

REGENT DECISIONS RENDERED

Prior Grantee of Water Rights Must Not Be Molested.

Precedent Established Declaring Conglomerate and Stowe Creeks One and the Same Used Again.

Gold Commissioner Senkler has recently rendered a number of decisions in cases heard before him pertaining to the titles of mining claims involved in the disputes.

The plaintiffs staked claims Nos. 1 and 2 above discovery on Bishop creek on the 4th day of October, 1901. They applied for record upon the 7th day of the same month, but owing to their not being able to give a definite description of the ground, their applications were held pending their obtaining a proper description.

The defendants Bell and Pond staked practically the same ground upon the 30th day of October, and obtained their grants therefor, the claim being described as Nos. 1 and 2 above discovery on Bishop creek.

It appears that when the plaintiffs staked the ground, the plaintiff Taylor used as his lower post a post used by the discoverer as his up stream post, and he staked up stream a distance of 336 feet. The plaintiff McLellan used Taylor's upper post as his lower post. Upon the defendant Bell staking No. 1 on the 30th of October, he used the upper post of discovery claim, which it is found had been moved up stream a distance of 68 feet. He placed his upper post approximately 250 feet up stream.

The defendant Pond placed his lower post beside Bell's upper post. The plaintiff Taylor is entitled to a grant for that portion of his location that does not conflict with discovery claim, that is the ground from the upper post of discovery claim up stream for a distance of 168 feet, and the defendant Bell's grant must be cancelled in so far as it conflicts with the Taylor location above described. The plaintiff McLellan is entitled to a grant for that portion of the Pond location, with the exception of that portion of it that lies between the tree dividing the Bell from the Taylor claim, and the lower post of the Pond claim.

The second judgment is one concerning a claim on Conglomerate and is brought by reason of the commissioner having previously decided that Stowe creek is but a continuation of conglomerate and as such a miner is not entitled to stake on it. The case is John Cannon vs. Don W. Truitt, the ground effected being 58 Conglomerate, formerly known as 19 Stowe. The following is the commissioner's decision:

"From the evidence in this case it appears that Mr. Truitt, the defendant, obtained a record for claim No. 30 on Conglomerate creek, having staked the same on the 19th day of September last. On the 24th of September he staked a claim known as No. 19 on Stowe creek, and obtained a record therefor. No. 18 Stowe creek is the same ground as claim No. 66 on Conglomerate. Stowe and Conglomerate creeks being one and the same creek, defendant is entitled to a record for only one claim on said creek, and having staked claim No. 30 on Conglomerate first, he is entitled to record for that claim only, and his record for claim No. 19 Stowe must be cancelled. Plaintiff is entitled to a record for claim No. 33 Conglomerate creek, and his costs in this action."

The third decision rendered concerns certain water rights on Rock creek and is as follows, the action being entitled Ellen Acklen, William Bradley, R. J. Ellbeck and D. S. McKenzie vs. Joseph W. Boyle:

"The plaintiffs hold a water grant giving them the right to divert 5000 miners' inches of water from Rock creek (a tributary of the Klondike river) at a point about 20 miles from its mouth. The defendants have applied for a grant of 5000 miners' inches of water to be diverted from Rock creek at a point in elevation about 2000 feet above sea level. The plaintiffs bring this protest, asking that a grant be not issued to the defendants, as there is not sufficient water in the creek to supply both parties.

"Even if a grant were issued to the defendants in compliance with their application, they would not be entitled to in any way interfere with the plaintiffs. There is a danger in issuing subsequent grants where there is not sufficient water, especially when the subsequent grantee has his point of diversion above that of the prior grantee, as often having prepared to carry away the water, he might proceed to do so when there is not sufficient water to supply the prior grantee. For this reason I think the plaintiffs are entitled to bring this protest. The application of the defendant is now under the department's consideration, and, if issued, it will be issued subject to the rights of the plaintiffs under their grant."

A Hot Town.

Everett, Can. 10.—A man by the name of Fallner, who was arrested at Marysville on the charge of crim-

inal assault upon Pearl Hewey, a 16-year-old girl, some time ago, was brought to this city today. He will be examined before Justice Lewis next Monday.

For some time there has been a burden to the female population of Marysville on account of a masked man who lurked on the outskirts of the town—and accosted women and girls at dusk. He is supposed to be the same man who assaulted Pearl Hewey. While there are numerous descriptions of the man from women who have seen him, as to his size and clothing, there is none of his features, as he invariably wore a mask. For this reason it will be a difficult matter to identify him. However, Sheriff Zimmerman thinks from the chain of circumstantial evidence existing he will be able to identify Fallner as the man.

