

# THE DAILY KLONDIKE NUGGET.

PRICE 25 CENTS

DAWSON, Y. T., TUESDAY, JANUARY 15, 1901

VOL. 2 No. 13

**Cold Feet Cured**

—By Wearing—  
**Alfred Dolge Felt Shoes**

FINEST QUALITY  
Moccasins, Wool Socks, German Socks,  
Felt Insoles, Felt Boots

At the Corner Store  
**Sargent & Pinska**

**Change of Time Table**  
**Orr & Tukey's Stage Line**

Telephone No. 8  
On and after Monday, Oct. 22, 1900, will run a  
**DOUBLE LINE OF STAGES**  
**TO & FROM GRAND FORKS**

Leave Dawson, Office A. C. Co.'s Build-  
ing, 9:00 a. m.  
Returning, Leave Forks, Office, Op. Gold  
Hill Hotel, 9:00 p. m.

From Forks, Office Opposite Gold Hill  
Hotel, 9:00 a. m.  
Returning, Leave Dawson, Office A. C.  
Co.'s Building, 9:00 p. m.

**ROYAL MAIL**

**HIGH LIVERS**  
...AND...  
**MONEY SAVERS**

**DINE AT**  
**The Northern Cafe**  
"A High-Class Restaurant"  
Griffith & Boyker, Props.

**Ring Us Up**

You need not make a special  
trip from the creek to get wheel-  
barrows, (tubular or wooden)  
picks or shovels, fittings and  
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**HOLME,  
MILLER & CO.** Call Up 51

**Diamonds**  
Mounted or Unset

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Mining, Real Estate and  
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Special correspondent for  
**The London Financial News**

Quartz Property Handled for the  
London Market a Specialty.

Quartz Assayed Free of Charge.

**Hotel McDonald**  
Strictly First-Class  
All Modern Improvements

Electric Lights, Call Bells and Enu-  
ciators, Heated by Radiators

Elegantly Furnished J. F. McCONNELL  
Unexcelled Cuisine Manager

**PULSOMETER AND CENTRIFUGAL  
PUMPS**

Also a full line of Boiler and Pipe Fittings, and if you should  
want a BICYCLE just drop in to

**McLennan, McFeely & Co., Ltd.**

## HIGHER COURT

**Will Probably be Asked to Con-  
sider Affidavits in Slorah  
Case.**

**JUSTICE DUGAS OUTLINES TENOR**

**Of the Decision He Will Probably  
Reach Tomorrow.**

**LIKELY TO BE UNFAVORABLE**

**To Prisoner Who Still Has a Hope of  
Ultimate Success in Getting  
Another Trial.**

Hearing of argument in the Slorah  
case was resumed at 2 p. m. yesterday,  
Attorney Bleeker citing a number of  
objections made by himself at the time  
of the trial.

Regarding the affidavits, Mr. Bleeker  
spoke of that of Jarvis.  
Mr. Wade objected to the introduc-  
tion of affidavits, and Mr. Bleeker said:  
"I hate to go into the argument of  
this again, as I understood your lord-  
ship to rule that the affidavits of jury-  
men dealing with matters outside the  
jury room was admissible.

Judge Dugas said that such evidence  
should be received.

Mr. Wade objected on the ground  
that the justice had no jurisdiction.

The objection was noted, and Mr.  
Bleeker continued by going into the  
gist of Jarvis' evidence, or at least  
least such part of it as is allowable.

"Susie Vernon," said the attorney,  
"passed the door of the jury room and  
beckoned Jarvis to come out into the  
hall, which he did. She laid her hand  
upon his shoulder and said 'Don't  
don't! for God's sake, don't do it.'"

Then the attorney went on to show  
what she must have meant by that, and  
cited cases which he considered bore  
directly upon the law governing this  
one.

The next affidavit referred to was that  
of Fred J. Wilson, who testifies that  
he, together with Jurymen Wilkins on  
the Sunday evening previous to the dis-  
charge of the jury, were in the parlor  
of the lodginghouse above the Green  
Tree saloon, and that with them were  
Josie Gordon and Cecil Marion, who  
sang for them, after which they went  
down stairs into one of the boxes of  
the restaurant, where they had drinks  
and a lunch. The party was there dur-  
ing about a half an hour.

He made a second sworn statement  
later which denied the use of intox-  
icating drinks by himself or Wilkins.

The further evidence contained in  
the statement was to the effect that  
liquors were obtainable by the jury.

Coming at length to the portion of  
his motion on the ground of misdirec-  
tion the attorney for the condemned  
man cited the judge's charge to the  
jury, and claimed that there had been  
grounds in the evidence sufficient to  
warrant the jury's finding a verdict of  
manslaughter contrary to direction.

In furtherance of his argument he  
cited the evidence of Susie Vernon con-  
cerning the number of shots fired which

she said in some place were a certain  
number, approximately, and in others  
that she was excited and could not tell  
the number.

