

# NORTHERN COMMERCIAL CO.

LOWER RIVER STEAMERS HAVE ARRIVED LOADED  
WITH N. C. CO'S

## 1901 SUPPLIES

WE WILL RECEIVE THOUSANDS OF TONS FROM SUBSEQUENT  
BOATS NOW EN ROUTE TO DAWSON.

Watch Our Freight Pile In.

Northern Commercial Co.

Dainty  
And  
Servicable  
Dishes

# Crockery This Week!

We Offer Our Patrons this  
week Inexpensive, Servicable  
and Handsome

Semi-Porcelain Dishes  
Fine China Dishes  
In Sets.

The Right Goods for Restaurants, Roadhouses and Hotels.

Sole Agents for ANHEUSER-BUSCH BEER

Fresh Goods! **N. A. T. & T. CO.** New Goods!

### ANOTHER ALASKA RAILROAD

Is Proposed to Be Built in Cook Inlet Country.

By a Company of Capitalists Who Have Acquired 85,000 Acres of Coal Land in That District.

From Friday's Daily.

There have been several stories in the newspapers as to a short line of railroad that Henry was to build somewhere in the neighborhood of Cook Inlet, but nothing reliable or definite has been published on the subject. It was believed to be a colliery railroad and that was all there was to it. Now it transpires that the proposed road will be a part of the system that is to run from Valdez to Eagle, and whether Henry will be the contractor or Mr. Ouderdonk of the Canadian Pacific, or some other famous or up-to-the-present unknown railroad builder will do the construction work is a matter of secondary importance so far as the news is concerned. That construction work on the railroad to the coal mines will begin shortly is the important point, and that this is to be undertaken for the development of an extension coal and oil tract irrespective of the all-American route from tidewater to the Yukon, though no doubt the promoters of this latter project will take into consideration and in all probability build or at least accept as part of their railroad route this short line intended only to develop the coal fields of Kink.

The news comes direct from F. G. H. Bowker, a gentleman well known in Dawson and all through Alaska, who is now staying at the Hotel McDonald. Mr. Bowker is at the head of a syndicate which has purchased from J. B. Mundy, a Seattle lawyer, Max Hellbruner, formerly secretary of the A. C. Company in the San Francisco office, and others, a tract of coal land near Valdez of no less extent than 85,000 acres. The syndicate formed by Mr. Bowker is composed of A. Stracey, McFar Campbell, the Hon. Cecil Edwards and Mr. Bowker, and this syndicate is so assured of the support of London capitalists before whom their scheme has been laid that they are themselves undertaking the development of the property.

This consists mainly of a number of coal seams running from four to twenty feet in thickness which assays to use a new term in coal mining, one and three-quarters Welsh anthracite. This is by far the best quality of coal yet discovered in Alaska. The syndicate has now 40 men at work running a 16 foot tunnel on one of the most promising of the seams, and it is proposed to make this tunnel about a mile long to tap intersecting seams and be the main

artery of the mines. To get the product to the coast a railroad from Kink, east of Copper river will be run, a distance of 16 miles, whether this will be a mere coal road or a part of the Valdez-Eagle route has not yet been determined. The whole of the coal fields is in American territory, and the company will therefore avoid the duty of 67 cents per ton in supplying ships. In these coal fields there is every indication of a great supply of oil, and a gang of nine expert oil men are now engaged in boring wells. From what Mr. Bowker says the whole enterprise seems one of great promise for the development of that portion of Alaska.

### IMPORTANT DECISIONS

Rendered in Mining Cases by the Appellate Court.

At the convening of the court of appeals this morning Mr. Justice Craig handed down judgments in four cases previously heard.

In the case of Webber vs. McCaul the question at issue was whether or not a person staking on claim on one day in perfect good faith, then learning subsequently in error that upon that date the ground was not open to location and restaking the following day was bound by his second staking. The contest is between parties on a question of fact as to priority of staking, the findings in the gold commissioner's court being against the appellant, Justice Craig says:

"On the question of law raised as to whether a party who stakes properly and subsequently, as a matter of precaution, re-stakes forfeiting his former staking and being relegated to his second or subsequent staking I am of the opinion that no such result follows; that he may take advantage of his former staking. In this case the party stakes believing that he was staking on open ground. Hearing in error that the ground was not open for staking he restaked on the following day. It was contended that his subsequent staking was done after the staking of the appellant and that he should be bound by his second staking and lost the benefit of the former staking. I do not think such a result should follow. No man should be prejudiced by taking extra precautions to secure his rights, providing he is complying with the regulations. The subsequent staking can in no sense be considered as an abandonment of his former one. The appeal should be dismissed with costs.

Justice Dugas and Gold Commissioner Senkler concur in the decision.

