

### The Klondike Nugget

TELEPHONE NO. 12.  
(Dawson's Pioneer Paper)  
Issued Daily and Semi-Weekly.  
GEORGE M. ALLEN, Publisher  
SUBSCRIPTION RATES.  
Daily.  
Yearly, in advance \$30.00  
Per month, by carrier in city in advance 3.00  
Single copies 25  
Semi-Weekly.  
Yearly, in advance \$24.00  
Six months 12.00  
Three months 6.00  
Per month, by carrier in city in advance 2.00  
Single copies 25

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When a newspaper offers its advertising space at a nominal figure, it is a practical admission of "no circulation." THE KLONDIKE NUGGET asks a good figure for its space and in justification thereof guarantees to its advertisers a paid circulation five times that of any other paper published between Juneau and the North Pole.

**LETTERS**  
And Small Packages can be sent to the Creeks by our carriers on the following days: Every Tuesday and Friday to Eldorado, Bonanza, Bunker, Dominion, Gold Run.

SATURDAY, AUGUST 16, 1902.

### \$50 Reward.

We will pay a reward of \$50 for information that will lead to the arrest and conviction of any one stealing copies of the Daily or Semi-Weekly Nugget from business houses or private residences, where same have been left by our carriers.

KLONDIKE NUGGET.



### WHERE ARE THE BENEFITS?

The manner in which the city council has dealt with the question of streets and sidewalks is in itself sufficient to condemn that body in the eyes of the taxpayers. The council has itself lost sight of the fact that they are presumed to represent the interests of the whole body of citizens. They have diverted from the general funds of the city large sums of money for the improvement of certain favored portions of the city, while other sections have been neglected and allowed to shift for themselves.

With characteristic thrift, the thoroughfare on which it happens that a number of the council own property has been graded, and paved like a boulevard while other streets have been forced to rest content with a few cart loads of gravel. The expenditure involved, all of which makes for the enhancement in value of the aldermanic property, has been met from the general funds which are supplied by the community at large. Thus it comes about that property owners generally are taxed equally with those who have profited directly by the thousands of dollars expended on the particular street in question.

The matter of sidewalks furnishes another illustration of the general policy. Small property owners on the outskirts of the city have been forced to build sidewalks in front of their property under threat of punishment by law, while within the very heart of the city there are blocks and blocks of land held for speculative purposes where not one single dollar for sidewalks has been expended.

The council has been weak and vacillating in many respects and when it has acted has usually shown discrimination in some form or other. The much-heralded benefits that were to accrue from incorporation have not as yet put in an appearance.

Sulphur creek is coming to the front in a manner that is exceedingly gratifying to those who had held to their faith in the richness of that creek. More claims are now in operation on Sulphur than ever before in its history and new plants are being established every week. Sulphur is a wide creek and consequently it has required considerable time and the investment of much money to definitely establish it among the heavy producers. The creek was an early victim of the lay system and for a long time suffered from the effects of spasmodic and naturally unsuccessful prospecting. It is now being worked in a business like, systematic manner with results which speak for themselves.

The purpose of the government in delaying the election for the Dominion house is not apparent. Before the close of navigation it is safe

to say that several hundred supporters of the government will leave the territory for the winter and the strength of the government vote will be reduced to that extent. Many of the officials will be on their vacation and other sources to which the party in power will naturally look for strength will be similarly weakened. We are unable to see any reason for defining the postponement of the election as good politics.

The city council exhibits a remarkable spectacle. Six months in office and nothing to show but an accumulation of debt. The high-salaried city fathers (salaried at should be noted in direct violation of pre-election promises) might better be paid to give up their offices. They have no policy and when they exhibit symptoms of endeavoring to find one they are promptly called off. The system of governing Dawson has not been changed one iota by incorporation. The only observable difference is found in the fact that expenses have steadily been on the increase.

There is only one obstacle that stands in the way of Dawson becoming the centre of great quartz workings, and that obstacle is cost of operation. The Treadwell mines will not for a moment compare with what this country has before it. In natural resources this country stands second to none. Of this fact there can be no doubt. Time and money will do the rest.

These are certainly prosaic days. A titled Frenchman recently slapped a fellow countryman's face for an alleged insult. The slapper then withdrew to his domicile to await a challenge. Instead he was served with a warrant for assault. And this in the country of Alex Duncas!

William Jennings Bryan will not be a candidate for the presidency in 1904. W. Jennings is a wise man. Two defeats such as he has sustained should be sufficient to satisfy any one.

It was Sunday morning and Deacon Ironside's two boys came downstairs too late to get ready for church.

"William," he said, "how is this?"

"I clean forgot it was Sunday," answered William.

"Chalmers," he said, turning to the other, "how is this?"

