RIL 21, 1902

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YLES

e Ice,

crown being represented by the min-

ister of justice and his deputy, Mr

E. L. Newcombe, K. C. The trial

was most bitterly contested, many

very intricate points of law, consti-

tutional and otherwise, being brought up and argued, the hearing

of the evidence and argument lasting four days. The exchequer court was

presided over by Mr. Justice Bur-

bridge, than whom it is conceded

there is scarcely a more able jurist

in the entire Dominion. An item of

no small consequence to the suppli-

ants was the expense which their ac-

Messrs. Joslin, Chappell and Car-

mack all crossed the continent from

Seattle for the purpose of giving

council in England, so it may be a

tions unavoidably entailed.

## ROYALTY ILLEGALLY-TAKEN

Decisions Favoring the Miners - May Affect \$300,000 Collected in the Spring and Summer of 1898.

the suppliants by the exchequer company with many others had apourt of Canada in the cases of plied for and received the renewals orge Carmack vs. the King in the of their several claims for the ensue spring and summer of 1898. ty upon the gross output of every h-20 per cent. Later it was 

The Ladue

Quartz Mill

ready to make others.

mill and also in the

Assay Office

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EMPIRE HOTEL ...

IN OPERATION.

We have made a large

number of tests and are I

Messrs. White, McCaul & Davey fixed at 10 per cent. the order in sterday received a cipher dispatch council being passed July 29, 1897. m Ottawa that will bring joy to The order did not become a law by hearts of a number of their cli- statute, however, until September 11 as and ultimately, so it is believed, following and was not received and lars to their pockets. The wire posted in the office of the gold comerred to was to the effect that missioner until September 29. Prior ent had been rendered in favor to those dates the suppliants in

of \$19,289; James .Tweed and ing year. In the leases which were rles Woog vs. the King in the issued to placer claim owners at that of \$7,548, and William Chappell time it was expressly stipulated that the King in the sum of \$12,066. the holders of such leases were enmature of the cases will be bet- titled to all the gold which they took understood when it is said the out of their claims during the life of were brought for the recovery their leases, and that was the basis royalty alleged to have been upon which the suits were brought. ally and wrongfully collected by Claims which were renewed prior to a agents of the government during September 29, 1897, were held under such renewal lease until the followfor to the summer of '97 the min- ing September, 1898, and it was cons of the Yukon were not afflicted | tended that by the express terms of the royalty regulation. That such leases issued that owners of ear from the report made by Mr. claims were exempt from the payiam Ogilvie it was made to ap- ment of any royalty until the time er that the Klondike was but a their leases expired. Notwithstandass of virgin gold, every claim conned millions and a blank was not spring and summer of '98 was colwn to exist. Quickly afterward lected upon every thing, the amount imposition of a government roy- aggregating approximately \$300,00. The miners protested, coming to conwas determined upon, it first heaviest operators came to the conng decided to make the ratio one-clusion that the royalty collected at that time had been wrongfully imposed and concluded to sue for its recovery. Suits numbering all told years ago with the minister of justice who upon tooking into the mataction against the crown in the ex-

suits have been pending. McCaul & Davey, in conjunction with Mr. Falcon Joslin, have been working on these cases and it is due wholly to their vast experience and extensive knowledge of such legal matters that the suits so far heard have been brought to a successful issue. Mr. Wm. White, K. C., has We have the best plant it been particularly assiduous in their money will buy and guar prosecution, devoting a large share antee all our work in this of both last winter and the one previous while outside to the arrange ment of the mass of material ready for presentation to the court when the cases should be taken up. The

chequer court, since which time the

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age for sprains, bruises and rheumatic pains.

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McLennan, McFeely & Co., Ltd.

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## actions upon which judgments have just been rendered were heard in Ottawa last February, Mr. E. D. Armour, K. C., one of the leading in Canada, and Messrs.

## Exchequer Court of Canada Renders Three Messrs. White, McCaul & Davey, appearing for the suppliants and the C. M. Woodworth Fires Hot Shot at Men Slavin, and was also the Matson concession. High in Government Positions-Alleges Corruption and Misrepresentation in Securing Concessions.

their evidence at the hearing. It is understood to be the intention of the minister of justice to carry the cases Woodworth spent a large portion of others, and a large number of appliin appeal to the supreme court of his time gathering further evidence cations were received. against the concessionaires and ap- "In March or April of 1898 Clifford Canada and if necessary to the privy peared before the audience last night Sifton closed Bonanza and Eldorado year or two before the matters have reached a final conclusion. A large number of other cases are now being pressed to trial upon the same grounds by Messrs. White, McCaul & Davey, but it is not yet known when

here the gentlemen who have gained the distinct and an analysis of the ground were the gentlemen who have gained the distinct as being unit for place and the distinct as a second and the distinct as being unit for place and the distinct as be Mr. Woodworth at 8:45 and Mr. J. of applications for the ground were as chairman and D. H. Dick was could be turned over to favorites at 3, 1899, Bronson & Ray received

