

REPORT OF THE YUKON EX-
PEDITION.Mr. Bulyea Recounts the Difficulties
which Confronted Him at
Dawson.(From the Regina "Leader.")
(Concluded.)

Major Walsh reached Dawson on the 21st May, a Saturday. He met the Major who seemed quite affable, evidently not having thought that he (Mr. Bulyea) would have been so presumptuous as to proceed with his duties after being told by the Great I Am that he had no business there. Next day they met again, and the Major seemed in very bad humor. Major Walsh said that he was surprised that after what he had told Mr. Bulyea the latter should have interfered with the liquor business. Bulyea replied that he was acting strictly by authority of law and under express instructions from the lawful authority. The Major got hot, and as it was Sunday, on the open street, and a crowd commenced to gather, Bulyea, thinking it would be unfortunate that the people should be led to believe that there was any conflict between the authorities, moved away. Walsh informing him that he (Bulyea) had no jurisdiction, that he (Walsh) would see all the parties and tell them that anybody had a right to engage in the retail liquor business regardless of Bulyea, and that Bulyea had no machinery for enforcing regulations. On the next day Mr. Bulyea wrote Major Walsh for the purpose, if possible, of avoiding trouble which would only confuse the dealers and tend to lead the populace to disrespect Canadian law. Mr. Bulyea read the letter to the House. It was couched in courteous language, and suggested a friendly argument of the question at issue before Judge McGuire, rather than that any step should be hastily taken such as the Major had threatened on the previous day. Mr. Bulyea said he thought his suggestion was reasonable and judicious, and that a friendly arrangement would have been better from the point of view of Canadian law and order. Major Walsh never deigned to acknowledge the letter. Mr. Bulyea learned in a few days that the dealers had been notified that he had no authority. A deputation representing the liquor and gambling element waited on him to ask if he intended to continue his restrictions. The deputation, composed of Messrs. Jenkins, McPhee, Taggart, Lloyd, and Wilson (Mr. Bulyea gave the companies or saloons with which each was connected) informed him that Walsh had repudiated him and guaranteed those who had no permits immunity from any action which Bulyea might take. The position resulting was that those who had not taken permits opened up in business without them while the ones who had taken permits complained that they were unfairly dealt with. Nearly all of them were Americans. They considered Walsh the head of government and took his word for law.

Before the regulations had been enforced gambling tables were permitted in saloons. Constantine's reasons for taking no action was that he had instructions from the former Minister of Interior (Mr. Bulyea) not to attempt to deal with the gambling or liquor element, which instructions had not been revoked by the present minister. The Commission of course did not recognize or sanction gambling at all, and none was permitted in the "permitted" places under the regulations. To show the peculiar ideas prevailing there, Mr. Bulyea instanced some applications received for licenses for dance halls, gambling places and saloons in connection. These applicants were of course told that the Commission had no power to grant immunity from penalties for gambling or operation of dance halls. Major Walsh's powers apparently were not so limited; he assured those people that so long as he heard no complaints of crooked gambling, they could carry on business without interference. Walsh assured them there would be no interference with the liquor business, making at first one stipulation, namely that there would be no Sunday sales. The natural result was that the Commission's instructions were ignored; the Major's were so much lighter. The dances were kept up—so he was informed; of course he did not witness them (laughter)—from 7 at night until 7 in the morning. Shortly, however, some dissatisfaction became evident. Complaints were made to the Major, and his regulations were changed from time to time. There was a place on the celebrated water front kept by two ladies who sold lemonade, and of course nothing else. (Laughter.) That was a fact, for at that particular time there was no whiskey in Dawson. The liquor supplied was a brand called "Hootch," and he believed he had a receipt for making it somewhere about him; he believed one of the effects of the stuff was very bad headache. (Laughter.) Well, these two ladies, dealing only in lemonade, kept open on Sunday, and some of the dealers complained against them. Major Walsh went to Capt. Stearns to enforce Sunday closing, and the town police threatened the ladies with prosecution. They of course did not like it, and they formed themselves into a delegation to visit the Major. Result: Former order cancelled; instructions issued that the ladies might sell on Sunday, but must sell no spirituous liquors. To soothe the other dealers, the privilege was granted them to sell cigars and tobacco on Sundays, but

not over the counter they must be kept on a side-table. (Laughter.) Two weeks later the result of another deputation to the Major was that light drinks were allowed to be sold over the bars on Sunday. Hon. members would perfectly well know the meaning of that. Dawson City was back again to the old system of no restriction.