Frank Daly, one of the survivors of the ill-fated Walla Walla, arrived in the city last night from San Francisco. Mr. Daly was on a life raft about fifteen hours before he was rescued.

Three boys, two of whom were 9 and the other 12 years of age, were searched yesterday at school by the district directors and found to be armed with revolvers. The boys acknowledged being the leaders of a "Jesse James" gang, and that they had already begun operations in a small way.

PECULIAR SUICIDE

Man Blows His Head Off With Dynamite at Seattle.

Seattle, Jan. 11.—The trunk of a human being was found in the brush on Thirtieth avenue, between East Cherry and James streets, yesterday afternoon by Earl Osborn, a pupil of the Walla Walla school. He was playing in the vicinity.

The head was completely blown from the body, only particles of the face remaining, which clung to the neck and lay hidden under the trunk. It is probable that unless the corpse is identified by other means than those usually employed the name of the unknown man will never be known. From the evidence which police officers secured in the shape of particles of fuse and other indications there appears to be but little doubt that the man deliberately ended his life with dynamite, adopting a method both novel and terrible.

In any event, it is certain that the cause of his death was some violent explosion which literally stripped the upper half of the body of its clothing, besides severing the skull from the trunk, the former being blown to atoms by the force of the explosion. The body was discovered by the Osborn child shortly after school was dismissed yesterday afternoon. He had penetrated a willow thicket about 100 yards due south of the Madrona park car line on Thirtieth avenue in quest of pussy-willows. At this point the street is ungraded.

He stumbled on the remains lying partly obscured from view in a thicket. Beating a hasty retreat from the spot, young Osborn notified other children of his find and later the police were informed of the discovery. Detectives Barbee and Byrnes were dispatched to the spot, piloted by a crowd of excited schoolboys. Police-man Cameron who resides on Twenty-first avenue was already on the spot when the two detectives and a reporter arrived.

The body lay stretched on its back at full length on the ground. Tattered shreds of clothing hung in several stunted alder trees, and a deep hole in the ground where the man's head evidently rested when he lay down bore silent testimony to the manner in which he met his death. After a short search a piece of unused dynamite fuse, a match box and a jack-knife with one blade open were found lying near the scene of the tragedy.

After viewing the details of the affair the officers arrived at the conclusion that dynamite had been employed by the man to end his life. It is believed that he lay down on the ground and placing a piece of the explosive in his mouth deliberately lighted the fuse and calmly awaited the terrible end which every sputter of the burning fuse warned him was slowly but inevitably coming.

The hole in the ground beneath where the man's head is thought to have rested was fully fifteen inches deep and portions of the brain were clinging to the tanned sod surrounding it. A few feet removed from this hole lay a box of matches, probably used for igniting the fuse, and the jack-knife which had been employed to cut away several pieces of brush which would have hindered the man from assuming a reclining attitude. The body must have executed a complete somersault in midair before finally striking the ground after the explosion. It lay in a position directly transposed from that which was apparently assumed preparatory to the explosion.

Hardly had the officers completed the task of examining the ground surrounding the body when it became dark and Detective Barbee searched the clothing of the body in the gathering darkness by the light of a flickering tallow candle. Though several articles, such as keys, an empty purse and lead pencil, were found in the pockets of the clothing, the suicide had taken every precaution to shield his identity. Not a scrap of paper or other article which would shed the slightest ray of light upon

the deed was found, save the initials "J. A." upon his underclothing. The clothing is somewhat weatherbeaten, and this, coupled with the fact that coat and vest were torn in shreds by the force of the explosion, precludes an accurate description of the garments. Though diligent search was made for the hat it was not found and was probably reduced to atoms by the deadly giant powder.

The body is that of a man about five feet eight to nine inches in height and of slight stature. The eyes, which adhered to the skin of the mutilated face, were blue, and a portion of the mustache showed the color to be reddish brown. The remains of the coat were of a dark brownish color, and the limbs were clothed in light gray trousers with a faint stripe running vertically through them. The shoes were No. 8 and were well worn.

Coroner Hoye was notified of the finding of the body late yesterday afternoon and after confirming the investigations by the officers directed that the remains be removed to But-terworth's morgue. The remains are well preserved and it is believed that the deed was committed not longer than six days ago, possibly later.

BENEDICTS ENTERTAIN

Small and Early at Pioneer Hall Last Night.