"I didn't forget, it was Sunday, father," replied Chalmers, "but I was just too lazy to get up."

"William," said the deacon, "you will go without your breakfast. The command is, Remember the Sabbath day."

Amid the angry surges the gallant ship pitched and tossed, now burying its nose in the waves and anon standing on end, while the breeze whistled hoarsely through the rigging and the spray mingled with the smoke from the immense funnels.

"Have you got your sea-legs on?" smilingly asked the Intensely Practical Passenger, bundled to the neck in thick wraps.

"No!" haughtily replied the Intensely Sensitive Passenger. "My legs are tuned to F sharp!"

And the wind continued to whistle hoarsely through the rigging.

"It seems to me," remarked the Observant Foreigner, "you allow your girls great freedom in the matter of choosing their masculine companions."

"Yes," responded the Plippant Native, "we seem to give them all the laddie dude they want."

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### CITY BYLAW SUSTAINED

### Regarding Business of Transient Trader

### Although Decision Does Not Accord to City All Authority Claimed by It.

The following decision rendered this morning in the police court by Magistrate Wroughton is self-explanatory and is a partial victory for Dawson's municipal government in the enforcement of its bylaw regarding transient traders:

In the Police Court, Dawson, Yukon Territory:

Between  
The City of Dawson, Plaintiff  
and  
Skagerling, Mayhood & Brown, Defendants.

Contravention of City Bylaw No. 16.

**JUDGMENT.**

In deciding this case it appears to me that there are two principal points at issue, i. e.:

1.—Did the defendants commit the offense as charged, contravention of the now existing bylaw?

2.—Is the bylaw a reasonable and proper one, and for the following reasons—

(a) Is the bylaw strictly within the limits of the ordinance incorporating the city of Dawson? (The defendants contend that it is not.)

(b) Are its provisions such as to amount to a prohibition and restraint of legitimate trade? (The defense contend that it is.)

As regards the first point, it has been proven that the defendants, Skagerling, Mayhood and Brown, did carry on a business in partnership, occupying premises on Third avenue between Harper and Princess streets; that their business involved the selling and offering for sale of articles of commerce such as cream, perishables and groceries; that the premises were only to be occupied for a temporary period; that the names of the defendants had not been entered on the assessment roll of the said city of Dawson in respect of income and personal property for the current year; and that the stock sold and offered for sale was not the stock of an insolvent estate.

I also find that the defendants come within the bylaw as transient traders, and that they had taken out no license.

With regard to the second point, it is contended by the defense that the bylaw is not within the limits allowed by the city charter. The ground taken is that the charter gave the city council the right to fix the sum to be paid for a license, but that it did not give the city council the right to fix the length of time for which that license should be given.

Mr. Worlock, in his evidence, stated that the license year expired on the 31st of December, and, as license inspector, he attempted to collect a license fee from defendants. Mr. Worlock was evidently under a misapprehension of the powers conferred upon him as license inspector by the bylaw. Section 5 of the bylaw, as far as I can find, in no way bears out Mr. Worlock's statement, and does not limit the time for which the license is granted. On the other hand, it seems to me to clearly state that the license will hold good as long as the license remains in the city. Furthermore, it is the city clerk who issues the license upon payment of the license fee to the city treasurer under this bylaw. Undoubtedly Mr. Worlock's statement was misleading, although I do not think intentionally so, but, nevertheless, it cannot in any way invalidate the existing bylaw. I must therefore over-rule this contention.

The defense contend also that the provisions of this bylaw amount to a prohibition and restraint of a legitimate trade. The evidence upon this point is most conflicting. Unfortunately the premises upon which much of the adduced evidence was based was unsound with respect to the bylaw under consideration; both parties arguing from the point that the license expired on the 31st of December, 1902. This is not the case and the evidence on that particular point cannot therefore be considered.

The city charter gives the city council power to license, regulate and govern transient traders. Every regulation is more or less of a restraint and necessarily interferes with it, or with those engaged with

it. The restraint must be clearly shown to be undue restraint interfering detrimentally and materially with legitimate trade, or discriminating in favor of certain individuals to the detriment of others. From the evidence before me this has not been shown. The weight of evidence both for and against is fairly equally balanced, and in such cases it must be generally conceded that governing bodies of the country whether municipal, territorial or federal, to whom jurisdiction is given in matters of legislation, must be relied upon for exercising a just and sound discrimination. If a bylaw is had in any way, and should be quashed, any interested person can make an application to a judge for that purpose. There is no evidence before me that any such application has been made with regard to this bylaw. I must therefore take the bylaw as I find it. I find the defendants guilty of the charge laid against them. As it is the first conviction under this bylaw I will impose a fine of twenty-five (\$25.00), together with the costs of court in this behalf, to be paid forthwith. In default of payment forthwith of the said fine and costs, I hereby order, that the said defendants, Skagerling, Mayhood and Brown, be imprisoned in the guard room of the North West Mounted Police at Dawson, in the Yukon Territory, for the term of one (1) month, without hard labor, unless the said fine and costs, and all costs of and incidental to this order, be sooner paid.