Crown Prosecutor Wade then met the  
arguments of Attorney Bleeker by say-  
ing that Mr. Wilson's actions were  
rather extraordinary. He had made  
an affidavit which set forth as previous-  
ly related, that he had had sundry  
drinks in a box of the Holborn, and  
that aforesaid drinks had been of an in-  
toxicating nature.

He had later made a further state-  
ment under oath denying the statement  
of the first affidavit concerning the  
nature of the drinks, and also said they  
had not been allowed to get such  
drinks. He produced affidavits from  
Sergeant Marshal and Constable Bor-  
rows contra-icting Wilson's affidavit.

Sergeant Marshall also contradicts the  
evidence of Wilson concerning the  
statement that the waiters were allowed  
to visit the jury rooms in the service  
of meals or anything else.

An affidavit from Walter Babb states  
that F. J. Wilson, who was at the time  
of the killing, connected with the Yu-  
kon Sun, and that one Warrington also  
a reporter of the same paper, and that  
they frequently visited the Holborn and  
seemed anxious to obtain some evi-  
dence going to show that a theory ad-  
vanced by the Yukon Sun at that time  
contrary to the guilt of the prisoner.

The deponent sets forth that he had  
told them their theory was crazy and  
he refused to have anything to say to  
them.

Proprietor Hall, of the Holborn, made  
affidavit to the effect that he had heard  
the said F. J. Wilson make remarks  
concerning Sergeant Marshall which he

construed as a threat to ruin the said  
Sergeant Marshall.

Concerning the affidavits of Smith  
and Nesbitt Mr. Wade said that thus  
far cases were not being tried by news-  
papers or their representatives and he  
considered them irrelevant.

Mr. Bleeker did not contest the point,  
but withdrew the affidavits. He cited  
a number of cases sustaining his point,  
and then referred to the point raised  
by the defense regarding the alleged  
misdirection of the court.

He maintained that his opponent  
could not bring this point except in  
pursuance of points upon which the de-  
fense had taken exceptions during the  
trial, and cited some more cases to this  
end.

In bringing the hearing of argument  
to a close Justice Dugas said:

"Knowing that time would be a great  
factor in this matter I have taken it  
upon myself to look into the matter,  
and post myself as thoroughly as possi-  
ble on its issues before hand, and  
while I cannot, at this time render a  
decision, I am inclined to think that  
my decision will be against the de-  
fense."

There will be no court in Justice  
Dugas' room today, as he finds it neces-  
sary to devote the whole day to arriv-  
ing at a decision in the matter argued  
yesterday.

Although Slorah's case, so far as a  
new trial here on the grounds set forth  
yesterday is concerned, is practically  
without hope, he still has the strong  
chance of securing further hearing  
through the submitting of the affidavits  
of Jarvis and Wilson to the minister of  
justice at Ottawa, which step will prob-  
ably be taken forthwith.

## Today's Weather Victims Identified

Last night was a weather record  
breaker such as caused every sour dough  
in the country to throw up his hands  
and admit that colder weather was  
never before known in this part of the  
country.

The official record this morning, as  
carefully kept by Sergeant-Major  
Tucker, as well as Commissioner Ogil-  
vie's thoroughbred sweepstakes ther-  
mometer at the other end of the city,  
shows 64.5 degrees below zero, colder  
by 7.5 degrees than the weather of one  
year ago today which was the coldest  
of last winter. In the same place with  
the official instruments last night was  
a common thermometer which reached  
75 below, but later froze and pushed  
up to 1 below where it now remains  
stationary.

The coldest weather yet reported is  
at the Forks where the thermometer at  
the Gold Hill hotel is stationary at 150  
below zero. This is vouched for by  
reputable citizens of the Forks includ-  
ing Mayor Geisman and the police offi-  
cers. Other and more conservative ther-  
mometers at the Forks have reached 58  
below. From Gold Run this morning  
66 was reported. On the Dome at 7  
o'clock this morning it was 50 below,  
but had risen at noon to 32 below, at  
which time the sun was shining bright-  
ly. Two four-horse loads of freight  
were deserted on the Dome yesterday,  
the drivers taking the horses away to  
await moderation of the weather. On  
Dominion work has been suspended  
on account of the severe cold, 60 be-  
low being recorded. On Sulphur about  
the same temperature prevails, although  
considerable work is still being done.

Notwithstanding the severity of the  
weather, no casualties or even serious  
injury from the cold has as yet been  
authentically reported. Many rumors  
have been started, among them one to  
the effect that a driver for Orr & Tukey  
had frozen on his seat, but investiga-  
tion has proven them to be without  
foundation.

There has been but little moderation  
in the weather since morning and at 3  
o'clock today indications are that to-  
night will be fully as cold as last.

### Notice.

Miss B. V. Robson can learn some-  
thing to her advantage by calling at  
the Nugget office.

