituted and, pending hearing, the property was put in the hands of a receiver whose agent is now on the ground and in charge of the claims; but the Skagway verdict will do away with all use for the receiver's agent and the men who demonstrated by bone and muscle the existence of gold on the claims will now take them in hand in undisputed possession until such possession is disputed and overridden by the U. S. supreme court. —ED.)

A Long Stretch.

Skagway, July 12.—Dominion officials now here give it as their opinion that the Yukon will be granted temporary representation in parliament almost immediately, and that it will be brought

about by extending the Edmonton district to embrace the Yukon until the next census is taken.

Added to South Dakota

Jackson, Neb., June 28.—An armed band of 32 men of South Dakota has cut a channel through Rinioger's Neck, or as it is known on the maps, Brigher's Bend, on the Missouri river. There is great excitement over the matter here, as the channel change in the river puts about 26,000 acres of Nebraska land up in the state of South Dakota.

A posse organized by the sheriff in Dakota's county, Nebraska, was dispatched to stop the work. Among the members of the posse were bankers and prominent citizens, but they arrived too late, the last farmer with a wheelbarrow and shovel had already crossed into South Dakota, before the posse came in sight. The swift current of the river was fast making a wider and deeper channel across the Neck through the trench dug, and it was only a question of hours when the channel would be unalterably changed and the farms on the fertile peninsula would become a part of the domain of South Dakota.

POLICE COURT NEWS.

The preliminary hearing of John Sarga, the confessed murderer was resumed in the police court yesterday afternoon. Carl Henz, otherwise Juneau Joe, resumed his testimony concerning the prisoner's habit of playing bank when he had no money to pay board bills. "There's lots of them that way," said the witness sadly as he closed his testimony. Then by the aid of a new interpreter the already overcrowded air of the courtroom was heavily charged with Greek, and when the prisoner had finally been made to understand that the restaurant keeper claimed he had an unsatisfied bill against him, and that he would be allowed to introduce evidence to the contrary when the proper time arrived, Crown Prosecutor Wade offered the confession of Sarga (made at Nome, instead of Victoria, as has been previously stated), as evidence for the crown, and Magistrate Scarth held the prisoner over to appear for trial at the next court of competent criminal jurisdiction to be held in Dawson.

In Magistrate Scarth's court this morning one lone gambler—a solitaire player, as it were—pleaded guilty to the regulation charge and paid \$50 and costs.

Bernhard Larsner, charged with having yesterday imbibed hooch that caused him to be disorderly, was fined \$10 and costs.

C. J. Lamire had shot a moose out of season and plead in extenuation of the offence that he had read in a paper that moose could be killed after July 15th. The court admonished him to never believe what he sees in newspapers and dismissed the case.

Since Absolem rode upon a mule that left him hanging in a limb, that animal has figured more or less in history. Geo. Weaver was in court this morning on the charge of stealing a mule from John McLaughlin, of 61 below on Bonanza. The mule is valued at \$400 and is peculiarly marked, in that one witness testified that a man had bitten a piece out of one of her ears. McLaughlin claimed to have purchased the animal from a man near Five Fingers last March, but he was not able to produce the bill of sale, that document having become lost. He said this was the third time this season that attempts have been made to steal his mule, and he is becoming tired of working with one eye on the sluice box and another on the mule. As Weaver had at various times told McLaughlin that he (Weaver) is the owner of the mule, that it had been taken last fall or winter off the range where he had turned it to pasture, the court did not hold that there was sufficient evidence of intent to commit a theft, but warned Weaver that he should seek to recover property through the proper channel instead of taking the law in his own hands. The case was dismissed with the mule in the possession of McLaughlin, from whom it will probably be taken by the replevin process in the near future.

Cornelius Kearney was charged by George de Lion with having stolen a raft of wood on which de Lion has alien for salvage. Kearney was also charged with stealing 225 feet of rope which was on the raft. In the absence of witnesses the cases were continued until Saturday morning at 10 o'clock.

Fast Travel.

C. J. Dumbolton has arrived from Vancouver with live stock for Dawson. He left Dawson, went to Vancouver, bought his stock and got back to Skagway in the short space of 17 days.—Alaskan.

Exodus From Hull.

Ottawa, June 27.—Since the fire in Hull, it is stated that the population of that place has decreased at least 10 per cent. Whole families are reported as leaving every day for many parts of Canada and the United States. The exodus is said to be confined largely to the poorer classes who have become discouraged over their misfortune.

Clyde Nold Reported.

Clyde Nold, formerly of Columbus, Ohio, of whose whereabouts inquiry was made in the columns of this paper a few days ago, is authoritatively reported to have left Dawson on a steamer for the outside by way of Nome about four weeks ago.