The question naturally arose, Why did he not have the law and his regulations enforced? Again the peculiarities of the situation must be considered. It did not occur to the Attorney-General before the expedition went out that there might be need for other than Dominion magistrates at Dawson. If an independent man under Territorial Ordinances had been appointed, it might have been better. Every magistrate there was under the authority of Major Walsh, who warned them against instituting actions for Bulyea, and they were practically prevented from hearing any complaints of his or under Territorial authority. Before passing judgment on the magistrates the House might well consider their position which was in every way awkward. On the one hand they were faced with their duty as magistrates to administer law without fear or favor, and on the other hand they were confronted with the fact that they were subordinates of a man who had proved to be arbitrary. He (Mr. Bulyea) felt that their action if they undertook it would be visited upon them. One of them said to him: "For heaven's sake don't compel us to act; the sheriff's fate will surely be ours. The sheriff was sent to the Yukon by the Hon. Mr. Richardson for the offence of displeasing Walsh had to get out of Dawson at six hours' notice. Mr. Bulyea said he would avoid getting the magistrates into trouble if he could do so. Under the Act action could be instituted either before a magistrate or judge, and the Commission intended as soon as they got in a position to ask Judge McGuire to undertake a case, as he was an independent man and not subordinate. Another difficulty was the scarcity of legal talent in the early part of the season. He felt that the position was important. While confident that all that was necessary was to get the evidence put forward in regular form, yet he could not tell what legal point might be raised; technical objections are often fatal to perfectly good cases, and he hesitated to undertake a case without legal assistance. Mr. Wade was the only lawyer there; he was Ojibwa prosecutor. He spoke to Wade, who said that while he would not be compelled to defend, he might have to intervene for the Dominion Government. Lawyers were reported to be on the way in. The first to arrive was Mr. Taylor of Vancouver. After waiting a time to find out about his ability, he (Bulyea) approached Taylor and explained the case. Taylor consented to take it, but asked time to see Wade. Next day Taylor declined the case, saying he did not care to antagonize Walsh. Burritt & McKay were the next arrivals. They took the case. Informations were drawn up against two parties who were selling without permit contrary to the N. W. T. Act. They applied to the Judge to hear the cases, but he took the ground that the principle of justice contemplated the right of appeal, and he was the only one to whom appeal could be taken. By the judge was explained the awkward positions of the magistrates, but he held his ground, so Mr. McKay finally applied to Insp. Stearns. After delay and consultation Stearns agreed to hear the cases. They were set down for trial. Wade intervened, and postponements began—from day to day, and from week to week, on the ground that news of a Yukon Bill was daily expected. A peculiar circumstance was that on the first day that the cases came up, two other cases were tried under the same section of the N. W. T. Act. Some liquor had been taken in not covered by permit. The police charged two men with having liquor in possession without permission of the Lt.-Gov. N. W. T. Both these men were convicted and fined by the magistrate, while the other cases were postponed by request of the Crown prosecutor, "because there were grave doubts whether the law applied." This was an example of Dawson justice. Three entirely similar cases under the same section of the Act; two conviction and two fines, and the third case held over because there were doubts whether there was any such law on the Statute Book. On the 7th July the informations were entered to test the position. On the 10th August decision was reached. As regarded the delay he absolutely could not help himself. The decision given on 16th August upheld the Territorial position. The parties complained against were each fined \$50.00 and costs. Notwithstanding Major Walsh's authority we secured the conviction of the parties who depended on the Major's assurance of immunity and the Territorial position was sustained. (Applause.)