Several times during the present social season the eligible bachelors of the city have entertained their married friends at little informal dances held fortnightly, and so great a success has attended the efforts of the gentlemen as hosts that the Bachelors' club has almost come to be looked upon as a fixture in the little world of society located hereabouts.

Last night the tables were turned, the bachelors being the guests and the benedicts doing the entertaining and with nearly 100 couples of smartly-gowned ladies and their escorts in the conventional evening dress, the old Pioneer hall never presented a more attractive or more animated picture. The program contained 20 dances and extras without number, and it was after 2 o'clock when the strains of the last waltz were heard. A light collation was served at midnight. The hosts and guests of the evening were Mrs. and Mrs. Henry Macaulay, Mr. and Mrs. J. P. McLennan, Mr. and Mrs. Arthur Davey, Captain and Mrs. Starnes, Mr. and Mrs. Charles Macdonald, Mr. and Mrs. W. D. Bruce, Mr. and Mrs. F. T. Congdon, Mr. and Mrs. C. W. MacPherson, Mr. and Mrs. T. D. Green, Mr. and Mrs. R. J. Davis-Colley, Mr. and Mrs. George Byrne, Dr. and Mrs. W. E. Thompson, Mr. and Mrs. F. W. Seddon, Mr. and Mrs. F. W. Clayton, Mr. and Mrs. D. A. Shuller, Mr. and Mrs. George White-Fraser, Mr. and Mrs. C. E. Renouf, Mr. and Mrs. C. C. Chattaway, Mrs. French, Mrs. Purdy, Mrs. Heron, Miss Norman, Miss Thomas, Miss Richardson, Miss Hanwell, the Misses Freeman, Mr. George Black, Mr. R. B. Young, Captain Cosby, Mr. A. F. Nicol, Mr. Herbert E. A. Robertson, Mr. Charles S. W. Barwell, Mr. H. M. Martin, Mr. A. E. Marks, Mr. R. A. Rumsey, Mr. W. L. Gibson, Mr. G. V. W. Howard, Mr. O. S. Finnie, Mr. H. G. Herbert, Mr. F. G. Crisp, Dr. Barrett, Dr. McArthur, Mr. Gerald Petre, Mr. Harold Rolph, Mr. A. J. McPherson, Mr. H. A. Rose and Mr. S. C. Elkington.

EMINENT MINISTER

Has Remedy to Prevent Lynching of Negroes.

Milwaukee, Jan. 10.—"If after having branded their cheeks and provided for their being carried to Africa, the country will turn over to me all these criminals that they are burning, hanging and shooting, I will give the world another Rome or establish a country like Australia, which was founded and built up by English cut-throats and penal convicts."

So said Bishop Turner, of the African Methodist Church, in an interview yesterday with regard to the best manner of preventing the crime of assaulting among negroes. He continued:

"I am as much convinced as ever that African emigration would be best for the negro and best for the white man. There is an irresistible conflict between whites and blacks that nothing but separation can reconcile and put an end to. "Our children are generated and nurtured under a malignant and misanthropic excitement that will wreck this country and make our civilization a hiss and a byword. And if it is a fact that the negro will not let white women alone, then white men owe it to their manhood and honesty to get rid of him, and if they will open up a highway to Africa millions of the black race will go. Rather than shed so much blood, and possibly some innocent blood, you had better enact laws to brand these fools and soundreks and crop their ears and banish them to Africa."

Decay of British Flour Mills.

For the first time in the history of British flour milling, in spite of the fact that during the past twelve months competition has been most keen, the foreign millers have been

able to place on the British market over nine million sacks of flour, each weighing 28 lbs. And, unpleasant though it is to record the decline of any British industry, we find that during the past several years the output of British mills shows a serious reduction. The total amount of home milled flour that the British millers were able to dispose of during the twelve months amounted to only 28,287,797 sacks, and when we take it to account the fact that the thousand roller mills that have been fitted up with the latest type of machinery have together a total capacity to supply the requirements of the whole population of the United Kingdom, some idea can be formed of how severe competition has been, and is, in the British milling-trade—Birmingham Post.

Hockey Game Tonight. An interesting hockey match is scheduled for tonight at 8 o'clock in the N. C rink between the Polars and the Bank of Commerce team. Captain Cosby will act as referee and during the game the ladies of the Church of England will serve refreshments in the club house for the benefit of the organ fund. The game between the Polars and Civil Service has been postponed until Wednesday evening.

Expected Next Week. Mr. William White, of the firm of White, McCaul, & Davey, has written the junior member of his firm that he expects to arrive in Dawson the first week in February, leaving Vancouver about January 10. Much of Mr. White's time this winter has been spent in Ottawa on business relative to the Hawkins railway, for which corporation his firm is counsel. Mr. McCaul will also return over the ice but not until later in the season.