Flashlight powder at Goetzman's.

Films of all kinds at Goetzman's.

Denver market for fresh cabbage. 5 cto

Although Inspector Rutledge and  
Stenographer Blackman who went to  
Hunker to conduct inquests on the  
bodies of the men caught by a cave-in  
on claim 22 below on last Thursday, are  
not expected to return before this even-  
ing, it is known that both bodies have  
been recovered and that the names of the  
unfortunate men are William Levy,  
aged about 50 years, and Frank Swop,  
aged about 25.

In his capacity of coroner Inspector  
Rutledge will make a careful investiga-  
tion of the claim and all circumstances  
surrounding the death of the two men,  
and if any carelessness is apparent the  
blame will be attached where it be-  
longs.

**Watch it Go Down.**  
Fearing that his thermometer would  
go out of business before registering  
the degree of coldness which is possibly  
yet to come, Jeweler Sale has attached  
to it a strip of cardboard with the de-  
grees marked off down to 140 degrees  
below zero. The people are anxiously  
waiting to see the indicator drop.

Sale got the above idea from an Ar-  
kansas farmer who had a cow so old  
that the yearly rings or wrinkles ex-  
tended to the ends of her horns, so he  
put corn cobs on the ends of the horns  
for the wrinkles to run out on and the  
cow lived another 27 years.

**Candies for the Millions.**  
I have enough candies, nuts, and  
toys to supply the whole population of  
the Yukon country. My stock is com-  
plete. Plenty of Lowrey's chocolate  
and Gunther's bon bons in any quan-  
tity; cigars by the box. Bring your  
friends and as I am a Missourian, I will  
show you the finest store in the Yu-  
kon territory.  
GANDOLFO,  
Third st., opp. A. C. C.

Big dinners every day at Fairview  
hotel, \$1

Two passengers wanted for a quick  
trip to Whitehorse. Fare \$75. Inquire  
Fairview, hotel.

**WHOLESALE A. M. CO. RETAIL.**

**General Clearance Sale**  
On All Lines of Winter Goods

The balance of our Fur, including Coats, Jackets, Wedges,  
Yukon Caps, Gloves and Mitts at 33 1/2 per cent. less than  
regular prices. EXTRA VALUES IN ALL DEPARTMENTS.

**AMES MERCANTILE CO.**

## WAS NOT LIBEL

**Says the Jury, of Publication  
in the Sun Called Defam-  
atory by Clarke**

**WHO THINKS DEFENSE WAS UNFAIR.**

**Attorney Walsh Reviews the Evi-  
dence of Prosecutor**

**TO THE LATTER'S UNDOING.**

**That \$450 Dog, and the Brockville  
Friends Go Down in History  
Together.**

Hearing of the libel charge preferred  
by Joseph Clarke against Henry J.  
Woodside, editor of the Yukon Sun,  
was commenced in the territorial court  
before Justice Craig yesterday after-  
noon.

Attorney Walsh appeared for the de-  
fense, and began by making a few ob-  
jections to the manner in which the in-  
dictment was drawn. In the first place  
he said it did not show definitely when  
the alleged defamatory publication was  
printed. The indictment said the paper  
was issued on the 9th or 10th, and his  
client was entitled to a specific date.  
He also objected to the indictment set-  
ting forth that more than one offense  
had been committed and that the para-  
graphs appeared at different times.

Justice Craig decided that a single  
charge must be adhered to by the prose-  
cution, and Clarke who conducted his  
own case, chose the published paragraph  
which reads:

"If we had a record like Joseph A.  
Clarke we would want to keep very  
quiet indeed. With any faults that we  
may have we can say at least that we  
have never been dismissed for taking  
bribes and never swindled Brockville  
friends out of \$3000."

In answer to the plea of not guilty  
entered by the defense, Clarke objected  
on the ground that such a plea left him  
no opportunity of proving his own good  
character. However, he withdrew his  
objection so as to give the defense the  
chance to prove its justification for the  
publication.

Ronald Gillis, S. Tommarb, Thomas  
James, J. Elwood, J. H. Falconer and  
O. H. Van Milligan were selected  
jurors to hear the case which then pro-  
ceeded by the evidence of Thomas  
O'Brien, Clarke stating that he had  
little to prove beyond the fact of the  
publication of the paragraph cited.

The witness was shown a copy of a  
newspaper alleged to be the Sun bear-  
ing upon its pages the matter objected  
to, and asked to identify it.

He said he did not know it to be a  
copy of the Sun. It might have been  
printed in New York for all he knew  
to the contrary. It looked like the  
paper which he acknowledged the own-  
ership of, but beyond that he could not

Clarke testified in his own behalf that  
he was innocent of all the things im-  
puted to him in the matter quoted. He  
said he had come to Dawson in 1897,  
and had received the appointment of

(Continued on Page 4.)