CUDAHY
IN PORT.Reports a Dearth of Gold—
Things Not So Desirable
Are Plentiful.

THE SMALLPOX ON EGG ISLAND.

Wilson Says He Thought There
Would Be an Epidemic.

REAL ESTATE IS VERY HIGH.

No Boats Are Running Between St.
Michael and Nome, and It Is Said
There Are Eight Cases There.

The steamer John Cudahy arrived early this morning from St. Michael bringing 60 passengers and freight to the N. A. T. & T. Co. She left St. Michael on the night of June 29. A comparatively small percentage of the Cudahy's passengers came from St. Michael, and only three or four from Nome, and it is very doubtful if there will be many from there for some little time as the boats plying between there and St. Michael have been taken off, owing to the fact that people are not longer allowed to leave Nome on account of the smallpox. So say some of the passengers and at any rate the boats are not running.

Alexander Wilson, who left here this spring on the Lotta Talbot, was one of those who returned and who now thinks it is good to be here. In speaking of his trip, Mr. Wilson said:

"Going down the river was all right, but when it came to getting over from St. Michael to Nome it was another story. We went over on the steamer Argo, whose machinery broke down before we got out of sight of St. Michael, and we were three days going what is usually a short hundred mile run.

"Concerning the prospects of Nome, they are not bright. The beach don't amount to anything at all, and while the two creeks, Anvil and Snow, are said to be rich, they are not being worked. This is due to the fact that there is no water to work them with and no machinery to pump sluice heads up to them. Even if they were fabulously rich, and being worked by every man who could get room to work there would still be employment for only a few of the great number of the people there. I knew there was going to be a great crowd of people there, but actually when I saw the thousands upon thousands who swarm the beach and street I was frightened and wanted to get away.

"The only thing there seems to be any money in is real estate. Lots which could have been bought last year for \$1000 and less are selling now at from \$5000 to \$10,000. But of course unless some new strikes are made this will prove only a brief boom.

"The Bartlett Brothers are there freighting and doing well, though when I left there were hundreds of horses and wagons arriving, and as there is no freighting beyond moving the goods from the beach to the street, the work in that line will soon be over. Teams were getting \$10 an hour the last I knew of the price, though afterwards I was told by one of the Bartletts that the price had been cut in two.

"The saloons are commonly said to be doing a great business, though the saloon men say not. From what I saw I don't think they are. The streets and the beach for two miles are packed with people, but inside the saloons comparatively few are seen, and while I was keeping a pretty good lookout on business generally I saw little money spent.

"Several million dollars worth of goods are piled up on the beach—piled so thick and high that there is not room between them and the tundra for teams to pass, and if a storm was to come it would work a terrible loss.

"When I left Nome I did not know of any smallpox in the town, but at St. Michael I heard that there were eight cases in Nome—though passengers are not supposed to have been landed from the infected steamers. It didn't look

good to me; it looked like a good place for a fever epidemic or something of the sort to break out in and I was glad to leave.

Most of the Cudahy's passengers came from Circle City which is reported as being the liveliest place along the route, and while the reports from the Tanana are generally good, the trouble and work of getting there from Circle, to say nothing of the expense, are said to be disproportionate to the probable returns.

No one speaks well of the Koyukuk. The following letter has been received by Mr. Thos. Kirkpatrick, and is self explanatory:

Nome, Alaska, June 7, 1900.

Mr. Tom Kirkpatrick.

Dear Sir: I arrived on April 7th; had an easy trip; made it in 37 traveling days. My dogs were in good shape when I got here, as we had a splendid trail. Am disappointed in this place; it does not look good to me. The beach is worked out for 40 miles each way from Nome, though pumps and sluice boxes may be successful in some places. Most of the beach has been worked three times. Three of the creeks are good, but the rest are not looking very well, although some have not been prospected. There has been very little development work done here this winter, and people have done nothing but stampee and stake claims. Most everyone has 50 or 100, and they are for sale at a very small price, too. There have been no new discoveries made on the creeks; the good creeks will soon be worked out, as it will be only a few days now until sluicing begins; the creeks are very narrow and very shallow.

The creek claims are 660 feet wide, so there is little room for bench claims. There is no harbor here, and one whaling ship has been wrecked already this spring.

Several steamboats are caught in the pack ice about 150 miles southwest of here, with about 2000 people on board.

The U. S. revenue cutter Bear is here but does not give any help to them. It has been storming for three days and is still at it, with no signs of a letup.

The people who arrived on the first boats are very much disappointed and most of them will soon return. There will be more discouraged people here this summer than Alaska ever had before, and more provisions than they will sell in the next five years.

There have been several stampedes lately but there has never been anything found. Port Clarence is the last place. Topkuk is another one. Nothing but the beach has anything in it, and the beach there produced about \$600,000 in two months' work; but that is all gone now.