Dated at Dawson, Y. T., this 16th day of August, 1902.

(Signed), G. A. WROUGHTON,  
A Justice of the Peace in and for the Yukon Territory.

### SMUGGLER PAYS \$50

### James Young's Speculation Comes to Grief

James Young pleaded guilty before Magistrate Wroughton this morning to the charge of smuggling cigars for which he paid a fine of \$50 and costs.

Young is assistant steward on the steamer Hannah arrived night before last from St. Michael and the offence consisted in his efforts to get the cigars, of which there were 550 in 22 boxes, ashore without their passing customs inspection, consequently to escape paying duty.

Leroy Payne, a waiter on the steamer, was first arrested as it was he who was carrying the packages of boxes ashore.

The detection was made by Landing Waiter T. Ross Moulton. The boy Payne at once told the name of the owner of the cigars and both were arrested and taken to the guard room. Payne was dismissed this morning, it being apparent to the magistrate that in carrying the cigars ashore he had acted only under instructions from Young who, as second steward, he being Payne's superior in position and accustomed to obeying his orders.

As the cigars were confiscated by the crown, Young is considerably out of pocket on his attempted speculation.

### CHURCH NOTICES.

St Andrews Church.—The following special music will be sung at tomorrow evening's service: Miss Barringer will sing "Oh, That Thou Hadst Hearkened," from Sullivan's "Prodigal Son," and the choir will sing Sullivan's anthem entitled "I Will Sing of Thy Power," with tenor solo by Mr. McKeekin.

Methodist Church.—The subject for the sermon at the evening service will be: "How far are we responsible for the mistakes of others." Rodney's "Calvary" will be the anthem sung by Mrs. MacKay, Mrs. Fysh, Mr. O. S. Finnie and Corporal Cobb. Solo by Mr. Finnie. During the offertory Mr. B. H. McLeod will sing "Come Unto Him" by Henry Lestie.

Everybody Laughed.  
The tongue of the versatile foot-light favorite P. Atrick Dundas got a kink in it last night and his "Don Caesar De 'Banan'" caused a hearty laugh.

Send a copy of Goetzman's Souvenir to outside friends. A complete pictorial history of Klondike. For sale at all news stands. Price \$2.50.

### WERE AFTER SALVAGE

### Two Boatmen's Race for Derelict

### Which Turned Out to be Occupied by Two Small Boys—Fun on the Waterfront.

Yesterday afternoon during the heavy downpour of rain a whitehull boat, apparently empty, came drifting down on the board bosom of the Yukon. About the time the supposed derelict was opposite the Canadian Bank of Commerce two men who were seeking shelter from the elements in Tom Thisholm's saloon, saw it and both made a mad rush for the ferry landing where each followed hastily untied a small boat, jumped in and started to salvage the floater. The race was a hot one and fully 100 people having seen the men running to their boats, braved the elements to witness the outcome of the race.

Each man bent himself to the bars and when they were within twenty feet of the floater it was neck and neck.

"I claim her!" shouted one.  
"She is mine!" shouted the other.  
Bump! Both boats struck the floater at the same time when two small boys stuck their heads over the side and from under some canvass under which they were taking shelter in the bottom of the boat from the rain, and in one voice said:

"What's the matter with youse fellers?"

Special power of attorney forms for sale at the Nugget office.

### Senator Buys a Paper.

Salt Lake, Aug. 8.—A special to the Tribune from Helena, Mont., says:

The Helena Independent, the oldest morning daily in Montana, has been sold to United States Senator W. A. Clark. The formal transfer will not take place until next Tuesday. It is understood that the purchase price was \$150,000, although this report cannot be confirmed. John S. McNeill, who sold the paper today to ex-Gov. Samuel T. Hauser, representing Senator Clark, gave a supper tonight to his old employees. T. C. Kurtz, until recently cashier of the National Bank of Montana, will be temporary business manager of the Independent.

For suits and trousers see Brewitt's new fall goods.

### MR. ARTHUR BOYLE

(Late Student.)

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DUNCAN . . . Tuesday, Aug. 19, 2 p. m.  
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**Str. "Whitehorse" Will Sail for Whitehorse Monday, Aug. 18**  
4:00 P. M.  
Only Line Issuing Through Tickets and Checking Baggage Through to Skagway.  
J. F. LEE, Traffic Mgr., Seattle and Skagway. J. H. ROGERS, Gen. Agent, Dawson.  
J. W. YOUNG, City Ticket Agent, Dawson.

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