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At the Fork of the Road

"Mother, I'm about as well pleased to find Jim Haskins is elected to the legislature as I was to be elected myself."

John Tyner glanced up from his paper and over the top of his steel-bowed spectacles at his wife.

"It all seems sort of strange—kind of like things you read about in books. Jim and I were boys together back in Illinois. We used to fish and hunt together, and our folks and his traded in harvest, and we used to run together with the same crowd of young folks. Then we enlisted the same day, and we marched and messed and bunked and fought together for three mighty long years."

He laid down his paper, took off his glasses and polished them meditatively on his shirt sleeve.

"He was a couple of years younger than I was, but he was tough as a hickory nut and stood marching better. Once on the march down in Tennessee I was about tuckered out, and I thought I would have to drop out of the ranks, whether or no. But Jim wouldn't hear to it. He took my gun and knapsack and carried them himself until we made camp. When I was wounded at the battle of Franklin and left for dead, it was Jim that carried me off the field—I reckon I owe my life to Jim. I'll be mighty proud to set in the legislature with him—mighty proud!"

His wife smiled placidly over her knitting as he talked.

"Of course Jim is more fit to set in the legislature than I be," John Tyner went on. "He was a good scholar, and got to be a famous lawyer and public speaker long ago. It's a wonder he hasn't gone to congress before this. I never had half a chance to get the education he had. It was dig and hoe and plow and grub roots with me. Then pap died, and I couldn't see my way to leaving mother and Benny to shift for themselves. Benny was weakly, you know, but he took to books like a duck takes to water. So we gave Benny the chance, and he was doing mighty well in school when he took the fever and died. Then mother followed him and the war broke out and I went. I might have gone to school after it was over, but I thought I was getting pretty old for it, and then—I met you, mother, and that did settle it!"

He smiled humorously as his wife glanced up from her knitting with a tender light shining in her eyes.

"You've been a good man, father, and that's more than I can say for some men with a fine education. You are getting along toward your old days, but I've yet got to hear of the first mean thing you ever did. You remember Abe Lincoln? He never had much schooling, but he knew what was right about as well as the next one, and he did it, too. And when you go up to the capital to help make the laws I know you'll think of him and do the right thing, father."

John Tyner's bronzed face took on a little ruddier color at these words of his wife. As if to change the subject, he broke in:

"He was a great man, mother, was Lincoln. Level-headed and good! The first and only jury I ever set on, he was a lawyer on one side. I was just past twenty-one, but I shall never forget one thing he said to us."

"Gentlemen of the jury," he said, "I not only ask a verdict at your hands because I think we are entitled to it in law, but for a far deeper and better reason. I ask it because it is equity. I ask it because it is right! Why, mother, he made doing right look like it was something great and grand!"

"Well, it is," responded his wife. "Doing right is something great and grand."

When John Tyner and James Haskins met in the corridor of the State house at Topeka they clasped hands and exchanged heartfelt congratulations. Then they sought chairs in a secluded corner and talked over the old times. Haskins confided to Tyner his ambition to be elected to the State senate next time, and then to run for congress. Tyner gladly and proudly promised to do all he could to further these aspirations, and then admitted that, aside from "voting right," he had no higher ambition than to get a special law passed permitting the building of a bridge across Wild Horse River.

Haskins smiled at the modesty of this ambition, and readily pledged himself to support the measure by voice and vote.

"And by the way, John," he added, "I have a contest on my hands. The fellow I defeated has got it into his head that he was elected, and has filed a contest for the seat. Of course it will not amount to any-

thing, aside from the annoyance of it. The speaker will appoint a special committee to hear the evidence. Of course a majority of the members of the committee will be from our side of the house, and will make a majority report favorable to me. Our side will all vote to sustain the majority report, and of course the report will be adopted on strictly party lines. It will all be a mere formality, but I thought I would tell you so you could keep your eyes open for it."

"What is it about?" asked Tyner.

"Wasn't you elected fair?"

"The man who gets defeated never does think he was beaten fair. That's human nature. You see, I got in by a close squeeze—had only a majority of eleven. Smith claims he has found that fraudulent votes were cast for me in a couple of townships. It is a preposterous claim, of course. All you have to do is to vote for the majority report when it comes in."

Then some one called Haskins away, leaving John Tyner with a perplexed look on his face.

