

THE DAILY KLONDIKE NUGGET.

VOL. 2 No. 31

DAWSON, Y. T., TUESDAY, FEBRUARY 5, 1901

PRICE 25 CENTS

Slater's
Felt
Shoes



Sewed with Goodyear
...Well...
Sargent & Pinska
"The Corner Store"

ST. CYR TALKS

About the Killing of Davis and Tells What Made Him Mad Before

HE WENT BACK TO GET HIS GUN.

Standing With Gun Under His Arm When It Exploded.

THOUGHT DAVIS SHAMMING

When He Threw Up His Arms and Fell to a Sitting Position on the Ground.

The St. Cyr murder trial was on again yesterday afternoon, and during the sitting a number of witnesses were examined and cross-examined, the crown not finishing its case in view of the fact that counsel for the defense stated that it was altogether improbable that the defense's case could be completed even if a night session were held, as there was much testimony to be heard.

Corporal Stewart, who was in charge of the Hootalinqua detachment at the time, and who afterwards brought the prisoner to Dawson, testified to having found the body. He told how a tree some 15 to 20 feet away from where the corpse lay, was cut half way through, and the chips and snow bespattered with blood, and an ax lay upon the opposite side. About ten feet away was a place two or three feet square which had been deeply trampled down, and the hard snow at the bottom was very bloody. A little way further down the hill lay the body of Davis in much more blood.

The shot had entered on the left side of the breast bone, about an inch and a half from the center of the body, and just below the collar bone, large arteries had been cut, and the flow of blood had been great. The bullet had ranged back and downward, coming out below the shoulder blade.

Constable Richardson who accompanied the corporal at the summons of Clitheroe, testified to substantially the same facts.

Between them they placed the body upon a horse and removed it to the cabin where it was stored in the cache till later when it was removed to the detachment.

Louis A. A. Johnstone was the next witness called, and said that he was a wood-chopper and had a tent on the right limit of the Hootalinqua.

About 12:30 o'clock on the 17th of November he was eating his dinner when St. Cyr made his appearance.

"Hello, George," he had said, "you're just in time for dinner."

"I haven't time," replied the prisoner.

"What's the matter?" was asked.

"I am going to give myself up to the police. I've killed Davis."

"The b— you have!"

"Yes; I did it accidentally."

Then St. Cyr went on to say that he had overheard Davis and Clitheroe talking in a very insulting way about him, and when he could stand it no longer he went to his cabin and got his rifle intending to force an apology.

When he returned with the rifle—a 30-40 Winchester—Clitheroe had gone, and he stood looking at Davis for about ten minutes before the other looked up and saw him. He said: "How do you do, sir."

Then followed some talk between them concerning what he (St. Cyr) had heard, when his gun was discharged, and soon after Davis had cried out that he was hit. The prisoner had asked him where, but received no answer. He had fired his gun to attract the attention of Clitheroe, and also called to him. He told Davis that it was an accident, and that he was very sorry for what had happened.

After this he went to his cabin and put his rifle up, and was then on his way to the police detachment to give himself up.

Dr. Hurdman testified as to the probable result of a gunshot wound in the place described, and said that in all probability the left aorta, which intersects with the corroded artery and others near this point, had been ruptured, and that death had most likely taken place within half an hour after the wound was received.

Justice Dugas was very careful in instructing the jury to warn them against holding any communication with anyone outside the officers in charge, and against receiving and reading any communication or book or paper.

The officers in charge were carefully instructed in the matter also and court adjourned till 10:30 this morning.

Constable Gardiner was recalled by the crown this morning as first witness in the St. Cyr murder case, and testified that he had sold to St. Cyr the 30-40 Winchester rifle with which Davis was shot to death.

Many questions were asked by attorneys as to whether a gun could be discharged by the hammer being caught and drawn back to a point a little short of half cock and then suddenly released, but the witness said he had never had any experience with guns in that respect. He would not like to take chances on standing before it during a series of such experiments.

Corporal Stewart was recalled on the same point which closed the case for the crown. The case was then interrupted to admit of the appearance of George L. Clark.

Clark took his place in the prisoner's box, and despite the frantic efforts of Attorney Smith, began addressing the court. His attorney finally stated that he wished to withdraw the plea of guilty entered yesterday and go on with the case. He was given until tomorrow to file affidavits showing that the prisoner had a case.

The original matter before the court was then taken up by the defense by calling John Leon Cote, D.L.S., who testified that he had known the prisoner in 1894-5, when he had been with him on a surveying trip.

St. Cyr bore a good reputation at that time, and had agreed very well with the other members of the party. Under

(Continued on Page 2.)

LENGTHY DECISION

Handed Down in the Territorial Court by Judge James Craig

IN MCCONNELL VS. WATER CO. CASE

Goes Fully Into Detail and Merits of the Matter.

IS ABLE AND VERY COMPLETE.

Ruling is Favorable to McConnell Who Receives \$500—Building Must Move by April 15.