Telegraph Wire for Eagle. One of the White Pass freight teams arrived last night from Whitehorse with 3000 pounds of telegraph wire for Eagle intended for use in the construction of the line to Valdez. This is the second consignment received, the first one amounting to a little over two tons. The wire was forwarded today by the teams sent up Iron Eagle for that purpose. The freight team left Whitehorse at noon with 1000 pounds of freight for way points along the up river route.

DEBATING SOCIETY

Holds an Interesting Meeting Last Night.

The Dawson Debating and Literary Society held its most interesting debate of the year last evening at St. Andrew's hall. The question: Resolved: That the policy of the Boers was responsible for and justified Great Britain's actions in the Boer war, was argued by Messrs. Edwards and Wilson for the affirmative, and Allen and Kilgore for the negative.

The question is an interesting one, and in the short time allowed the speakers it was impossible for them to more than touch upon the great issues of the war and the events leading up to it. In the five minute talks which was allowed the audience to participate two speakers volunteered to aid the affirmative side of the question, while none spoke on the negative side, thereby giving a balance of argument in favor of the affirmative.

All of the speakers showed a careful study of the question and brought their points out carefully and conclusively, but the affirmative speakers had clearly the stronger argument and the judges after due deliberation gave the decision in their favor. Hereafter the meetings of the society will be held weekly instead of fortnightly, alternating each week with a literary program and debate. Next week a musical and literary program will be rendered, the particulars of which will be announced later.

A Diplomatic Poet.

An eastern poet has penned some rhymes that show he is a born diplomat. Here is a sample verse. And the goldenrod droops down its head In silliness of despair, For its splendor that flamed is outshone and shamed— By the gold of Evadne's hair! If that isn't a neat and unobjectionable way of calling a girl red-headed, we don't know what is— Cleveland Plain Dealer.

Adams and Sculpture.

President John Quincy Adams once asserted that he would not give 50 cents for all the works of Phidias and Praxiteles, adding, "I hope America will not think of a sculpture for two centuries to come."

When some one quoted this to William Morris Hunt, he asked dryly, "Does that sum of money really represent Mr. Adams' estimate of the sculpture of those artists or the value which he places upon 50 cents?"

Has Left the City.

Harry Fowle, the young man who attempted suicide several weeks ago by the chloral route and who upon his trial was allowed to go upon suspended sentence, left for the outside this morning. He intends to walk the entire distance to Whitehorse.

Escaped and Recaptured.

Tacoma, Jan. 10.—Edmond Hanson, the prisoner who escaped from the United States penitentiary at Mc-

Nell's island yesterday afternoon, was captured at 3 o'clock this afternoon, twenty-three hours after his escape. The capture was made by Capt. John E. Higgins and two boys on the east side of Fox island, seven miles from Tacoma. He was brought to the city by Capt. Higgins and Francis O'Gara, one of the boys, and lodged in the county jail. He will probably be sent back to the penitentiary on McNeil's island tomorrow, Capt. Higgins having notified United States Marshal Ide of his capture this afternoon. A reward of \$100 had been offered for the apprehension and capture of Hanson by Marshal Ide, and this will be divided between the three captors.

Hanson's desperate attempt to escape shows him to be a man of remarkable nerve. He was working with a gang of convicts yesterday under the eye of a guard, and during a momentary lapse of attention on the part of the guard, he bolted to the brush. Evading a hot pursuit he managed to obtain possession of a flat-bottomed boat, and pushed off upon the Sound. A moment later the pursuing guards appeared on the beach at the spot, but Hanson was already well out from shore and was heading in the direction of the Narrows leading to Tacoma. No boat was near in which the guards could continue the chase, and he was shortly lost sight of in the approaching darkness of the night. Notification was immediately given to Stellacoom and other surrounding points and settlers on the island and mainland have been keeping a lookout for him all of today. Hanson intended to row to the mainland, but confused by the night and overcome with fatigue he pulled ashore on Fox Island. There he spent the night, suffering much from exposure and hunger. He remained in concealment all of this forenoon, watching steamboats and endeavoring to locate himself. The striped penitentiary garb he wore, like the brand of Cain, prevented him from approaching any habitation of human beings. When he discovered he was on an island at noon he took to his boat and began rowing around the eastern side of the island. Francis O'Gara, the son of a settler, and another young man, bearing a convict had escaped, had been out since early morning in a rowboat looking for the runaway. Catching sight of Hanson from a distance they rowed back to Higgins' beach and Capt. Higgins accompanied them to make the capture. A strong tide was flowing and wearing with his labors, the convict pulled ashore. Higgins covered him with his gun and ordered him to surrender, although he begged piteously to be allowed to escape. He was weak and worn from fasting and exposure. Hanson was serving a ten-year sentence for counterfeiting, having been convicted at Spokane in December, 1900.

