

IMPORTANT CASE DECIDED

That of McKinzie and Miles vs M. L. and J. H. Davidson

Judgment Entered in Favor of Plaintiffs, Who Are Now Co-partners With Defendants.

Judgment in the case of McKinzie and Miles vs. Mrs. M. L. and J. H. Davidson was rendered by Judge Dugas on Monday. His lordship, after a lengthy review of the evidence of the witnesses on both sides concluded with: "This is a summary of the long evidence which has been taken in this case and which offers the usual contradictions and confusions, which we are accustomed to in nearly every suit which is brought before this court. There is on the one side affirmative proof and on the other side negative proof. Frauds has been pleaded, and I do not believe it applies in this case. I am of the opinion that verbal evidence can be accepted to establish the rights of the parties. If all the circumstances are taken into account, for instance the prospecting by the plaintiffs on part of the ground now covered by the claim in question as granted, the 500 feet mentioned in the application of Mrs. Davidson and her surprise about it, corroborating to a certain extent the story of Miles and McKinzie in that behalf, the working of the claim during the winter of 1899, with that offer to pay ten per cent only to Mrs. Davidson, the division of the gold in June and July, 1899, in what may be admitted to be halves, notwithstanding certain contradictions on that point; the denial of Mr. Davidson of his initials in the book of McKinzie, which are sworn to by McKinzie and proven by Mr. Nourse, already establishes a strong presumption in favor of the plaintiffs' pretensions, but what makes, besides, the plaintiffs' position stronger is the affirmation by a gentleman who seems to have been, and to be still, a common friend of both, who, being constantly with them and heard all the conversations which are daily going on between them, "remains absorbed with the idea that, the plaintiffs were interested in the claim." Gibbs besides swears to an acknowledgment by Mrs. Davidson of the same rights when, on the 24th of September and on the 12th of October, McKinzie went to see her to obtain the written transfer. The meeting at Mr. Tabor's office between McKinzie and Mrs. Davidson before Edwards, who was present, although not clearly establishing that the paper was to pass them, related to the same interest, creates also a strong presumption in plaintiffs' favor, which can be accepted as strengthening the positive evidence brought out by them against the whole of the evidence of the defendants, which is purely negative and not strong enough, to my mind, to destroy what is otherwise clearly proven by the plaintiffs.

Judgment will, therefore, be entered for the plaintiffs by which it will be declared that the claim in question was staked and recorded by Mrs. Davidson in the common interest of both plaintiffs and defendants, and that they have been and are partners therein, and the rest of the conclusions of the plaintiffs' statement of claim will be granted as far as it is needed to protect said plaintiffs' interests since the recording thereof, with costs against the defendants stated at Dawson, this 25th day of June, 1900.

Down With a Parachute.

"Coming down from the clouds in a parachute is like a dream," said a circus balloon artist. "Ever dream of falling from a high place? You come down, alight quietly and awake, and you're not hurt. Well, that's the parachute drop over again. No; there is no danger. A parachute can be guided readily on the down trip, but you can't steer a balloon. To guide a parachute out of harm's way a practiced hand can tilt it one way or the other, spill out air and thus work it to where you want to land or to avoid water, trees, chimneys or church spires. Circus ascensions are generally made in the evening. When the sun goes down, the wind goes down. The balloon then shoots into the air, and the parachute drops back on the circus lot or not far away. A balloon is made of 4 cent muslin and weighs about 500 pounds. A parachute is made of 8 cent muslin. "There is much more danger in coming down in a balloon. When it strikes the earth, it's like a big ball and bounds up again, taking you with it. Not long ago in McKeesport, Pa., I came down in a balloon because the parachute would not let go. I nearly came down

down in a big stack of a blast furnace, but the hot air drove the balloon away. After that I never trusted the parachute arrangement to any one, but attended to it myself.

"The rope that secures the parachute is cut with a knife. The aeronaut drops fully 100 feet before the parachute begins to fill. It must fill if you're up high enough. There are several hundred parachutemen in the business, and the accidents are less in ratio than railroad casualties. A man can't shake out a parachute if it don't open. A man in the air is simply powerless. Invariably the fall is head first. When the parachute begins to fill, the descent is less rapid, and finally when the parachute has gradually filled it bulges out with a pop. Then the aeronaut climbs on to his trapeze and guides the parachute to a safe landing. In seven cases out of ten you can land back on the lot where you started from. The first performers must have had nerve to make the drop. Now it is a regular business, not considered hazardous at all. The hardest work is to bring back the balloon with a wagon. Sometimes it tears in the trees or wherever it may land when not in the open."—New York Sun.

The Story of a Poem.

The man who used to write in a garret and burn the midnight taper, though he received but little for his toil, still had the respect of publishers, who held his genius in high esteem. How different the fate of the writer today! One of them sent an Easter poem, on which he prided himself, to a great editor. The editor replied:

"We regret that your Easter poem, which is a good one, arrived after we had made up the forms for our Easter number. Can't you work it over to fit the Fourth of July next—introduce a few American flags and a box of fire-crackers? Or you might switch around into a Christmas poem, throwing in a country dance or something lively. If you'll do either, just send it on, and check will be forwarded."

When the author got that letter he lost his temper and his religion.—Atlanta Constitution.

The Censor.

Soda water and baseball men are beginning to get gay.—Atchison Globe.

The Paris exposition seems to have done more to avert war between the great powers than has The Hague conference.—Houston Post.

Several firms are very busy enameling bicycles the popular khaki color. It is an excellent shade to hide splashes of mud.—London Chronicle.

The pension for Lilioukalani didn't go. She has no vote, and a discarded queen does not count in the national game.—Louisville Courier-Journal.

After 26 years of always honest and always earnest endeavor Maud S. is dead. She deserved her great fame and her fortunate life and her peaceful and speedy death.—New York World.