Mr. Bulyea continued by saying that the important question was still more serious, and might be followed by consequences more serious than some people expected. The first liquor arriving under N. W. T. Govt. wholesale permits was taken in by Mr. O'Brien. O'Brien had been at Ottawa and he led Bulyea to understand that the question between the Dominion and the North-West Governments had been settled, and that N. W. T. permits were still to be recognized. However, O'Brien's liquor was seized by Walsh, notwithstanding that his particular permit was signed by the N. W. T. Administrator and endorsed by the Interior Department. Walsh demanded \$2 a gal. on the liquor. O'Brien asked Bulyea's advice; he was anxious to get the liquor out at once as it would command a better price just then than later. Bulyea advised him to pay Walsh's fee under protest. He did so and obtained the liquor. The same thing occurred with the next permit that arrived (Messrs. 500 gallons). The third permit arriving belonged to Chambers of Brandon, who made his boast that he would not pay. He stood off the authorities for a few days, then instructions issued that, as this permit had been granted before Walsh's appointment, it should not be subject to the fee, but be allowed in without payment. Mr. Bulyea said he did not pretend to understand the method of reasoning which governed; he was simply stating facts for the information of the House and the public in general. Later the liquor of one McCauley which had passed Col. Steele, at Bennett, and Insp. Strickland, at Tagish, was seized by Walsh, at Dawson, the latter stating then that he had definite instructions to recognize no N. W. T. Govt. permit. He (Bulyea) explained to McCauley that he had different information, and offered on behalf of and at the expense of this Government to apply to the Judge for release of the liquor. McCauley, however, had not been regularly appointed as agent of the owners of the liquor. He preferred to return to Vancouver and notify the two Governments. He did so and was advised from the Ottawa that the liquor should be released. At the same time instructions issued from Ottawa to the Commissioner in Yukon to recognize all permits which he was satisfied bore the signature of the N. W. T. Administrator. There were several other cases of parties who went back to Vancouver and got release. But Walsh refused to be governed by these precedents, and appeared more determined than ever in his course. One young gentleman, Mr. Burpee, agent for certain owners, went to Walsh to find out what action was to be taken with his liquor. Walsh said it would be seized. On the same day another party whose liquor had been stopped up the river had received and submitted to Walsh a telegram from the Interior Department, and his liquor had been released. Burpee knew this and spoke of it. Walsh made the statement that the telegram referred to a permit issued at Ottawa. This mission showed that Walsh knew of the confirmation of the N. W. T. Govt. permits. The Commissioner's solicitors applied for mandamus to restrain Walsh from seizing Burpee's permit, claiming that it was legally imported. When the matter came before the Judge, Wade asked for delay on the same old ground that the Yukon Bill was expected, and that there was reason to believe that the bill contained a clause abrogating all Territorial permits. The Judge granted the delay until the liquor should have arrived at Dawson. Finally on August 13th the Judge gave adverse decision on account of a lawyer's technical error, at the same time plainly intimating that but for the fatal technicality the injunction should have issued. But the Judge's feelings were strong on the merits of the case that he intimated that he might reconsider the decision, as no other case could be brought before him, he having arranged to leave on the 15th. A few hours later he (Bulyea) met Wade, who was virtually in command then, Walsh having left. He asked if the contention could not be settled, telling Wade that he had seen the disputed permit on a list which the police were instructed to honor. Mr. Bulyea learned later that the police up the river received the list of permits to be honored, three weeks before this date. Why the instructions did not reach Dawson was a mystery not yet explained. Wade agreed to settle on the production of an affidavit to the effect of the list. The affidavit was made, and Wade issued orders to the police accordingly. The same day the full list to be honored arrived. This was on the 13th August. On the 16th the convictions in the other cases were obtained. Mr. Bulyea was then ready to close up his business and leave. He had expected no such delays, and had sent word to the Government and to his family that he would be home by 10th July.

The situation then was that there were ten men who had paid in good faith for retailing permits, and they claimed protection in their business. Other men in good faith upon Walsh's assurance had at great expense set up in business. The expense would be understood when he explained that a very ordinary building in Dawson cost from \$75,000 to \$100,000. Lumber was \$300 per M, nails \$5 per lb., and carpenters' wages \$25 a day. These men would have taken permits but for Walsh's interference. Then there were the low groggeries. The board had intended to limit the places of retail business to 18 or 20. The result of Walsh's interference was that 80 retail places were running. He felt impelled to protect the board's licenses. These men had been extremely patient. They seemed to realize his (Bulyea's) good faith. They made no particular complaint except of the unfair competition to which they were subjected. They naturally felt that if others did not have to pay, their money should be refunded. After the convictions were obtained, a number applied for permits. But the Yukon Act had become law and the Commission could not issue permits then. He discussed the