distinction of winning a suit such eminent counsel have received In his opening remarks Mr. Davison son concession at this time were elected secretary. many well merited congratulations. stated that the object of the meeting Sifton, McClagnon, Belcourt and An-The immense amount of labor involv- was for the discussion of the various derson. An attempt was made to ed in preparing the cases, the deep concessions granted by Ottawa and sell it to a London syndicate. The couldn't get machinery, the second insight into the intricate and per- the questionable methods by which syndicate sent an engineer to investiplexing points of constitutional law they were obtained. "They have been gate the property and he reported brought up and the time required to a continual hindrance to the develop- that it could not be worked by hysuccessfully present the arguments ment of the country," said Mr. Dav- draulics. The concessionaires then which resulted in the favorable de- ison, "and have worked incalculable got the grant changed so that it cision of his lordship, are matters injury to the prospector. I will not read 'by hydraulic or otherwise.' which can be only fully understood take up your time further but will. Mr. Woodworth then read from the over 40 were lodged more than two by those with some knowledge of introduce to you Mr. Woodworth, hydraulic regulations section No. 3,

Concessions and concessionaires for ground on the lower part of used for parliamentary purposes. were dealt a hard blow at the mass Hunker and that ground to this day meeting at the A. B. hall last even-remains untouched. Whether Anderson made his application in good Bronson & Ray, granted on the 30th Attorney C. M. Woodworth, who faith or as a means to scoop miners of December, 1898, which extended has made a thorough study of the I do not know-probably he made it from the mouth of Bonanza on each concessions and the manner in which in good faith. Mr. Fawcett recomthey were acquired, and who has dis- mended the Anderson concession and any abandoned placer claims. "They puted the titles of several of the it was granted. Boyle and Slavin alleged," said Mr. Woodworth, "that concessionaires before the gold com- applied for a concession in the Klonmissioner's court, was the principal dike valley from rim to rim. Other speaker of the evening. During his concessions were granted to Dr. trip to the outside this winter Mr. Milne, Bronson & Ray, Matson and

with a large bundle of facts, figures from placer location. The matter, and correspondence which he used to however, came up in the cabinet and prove his assertion that the conces- Sifton received a hard slap for it. The meeting was called to order by closed to placer miners. A number Ottawa. The owners of the Ander-

who will enlighten you upon this im- which provides that the application for a hydraulic lease must be made ground had been prospected by the applicant and a further affidavit from the gold commissioner that the ground was unfit for placer mining.

"Wm. Ogilvie," said Mr. Woodworth, "was commissioner, E. C. Senkler was gold commissioner and Clifford Sifton was minister of the interior. I mention this fact so that it may be seen the kind of machine work that was going on.

"The Matson concession, situated 500 feet vertically above the left for placer purposes." limit of Bonanza one mile in width Woodworth referred back to the Mattion has been caused in San Fran- clares that the man who wrote the and running parallel with Bonanza of Police Whitman that he has untisement luring Nora Fuller to her was applied for on the 2nd of Nodoubted proof that the murderer of death was Hadley. He has compared vember, 1898. In the application it Nora Fuller was Chas. Hadley, for the handwritings and declares they deposit of from 60 to 100 feet of fourteen years accountant in the bus- are identical. So hurriedly had Had- alluvial wash gravel had been found iness office of the Examiner. On ley left his lodgings and fled he did which would not contain in average January 16, the day of Nora's dis not even go to the bank and draw a of more than 2 or 3 cents to the cubic yard and that it could not possibly be worked without the aid of machinery and a large supply of wa-Mr. Woodworth then took the plat- ter. It would be necessary to bring form and in a speech lasting nearly water from the Yukon river and an hour dealt with the question in a would mean an expenditure of at

those who heard, him with the idea "This is the way they got their that he knew what he was talking ground. In 1899 Mr. Matson swore about. In part Mr. Woodworth said: that he had prospected the ground "Mr. Chairman and Gentlemen,-In thoroughly, found the depth to bedwhat I have to say I will not so rock from 100 to 130 feet, depth of enquire into the means by which the much strive to interest you as I will pay dirt from the surface 30 feet. Anderson, Milne, Boyle, Bronson & to give you information. I wish to The greatest amount of gold in any Ray, Doyle, Matson, Slavin & Gates lay before you facts as I understand pan was 30c, with an average pay of

ner in which the concessions have "On the 1st of September, 1899, been obtained from time to time and Matson et al applied for the abanwhich will further show how the doned claims and fractions on the facts and dates join hands in leading left limit of Bonanza in front of the up to the Treadgold concession. We concession to be used as a dumpage will see how this has been going on ground and which they claimed had for three years, to the detriment of been staked while the concession was the development of the country and being prospected and was being held for the simple purpose of making the for the most part for speculative of the cascellation of the concessions purposes.