In a few days the special committee appointed to hear the contest case of Smith vs. Haskins was in session. When his legislative duties would permit, Tyner would steal away to the committee room and listen to the taking of evidence. As the evidence accumulated he felt a strange sinking at his heart. The testimony seemed to be all in favor of Smith. In fact, relying on his party's majority in the house, Haskins had made little defense. Perhaps there was no ground for making one.

When the committee had concluded its labors, it brought in a majority and a minority report. The majority report simply declared that, after carefully hearing the evidence and considering the credibility of the witnesses, the evidence was not sufficient to unseat James Haskins.

The minority member of the committee then moved the substitution of the minority report for the majority report. His report was then read by the reading clerk.

It was long, and recited the more important testimony in detail. In plain words, it set forth that thirty laborers, who worked on the grade for the new railroad, and who had voted in Spring Creek township, were not legal voters of that township; that sixteen voters of a thrashing "outfit" in Cedar township had not been in the township long enough to acquire a voting residence. The report ended by declaring Thomas Smith elected by a majority of thirty-five votes.

A moment later the "Ayes" and "Noes" had been demanded on the adoption of the minority report, and the clerk, in a high-pitched, monotonous voice, had begun calling the roll.

"Arkwright?"

"No!"

"Archer?"

"No!"

"Beadle?"

"Aye!"

"Carter?"

So the voting began, on strictly party lines.

In some way a rumor had gained credence that John Tyner was in favor of the minority report. Haskins was standing near the speaker's desk when two of the party leaders hurried to him with the rumor. He laughed at the idea.

"Why, men," he said, "I haven't a better friend on earth than John Tyner. We were boys together. We soldiered together. He is a man who always votes his ticket straight. The idea is ridiculous!"

"See him, at any rate," the leaders advised. "He stands well, if he is an old farmer, and he might lead a bad break."

The clerk was going slowly down the roll in his even, high-pitched voice. As Haskins hurried down the aisle, he noticed that Tyner seemed much disturbed. Tyner did not see Haskins approaching. Old friendship, gratitude, political pride and party loyalty were calling to him to vote against the minority report. His conscience was whispering, "Vote aye!"

Haskins leaned over and spoke to him with an easy smile on his face. "I'm going to win out, John," he said.

Tyner did not seem to hear him.

"The evidence is untrustworthy," he went on. "Those fellows had a right to vote somewhere. If a man wishes to vote and casts but the one vote, he ought to have a right to vote wherever he may be. The spirit of the law gives a vote to every man. Anyway, the house is the sole judge of the election of its members!" Then he saw something in John Tyner's face that filled him with alarm.

"John," he said, tremulously, "I've just heard you were against me but I cannot believe a word—not a word of it! Dick Keene just told me and I told him we had slept under the same blanket and eaten out of the same bean-pot too long for you ever to go back on me in that way. 'Isn't that so, John?'"

The roll-call was droning on: "Kelso, King, Lombard, Lupton." Tyner felt as a man does when some appalling disaster suddenly looms before him which he is powerless to avert or avoid. He tried to speak, but no sound came from his lips.

"John, I do not want to throw up the past to you, but I hope you have not forgotten that July afternoon down in Tennessee when I toted your knapsack and gun. The enemy would have taken you in sure that day if I hadn't helped you out. I want you to help me from getting caught by the enemy today. Remember who carried you off the battle-field at Franklin when you had been left for dead? You've always said I saved your life that day. I want you to save my life—my political life—today!"

"Norquest?"

"No!"

"Richardson?"

"Aye!"

"Think of all it means to me!"

Haskins went on. "State senate next time, then congress, maybe. If I lose today I am ruined—politically ruined. Think of your bridge across Wild Horse River. Special legislation is hard to get through. I will champion the measure and make the best speech I know how for it. Say you are going to vote against the minority report, John. For my sake and for the sake of the old times, say it!"

"Tyner?"

There was no response, and again the clerk called the name.

Suddenly, as in a vision, John Tyner saw the placid smile of his wife as she bent over her knitting. Again he heard her say, as she looked up at him and then at Lincoln's portrait on the wall, "I know you will think of him and do the right thing, father." For the third time the clerk called "Tyner?" And then he found speech.

"Mr. Speaker," he rose to his feet and was recognized by the chair, in accordance with the rule of the Kansas legislature for such interruption of the roll-call, "so far as I know I have never done anything before in my life that needed explaining. I've seen hard times and good times, and through all I've just been a plain, ordinary farmer. I'm no lawyer, like the most of you, and I never set on a jury but once in my life. Nevertheless, I've got some ideas of my own on this contest case."