Dr. Malbran advises people not to shake hands, as it might spread the plague. Shaking hands is a more or less unnecessary and dirty custom at all times and especially in hot weather.—Buenos Ayres Herald.

The German sense of humor is not of abnormal development, but Germans can scarcely repress their smiles when the agrarian measures looking to the exclusion of foreign meats is called a sanitary measure without selfish significance.—Boston Herald.

Married the Day They Met.

Horace Greeley and Mary Young Cheney were married the first day they met. They had corresponded for some time; a common friend, who was something of a matchmaker, having brought this about. She was all his fancy painted her, but she was much disappointed in his appearance, so much so that when he appeared before her, having proposed and been accepted by letter, she frankly told him that, although she married him, she was not in love with him. Their married life was long and happy, and the loss of his wife was a blow which Greeley did not long survive.

Notice.

The following gentlemen will receive valuable information by calling at the Monte Carlo:

C. Kerr Wilson, E. P. Jackson, Neville Avinger, C. S. Cameron, W. S. Armitage, Fred Olson.

Table de hote dinners. The Holborn Otis Sea Island Balbriggan underwear, silk finished. Star Clothing House.

Potatoes, only the best. Mohr & Wilkens.

Board of Trade Notice.

The first annual meeting of the Board of Trade of Dawson will be held in the board rooms Wednesday evening, July 4th, for the election of officers for the ensuing year and the transaction of regular business.

F. W. CLAYTON, Sec.

Linen coats, straw and linen hats, at the Star Clothing House.

MEN OF MARK.

A Boothbay (Me.) fisherman, Ab Ak, says he has the shortest name on record. There is said to be no abbreviation about it either.

Ex-Senator Philetus Sawyer of Wisconsin has given to different towns in his state five hospitals and three public libraries.

Senator Beveridge makes it a rule never to return a card with the "not in" that disappoint so many callers, but sees each of his visitors, if it is possible for him to do so.

Gen. French of South Africa fame is a short man of broad and sturdy build and, though an excellent horseman, presents a rather undignified picture in the saddle.

Dr. William MacNeill Whistler, the brother of the artist of that name, who died in London the other day, was a surgeon in the Confederate army during the civil war.

President McKinley's summer tour this year will begin in July and will probably include a trip to San Francisco, where he will witness the launching of the battleship Ohio.

Gen. Sir William Butler, who was commander-in-chief and acting governor of Cape Colony before the war broke out, has begun suits against the London papers which have been attacking him.

Archdeacon Barker is one of the heroes of Ladysmith. A Boer shell fell at his feet, and the archdeacon picked it up, as it was on the point of exploding, and dropped in a tub of water, extinguishing the fuse.

Ex-Premier Crispien is seriously ill with influenza, complicated with bronchitis, and he is unable to retain food. Moreover, a recent operation which he underwent for the removal of a cataract proves to have been a failure, and his condition is causing anxiety.

President Loubet is a terror to all sticklers for official dignity. In his simple frankness he is capable of keeping every one at the banquet table with the remark, "Well, we are so comfortable here that we do not see why that formality about the ladies leaving should be insisted upon."

The Toronto Mail and Empire publishes the report that Russell A. Alger, ex-secretary of war, is about to make Ottawa his permanent home. He has many business interests in Canada and is president of the Laurentides Pulp Manufacturing Company at Three Rivers, of which his son is general manager.

Prof. Dean C. Worcester, who has just resigned his chair in the University of Michigan, has had an offer of a salary of \$15,000 a year as manager of certain mining interests in the Philippine Islands, and when his duties as commissioner are fulfilled he may accept the offer. His salary at the University of Michigan was \$1600.

For the latest in clothing, hats, shoes, underwear, Star Clothing House.

Shindler has bicycle sundries; wood rims, inner tubes, ball bearings, spokes, bells, cyclometers, toe clips, graphite, etc. Wheels to rent by the hour.

David Harum, Richard Carvil, King Atwood, Red Rock, Janice Meredith, Resurrection, and all the latest at the Standard.

Short orders served right. The Holborn.

Potatoes, eggs, lemons. Mohr & Wilkens.

Light-weight blue serge coats, single and double breasted. Star Clothing House.

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No better in Dawson for home comfort and cleanliness.

Beds, \$1.00. Meals, \$1.00.

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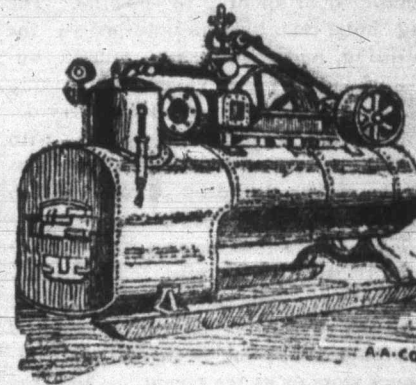
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Corner 2d Ave. and Harper St.

Splendidly Furnished Rooms Upstairs. The Best Location in Town.

FOURTH OF JULY

CELEBRATION.

EVERY woman and child should turn out and see the sports and contests and above all the parade, which will, no doubt, be the grandest sight ever seen in this country.

The day may be very warm, so prepare yourself with suitable clothing for the occasion, especially in headgear and footgear. We will place on sale our entire stock of MILLINERY, PATTERNS, TRIMMED HATS, SAILOR HATS, GIRLS' AND MISSES' HATS, BOYS' AND YOUTHS' CLOTH AND STRAW HATS, at ONE-HALF their former prices. Also a complete line of LADIES' OXFORD-TIE SLIPPERS and HIGH-CUT SHOES, at prices ranging from \$2.50 to \$5.00. Don't overlook this opportunity, as everything goes; no reserve.

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