The beach here will pay \$1 an hour yet. I will close with many good wishes to yourself and family. I am as ever your friend,

HARRY GING.

A Modest Man.

A gardener in the vicinity of Dawson is troubled with modesty, a rare virtue, by the way, in this country. This man took time by the forelock and planted an early garden. He looked after it most carefully with the result that he now has in abundance everything in the "sassy" line, but he is too modest to sell it. He loads up a handcart with the tempting product of his two months' hard labor and starts out. If everybody wants to buy, he is all right; but two successive refusals knocks him out and he either gives away all his truck or sits down and eats it himself. What he most needs is a partner who is not too modest to peddle.

For Better Mail Service.

In compliance with the action taken by the Board of Trade at its late meeting, Secretary F. W. Clayton has forwarded the following telegrams, both of which will be supplemented by fully explanatory letters to be sent at once:

To the Postmaster General, Washington, D. C.:

All American mail for Dawson, Canada, now being sent via St. Michael requires thirty days longer than via Skagway-Bennett route. We earnestly recommend change to Skagway-Bennett route, Great dissatisfaction here over present mail arrangement.

Board of Trade of Dawson.

F. W. Clayton, Sec.

To the Postmaster General, Ottawa, Canada.

We earnestly recommend that some immediate arrangement be made with American postal authorities, for carrying all American mail matter via Skagway-Bennett; great dissatisfaction here over present American mail arrangement.

Board of Trade of Dawson.

F. W. Clayton, Sec.

Metropolitan Features.

One by one Dawson is assuming the features of a metropolitan city. A couple of dogs have started a hokypokey ice cream wagon, and a lady was seen carrying a poodle in her arms on First avenue yesterday. How we do grow!

HE WANTS
TO KNOW.George de Lion Buys a Claim,
But Is Refused a Title by
Senkler.

HE IS ANGRY AND FEELS GRIEVED.

Will Go to Ottawa Sooner Than
Lose His Money.

A MISTAKE, SAYS SENKLER.

A Paper That Was Not Recorded Is
the Cause of All the
Trouble.

Mr. George de Lion is angry. He is not only angry but he feels that he has been deeply wronged by a party or parties connected with the gold commissioners office.

The matter which weighs heavily upon Mr. de Lion's mind is this: At the auction sale of claims which took place on the 2d inst, he bought a claim to wit: the upper half of No. 6 below discovery, left limit, Dominion creek, and now, he says, after buying the claim, paying 20 per cent of the purchase price as required, and in every way conducting himself in a highly proper and decorous manner, he still has no claim. In lieu of this he has an offer of the return of the money he paid, 20 per cent of the purchase price \$250.

"I'll tell you how it happened," said Mr. de Lion, "I was going along the street when Sheriff Eilbeck, who was the auctioneer, called me and told me that I had a chance to buy myself rich. I took his word for it and bought No. 5 below on Dominion creek for \$230. Then the upper half of No. 6 was offered and I bought it for \$250. I offered to pay the whole sum down, but the clerk told me that 20 per cent was all that was required. That I could pay that much and needn't pay the balance for 20 days, and that would give me a chance to develop the ground and find what I had before paying the balance. I did this, and sent two men out to prospect the ground. They were gone six days, and came back with a good report, and I paid \$145 for the work. Then I offered to pay the balance of the purchase money and was informed that there had been a mistake made which rendered the sale void. They offered to return the money I had paid but I refused it. Before I went to offer to pay the balance of the purchase price of the claim a man named Reece came to me and showed me a title to the ground and advised me not to go to any further expense.

"Giving me back my money already paid towards the purchase of the ground will not return the \$145 expended in finding out what there was in it. Besides it looks very fishy to me, this statement that a title already existed to the ground, and it was advertised as being for sale at public auction for 90 days before I bought it, and this other title was not discovered till after I found out that there was pay in it. Further than this the lower half of No. 6 was sold not long since for \$3500.

"If the government sees fit to refund the \$145 I paid for development work, I will relinquish my claim, otherwise I won't. I'll carry the case to Ottawa first."

Gold Commissioner Senkler was seen

in regard to the matter and said:

"There is an article among the conditions of the sale which makes the position of this office plain. The title of this claim which should have been recorded, but for some reason which I do not understand, never was. Mistakes will occur in any office and that must be what happened in this case. If Mr. de Lion went to any expense in developing this claim he acted prematurely, as he should have waited till he had paid his money and received his title. The article in the conditions of the sale, referred to by the gold commissioner is as follows:

"In case for any reason it is deemed impossible by the gold commissioner to give title and possession to any claim, disposed of at such auction sale, the gold commissioner will refund the deposit paid at the time of the sale, and no claim shall lie against the crown in respect to failure to give title or possession."

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