Hot and cold lunch at the Bank Saloon.

Atlanta, Ga., Jan. 10.—Sydney Lasselles, whose arrest is reported to-

possibly Aginaldo may have got a little intimation of it.

Career of Lasselles.

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ANOTHER CONCESSION

Ground Located on Lewis River Above Big Salmon.

T. Dufferin Pattullo, acting assistant gold commissioner, on January 21 posted a notice in the matter of the application of F. C. Haldane for a lease for hydraulic mining purposes of a tract of land situated on the Lewis river, commencing four and one-half miles in direct distance from the mouth of the Big Salmon river, thence up stream a distance of three miles and extending back a distance of one-half mile on each side thereof. The reports required by section 3 of the regulations governing hydraulic mining have been duly made and also the return of the survey of the location applied for have been duly accepted by the department, in consequence of which notice is given that the foregoing described location is closed from placer mining entry.

Inherited. New York, Dec. 21.—In speaking tonight at the twenty-second annual dinner of the New England Society in the city of Brooklyn, Senator Geo. F. Hoar of Massachusetts, who was the guest of honor, said:

There was a wireless telegraph that came down across the ages from the men of Marathon and Thermopylae to the men of the Mayflower, and came from the men of the Mayflower to the men of the revolution, and came from the men of the revolution to our splendid youth of 1861. It is not everywhere on earth that the receiving stations of these signals are to be found. Possibly there is a spot in South Africa today where a race of Dutch farmers have been able to comprehend the message I trust there are some men still left in the United States who have ears to hear.

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Persian Lamb Jackets

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day in Boston, made his advent in Georgia about ten years ago, and the base of his operations for a time was at Rome.

He posed as the representative of an English syndicate looking for iron properties. A wealthy man there cashed a draft for him and he was arrested, but was released on a technicality. On a forgery charge, however, he was sent to the penitentiary. Securing release on bail, he returned to Rome, opened a brokerage office and represented himself as correspondent of several eastern daily papers. He secured several thousand dollars from Rome people and disappeared just before his second trial on the forgery charge came up. Again he was brought back, but this time was accompanied by his wife, who spent money lavishly in his behalf. He was convicted, however, and sent to a convict camp.

Escaping from the camp, he was next heard of at Americus, Ga., but here his wife secured a divorce from him. Soon afterward he secured the franchise for an electric lighting plant and water works system at Fitzgerald, Ga., from the promoters of the town. G. A. R. men of Indiana. His franchise was allowed to lapse and he married the daughter of a wealthy man at Fitzgerald and disappeared.

HOTEL ARRIVALS.

Hotel Flannery.—H. Semier, Forty Mile; F. Johnston, Eldorado; John Odyard, 32 Eldorado; G. S. Dutchman, Hunker; J. P. Kazinsky, Hunker; A. Whiten, Bonanza.

L-ft for the Out-side. Thos. W. O'Brien left for the outside at an early hour this morning. His trip will be quite extensive and will embrace a number of the eastern cities.

Nicely furnished rooms at the Coping House, 7th ave. and 3rd st.

Choicest cuis, beef, mutton and pork, at Bonanza Market, next Post Office.

Shoff's Cough Balsam cures at once. Pioneer Drug Store.

The following special music will be rendered at the above church at tomorrow evening's service: Mr. Chas. W. McPherson will sing "Abide With Me," by Liddle, and the choir will sing the anthem by F. Schilling, entitled "O Be Joyful in the Lord."

We fit glasses. Pioneer drug store. FOR RENT—Four-roomed house completely furnished. Three blocks from postoffice; cheap. Pioneer Nugget office.

FOUND—Black and white dog, husky and collie. Owner can be had by paying for ad and charges. Kelly & Co., Leading Druggists.

CITIZEN'S Committee Rooms Meeting Tonight in Committee Room South Dawson, Opposite Log Cabin, at 9 O'Clock.

Headquarters King St., Opp. Post Office.

Mayor: Chas. McDonald; Aldermen: John P. Gray, Dr. Norman Peter Vachon, Geo. Murphy, Dr. F. Macdonald. Meetings every evening.

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