As he paused, a hush fell over the house and the stillness became intense.

"The time I set on that jury Abraham Lincoln was one of the lawyers. He said the thing to do always is to do the right thing. That's what I calculate to do today."

A wave of hand-clapping swept over from the side of the opposition. Some one near him muttered, "Old John Tyner's going back on us!" It cut him to the heart, but he went bravely on.

"I've known Jim Haskins since we were boys together. We used to fish together for suckers and goggle-eyes at the old mill-dam, back on Sugar Creek. We enlisted in old Company B on the same day, and for three years we marched and fought side by side. We've shared each other's rations and slept on the ground under the same blanket. He carried my musket and knapsack when I was clean tired out. He brought me off the battle-field of Franklin when I had been left there for dead. When I tell you all this you will understand, maybe, how much I think of Jim Haskins."

This time a vigorous clapping of hands came from the side of the majority.

"Once when I was a little shaver I got lost when I came to the fork of an old road through the timber. I come awful near taking the wrong road, until I happened to see an old 'blaze' on a tree. Then I found out the way. I've been at the fork of the road for the last ten minutes, but remembering Lincoln and—something else—was like seeing the blaze on the tree. And—God help me!—I think them railroad votes and them thrashing-machine votes was fraudulent. I can't feel right and vote again this report. Mr. Speaker, I vote 'aye!'"

He sat down and buried his face in his hands. Tears trickled through his fingers as he heard the cheers from the opposition and the murmur of disapproval from his own side of the house.

Then James Haskins did an almost incredible thing.

"Mr. Speaker!"

"The gentleman from Davis!"

"Mr. Speaker, I rise to the ques-

tion of personal privilege. I wish to make a statement. I wish to say that I fully and freely agree with the gentleman from Fremont, so far as his final conclusions are concerned. I also wish to say that he has done more for me today than I ever did for him."

There was a look of wonder and astonishment on the faces of the members as he proceeded:

"The gentleman from Fremont remembers the teachings of the idol of our youth better than I have remembered them. While I may have saved his life on the battle-field, he, today, has saved for me what should be dearer than life itself—my honor! My belief is that those contested votes are fraudulent, and I hope you will believe me when I say that they were cast for me without knowledge or connivance on my part. Under the circumstances, I consider it my duty to yield the seat, now and here, to its lawful possessor, Mr. Smith, with the hope that he will make as good a representative—here he smiled humorously at the opposition—"as it is possible for a member of the opposition to be. When in doubt of the right thing to do, I think he may profitably consult the Abraham Lincoln of this house, the Hon. John Tyner!"

This speech caused a revision of feeling toward John Tyner. At the recess which followed, those who had jeered, almost to a man, congratulated him upon the stand he had taken. From that day until the close of the session his counsel was sought on all important measures. His bill for a bridge across Wild Horse River was passed without a dissenting vote.

When the legislature adjourned, the governor offered to appoint him to a lucrative cattle-inspectorship, for which judgment and honesty were the prime qualifications. But he refused the place, saying he had had enough of politics. Haskins was elected to the State senate two years later and will doubtless be the next nominee from his district for congress—Youth's Companion.

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Lv. 9:30 a. m.	SKAGWAY	Ar. 4:30 p. m.
9:55	Shovel	9:55
10:15	Knicker	10:15
10:35	Clifton	10:35
10:55	Clawson	10:55
11:15	Tunnel	11:15
11:35	Switchback	11:35
11:55	WHITE PASS	11:55
12:15	Melrose	12:15
12:35	Fremont	12:35
12:55	Log Cabin	12:55
1:15	HERNETT	1:15
1:35	Pavey	1:35
1:55	Pennington	1:55
2:15	Waino	2:15
2:35	CARIBOU	2:35
2:55	Leandro	2:55
3:15	Lorne	3:15
3:35	Monte	3:35
3:55	Jewett	3:55
4:15	Robinson	4:15
4:35	Cowley	4:35
4:55	Ingalls	4:55
5:15	Wagon	5:15
Ar. 4:30 p. m.	WHITE PASS	Lv. 9:30 a. m.

*Alaska Time—1 hr. slower than Pacific Time. (Meal Station.)

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