"On the 16th of September Commany overstaked one another on Do- missioner Ogilvie sent a letter to will not permit giving a full report Brooks is dead, aged 91. He was the minion creek and the gold commisted the department of the interior re-Thos. Fawcett, closed the commending that the ground applied they were all in harmony and symground from location. In the next for by the concessionaires be granted pathy with the movement inauguratirrespective of the applications of the ed last evening. ienced on the hillsides on Dominion placer miners, who it was claimed by and they were closed from location the commissioner had applied for the ground without any other warrant I was never more surprised than I "On the lower part of Bonanza and than the expectation that if Matson was to see such a display of fine Hunker there were targe tracts of 'struck it' then they "would be 'in groceries-many of them importedland which were represented as being it.' On November 11 application was at Dunham's, The Family Grocer. I unprofitable to work by ordinary made through Latchford, McDougall did not know there was as fine a placer methods and would have to be & Daly to James A. Smart, deputy stock in Dawson, said one of Dawworked on a large scale. Mr. Ander- minister of the interior, for all the son's most prominent citizens. Corn-

fractional claims on the left limit of Bonanza creek between Fox gulch then acting minister of the interior and was a partner with Boyle and Slavin, and was also interested in

"On one fraction on Magnet Hill owned by the concession the report of the mining inspector shows that \$42,000 was taken out. This \$42,000 was divided into five equal parts, two of which parts, one of the partners affirms, were never accounted for but which in all probability were

Mr. Woodworth then took up the other , concessions, including the side to height of benches, including the ground could not be worked by ordinary placer methods, their only evidence being a statement of Surveyor Tyrsell to that effect.

"E. C. Senkler reported to the minister of the interior that within the limits of the territory applied for by Bronson & Ray there were 38 creek, 50 hillside and 50 bench

claims. About 40 claims were in active operation and the estimated sions had been obtained by fraudu- The ground was afterward opened output would be \$100,000. With the lent affidavits and political jobbery. but in March of 1899 Eldorado was, exception of about 40 claims the ground was reported by the gold commissioner as being unfit for placgrant they were to do \$5,000 worth of work every year. The first year they were excused because they didn't have machinery on the ground They haven't worked it yet. That ground was closed by a simple, downright steal, and the miners have had to suffer by it and that is the cause of lower Bonanza looking like a barren wilderness today.

"In the summer of '97 Slavin & Boyle applied for a concession on the low-lying ground of the Klondike extending from rim to rim. The limits of this concession were extended until it took in Bear, Jackson and Lindow creeks, the Klondike benches and a great deal of ground not applied for besides. One-quarter of the Slavin & Boyle concession was sold

to Treadgold. "The Milne concession is a rocky stretch from the mouth of Hunker to the mouth of Bear creeks. Ogilvie gave him a certificate that it had been prospected and Senkler gave him a certificate that, it was worthless

In concluding his remarks Mr. been changed, falsified and forged until now they do not resemble the original at all.

"All these concessions have been obtained by misrepresentation, trickery and fraud," he concluded, "and of all the concessions and let them go back to the individual miner,"

Mr. Beddoe was then called to the platform and made a strong talk for the cancellation of the concessions which, he stated, had been obtained fraudulently and by misrepresentation. He presented the following resolution to be wired to Ottawa :

"We request the government of the Dominion of Canada to immediately and Miller creek concessions were obtained," as to whether said concessions were obtained by fraud and misrepresentation and granted in error and improvidence, and as to complied with in the grant or continuance of said leaves

Other speakers were called upon who likewise were strongly in favor and who supported Mr. Woodworth in his statements. Space, however,

## general that he grant his flat permitting the suppliants to enter an NORA FULLER'S MURDERER to the minister of the interior, supported by an affidavit from the committing the suppliants to enter an

For over two years Messrs. White, Was Chas. Hadley, for Fourteen Years an Accountant on the San Francisco Examiner - Chief of Police Claims the Mystery is Now Solved.

Special to the Daily Nugget.

San Francisco, April 22.-A sensa- Kitkey, a handwriting expert, de-

appearance, Hadley also disappeared balance on deposit.

and has not been seen since. Theo.

Stabbed by Negroes pecial to the Daily Nugget.

Shoff's Rheumatic Liniment Emporia, Kan., April 22. - Young egro ruffians stabbed Prof. Charles Huey, of the Kansas Normal School, because the latter drove them from a fence surrounding a park where a baseball match was in progress. Samuel Harrison was arrested.

Heavy Crops

pecial to the Daily Nugget. Winnipeg, April 22.-The C. P. R. officials anticipate an immense crop Manitoba and the northwest. Large immigration is pouring in and there is much buying in farm and city property. New reductions in tariffs have been announced.

Oldest Preacher Dead

ecial to the Daily Nugget. St. Paul, April 22.-Rev. Cyrus oldest Methodist preacher in the

Food properly cooked prevents dyspepsia-try the Northern Cafe.

William Accepts pecial to the Daily Nugget.

Berlin, April 22 .- Emperor William has accepted Cecil Rhodes' trust relative to German scholarships at Ox-

portant subject."

clear, concise manner, impressing least \$250,000.

"In 1897, in the rush of that year

them; facts that will show the man- about ic. most money for those in power.

by Major Walsh.

son, a miner of experience, applied reverted, abandoned, unrecorded and er Second ave. and Albert street.