position with Stearns, and the following arrangement was agreed to:— Applicants for permits to agree to respect the regulations, to each deposit \$1,000 to the credit of Insp. Stearns and D. W. Davis (who is chairman of a public improvements committee), and agree to pay at the rate of \$2,000 a year towards public improvements, the time to be computed from the date the permitted place opened to the date upon which the subject may be dealt with by the Yukon Council. The arrangement was particularly in the interest of those who had depended on Walsh's assurance, and had gone to expense in building. They were quite willing to conform to the law as soon as they were satisfied as to what was the law. The only difficulty at any time was that they did not know whom to obey. These men put up the money to the credit of Stearns and Davis, to the amount of \$8,000 or \$10,000, a third of which was available at once for improvements as several of the saloons had been open prior to date of the arrangement. A part of the stipulation, to which Capt. Stearns agreed, was that as soon as Insp. Steele arrived all the groceries should be closed. Having got the business to that very satisfactory basis, his mission was finished. He left Dawson as soon as possible and came home as fast as possible to report to the hon. gentlemen of the Assembly. He trusted that his course was satisfactory to the House, and he hoped that he might never again be placed in so difficult a position. The regrettable part was that there had been no necessity for occasion for any difficulty. With a little more diplomacy and less egotism on the part of the Dominion Commissioner there would have been no difficulty. (Prolonged applause.)

Poetry.

AT THE CENTURY'S END.

How can I tell you how I love you,
dear?
There is no music, now the world is
old;
The songs have all been sung, the tales
all told,
And all the vows broken this many a
year.
Had we but met when all the world was
new,
When virgin blossoms decked untrod-
den fields,
I had plucked all the buds that summer
yields,
And woven a garland worthy even of
you.
Or had I sung when rhymes were yet un-
wed,
And crowned their marriage in the
songs I made,
I had laid them down before you unaf-
raid,
Meet offering to your grace and goodli-
head.
But all the dreams are dreamed, and no
new heat
Touches life's altars—all the scents are
burnt.
The truths all taught and all the les-
sons learnt.
And no new stars lead kings to kiss
Love's feet.
For now in this gray world of youth be-
reft,
Love has no throne, no sceptre and no
crown;
His groves are hushed, his altars are
cast down,
And we who worship—we have nothing
left.
And yet—your life! The god has built
him there
An altar which has known no flower
nor flame;
And there may we burn the incense to
Love's name;
There the immortal, virgin rose be fair!

MY BIRTHDAY.

Another stone is added
To the cairn of my years.
And the pile is held together
By my varied hopes and fears—
Held together by the sobbings
And the smiles of many days;
By the constrains of my failures,
By the honeyed words of praise.
Years consumed and wasted
On the world's most fleeting things,
On the phantoms ever flying
On their never-tiring wings;
On the airy forms that lover
Just before my eager eyes,
But always further from me
Than the distance from the skies.

Never a glance at the beautiful
In earth, and sky, and air;
Never a thought that reaches up
To the heavens so bright and fair;
Never a noble feeling stirs
As I walk o'er the flowery sod;
Never a pulse of the beating heart
Goes out to the living God.

But when the cairn of life is raised
And never a stone to lay,
And the builder rests from the work be-
gun
At the dawn of the natal day,
I then will humbly ask, O God!
In so, and tear, and moon,
That Thou wilt bless my whole life
through,
And praise each single stone.

—James Byrne, Charlottetown, in the
Ottawa Free Press.

THE QUEENS COUNTY GAZETTE.

The Queens County Gazette will
be issued from the office of
Jas. A. Stewart,

Main Street, Gagetown, N. B.

EVERY
WEDNESDAY MORNING,

In time for Despatch by the
earliest mails of the day.

The Subscription price will be

\$1.00 PER YEAR IN ADVANCE.

THE GAZETTE

Job Printing Department

is equipped with good press, new type and a
complete stock of material. We keep on hand a
large and well assorted stock of all kinds of
Stationery. We are in a position to do all kinds
Job Printing, such as

Letter Heads,
Note Heads,
Bill Heads,
Statements,
Envelopes,
Business Cards,
Visiting Cards,
Pamphlets,
Dodgers,
Posters,
Circulars,
Labels,
Tickets,
Tags,
Books,
Ect., Etc.

MAIL ORDERS PROMPTLY ATTENDED TO.

Address all communications to

Jas. A. Stewart,

Publisher,

Gagetown, N. B.