The case of Fred J. Wilson vs. Bernard McElroy, James McElroy and George F. Stewart, affecting the title to hillside claim adjoining the lower

hall, left limit, 81 below lower, Dominion, was decided against the appellants. The case is a peculiar one, unlike any ever brought heretofore, and one in which Justice Craig freely admitted it was hard to render a decision satisfactory to himself. The claim in question was one of a number which at the time McElroy staked it was withdrawn from location by the order in council and with the others was ordered to be sold by public auction before such sale was made, but by omission the claim was not sold. On the 29th of January, 1901, and while the claim was still not open for location McElroy staked it and obtained the grant thereof four days later, after conveying the claim to his brother James McElroy, who from the evidence, it would seem was an innocent purchaser for value. The claim lapsed to the crown prior to October 9, 1900 for non-representation and became open for relocation on February 26, 1901, at which time plaintiff Wilson staked the ground. The findings of the court are that while neither Wilson or defendant Bernard McElroy had any right to the ground from reason of it having been withdrawn from location by an order in council, yet on account of the title having passed to James McElroy, an innocent purchaser, he should not be disturbed in his possession at the instance of one who has no better nor as good a moral title as the party he is seeking to oust.

All the injury which the plaintiff has sustained is the right to exercise his free miner's right in this particular piece of land and to do that he must attack a lease from the crown. The appeal was dismissed with costs.

Justice Dugas and Gold Commissioner Senkler concur in the decision.

A decision was rendered in the case of Fleishman et al. vs. Creese et al. The issue in this case was between the owners of a hillside claim staked off Last Chance and running up alongside of a gulch known as Discovery pup, and the owners of a creek claim staked on Discovery pup. This case has been in litigation for many months and its final disposition will be regarded with no little interest. One of the contentions of the defendant was that Discovery pup was not, properly speaking, a gulch upon which a creek claim could be located. The court finds

the reverse to be the case, but does not define the side hill boundary of the creek claim as the rimrock upon it has so far not been located. His lordship in his decision admits that the regulation defining such boundary is one not easily worked out in practice and that it is hard in the majority of cases to locate the limits of these respective claims—hillside and creek. As to the question whether the defendants are working on their creek claim properly staked or upon the hillside of the plaintiffs, Justice Craig considers that the evidence abundantly showed that they have not done so and that the ground which they claim as creek ground is properly theirs. The appeal is allowed with costs. Justice Dugas and Gold Commissioner Senkler concur.

The case of Louis Pallid et al. vs. C. J. Eckman is also one of contention between the creek and hillside claims, the ground in dispute being 28 Eldorado and hillside adjoining. The case was heard by the gold commissioner and carried by appeal to the minister of the interior who only ascertained the starting points of the dividing line, the upper and lower post but did not determine the actual line nor indicate that the line should be a straight one. In that action the parties contended for a location further up the hill and the minister of the interior fixed the Ogilvie post as the one which should determine the base of the hill. The defendant claims that the creek claim should be bounded by a straight line drawn between the two posts which if done would leave a part of the creek actually in the hillside claim, an absurdity which would not be thought of. The evidence as to what is the true boundary between these two posts is entirely in favor of the contention of the plaintiffs and it is decreed that the line shown on Mr. Jephson's plan is the correct one. The appeal was dismissed with costs. Justice Dugas and Gold Commissioner Senkler concur.

### STEAMBOAT NEWS.

The Gold Star has abandoned her proposed trip to the Koyukuk on account of insufficient passage having been engaged to warrant. She will probably go on the Whitehorse run. The Tyrrell left last night and will

proceed down the river until she meets the Light and Lightning, which contrary to expectations have not yet reported at Eagle. The Tyrrell will assist her sister ships up with their barges.

The Louise, expected for over a week, has at last been heard from having passed Eagle Tuesday morning at 3 o'clock. Word has been received that of her original cargo of 1200 tons, 600 are for Dawson. One of her barges was dropped at Circle, being loaded for that point, and the one brought up by the Bella was picked up and is being brought on.

The remainder of the season the Bella will be employed as pilot boat in the Yukon flats, running from Fort Yukon to Circle.

The Wither Crimmins left for Whitehorse Wednesday evening.

Latest stamp photos at Goetzman's.

Latest Kodak finishing at Goetzman's. Case goods 25c, Sideboard, 113 First ave. Kodak tripods: \$5.50 Goetzman's. Latest photo buttons at Goetzman's.

...YOU WILL FIND...  
THE FAMOUS

## RAINIER BEER

On Tap at George Butler's

# DUE TODAY Steamer FLORA

The Crackerjack Boat of the Klondike Corporation, Ltd.,  
Captain Martineau at the Wheel, Will Leave  
for Whitehorse

## TOMORROW, 2 P. M.

Wait for Her. Klondike Corporation,  
Limited.

## HOLME, MILLER & CO.

108 Front Street, Dawson

Mining Machinery  
and Supplies.

Doors, Sash and  
Hardware

- Buffalo Duplex Steam Pumps.
- Moore Steam Pumps.
- Byron Jackson Centrifugal Pumps.
- Columbia Portable and Compound Boilers.
- Hondrie & Balthus Deaver Hoists.
- Erie Engines.
- The Pittsburgh "SILVER DOLLAR SHOVEL"
- Verona PICKERS.
- Granite Steam Hoes.
- McClary's Shovel, Bagges and Gravelwars.
- Ridebaker Bros' Wagons.
- Columbus Scrapers.