The following decision by Justice James Craig was handed down yesterday in the case of L. D. McConnell vs. the Dawson City Waterworks & Power Co.:

The facts up to the date of the application to dissolve the injunction are set out with considerable fullness in my judgment on the motion for injunction given on the 29th of October last, and I have not seen any reason to change my view of the law as expressed in that judgment on the facts existing up to that date, and for the purpose of this judgment that one may be embodied with it fully. After the injunction order was made the defendants applied to the council of the Yukon territory for an amending or additional ordinance, thus admitting practically that they had no standing under the former ordinance. In dissolving the injunction I did not attempt to decide upon the effect of that ordinance or upon the law or status of the parties after its passing, but reserved all questions until the trial, as I conceived from the attitude of the council and the evidence brought before me on affidavit that there were grounds for the belief that a public emergency required the injunction to be dissolved. It only remains now to consider what effect that ordinance has had upon the status of the parties. The original ordinance No. 14 of 1900, purported to incorporate the defendants, giving them varied powers to carry on a great number of operations in the Yukon territory and among others, to operate works for the production and carrying of water, etc., but as to the operation of their works over the streets, highways and public places the ordinance was only to take effect upon the consent previously obtained, and subject to such terms and conditions in respect thereto as "shall be imposed upon the company by the Yukon council or such municipal authorities as may from time to time control the said streets, highways and public places in the city of Dawson," and further, the whole ordinance "shall be published in some newspaper at Dawson within ten days after the passage thereof, otherwise the ordinance to become inoperative and void." It is beyond doubt that no consent was ever obtained by the defendant company to use the public streets and highways for waterworks purposes. There is no evidence given that the ordinance was ever published in accordance with section 5. What, then, is the status of

(Continued on Page 3.)

Police Court Over Ice to Nome

There was a dance at a roadhouse on 17 Eldorado Saturday night and from evidence elicited at police court this morning it was a repetition of the time when—

"Tim Ryan axed Pat Doolin's wife to dance a quadruped; She sighed and said she was 'skereed' The punch 'd gone to her head."

The trouble at the Eldorado dance was between Mrs. Sarah Jane Showers, a guest, and Miss Thornton, the lady in charge, and they "fit and foot" all over the barroom floor. The first person in the prisoner's box was John Gorst, a friend of Sarah Jane. John was accused by the proprietor of the roadhouse of aiding and abetting the scrap in that he refused to allow anyone to interfere with the billigerent females during the bout, and when he was ordered out of the house he had refused to go. The evidence was that John had looked frequently on red liquor and had to a great extent succumbed to its effects. He denied the charge and said he had acted in the capacity of peacemaker. However, the preponderance of evidence was against him and he was fined \$10 and costs or one month in the reduction works.

Looking as neat and fresh as a full-blown touch-me-not, Sarah Jane Showers next entered the prisoner's box, where she was confronted with the somewhat blunt charge of drunk and disorderly. She likewise pleaded, not guilty and the roadhouse man and Miss Thornton repeated their evidence which was to the effect that Sarah Jane had taken five or six drinks of the tripple concentrated, double-distilled, compound fluid extract of rye and had become the worse therefor; that she had become a disturbing element and when ordered to vacate the premises had used bad language and called names not recherche in Young People's Society of Christian Endeavor circles. In her own behalf Sarah Jane said the grounds for the trouble were coffee grounds; that Miss Thornton, being somewhat intoxicated, had become enraged because the coffee would not boil and had taken her, the defendant, by the nape of the neck and shaken her like a dog would a rat; the coffee-disgusted woman had also torn nearly all the defendant's clothes off her. She asked the landlord in the witness box, "Did you see me when my clothes were torn off?" and the landlord said "No, I can't say that I did." The evidence was against S. J., and she, like Gorst, was fined \$10 and costs or one month at hard labor. Neither had said when the reporter left the courtroom, but in all probability, the judgments would be liquidated.

John L. White, for assaulting his business partner, Richard Guille, was fined \$10 and costs which he paid.

Billy Leek, of No. 3 on Eldorado, is settling up his affairs in Dawson preparatory for a trip down the river to Nome. He heads a party of five men who will make the trip over the ice, and contemplates starting on his long journey about the 15th of this month. Mr. Leek is going on information furnished him A. D. Richards who left Dawson on the Rock Island last fall and came into Dawson via Skagway.

Mr. Richards has great faith in the Nome district and expresses the belief that there will be a great number of men return to that country as every man he saw who had spent last season there said it was their intention to return. He will go on one of the early boats from Seattle, making the trip to Skagway next month. In speaking of the Nome possibilities, Mr. Richards said that Teller City had great possibilities as it is contiguous with a rich district—Gold Run and Bluestone creeks—as well as several other streams of great possibilities.

Gold Run is a tributary of Bluestone and while there was but a few claims worked there last season the showing made was most favorable, in some instances \$15 to the pan having been found on the surface. The creek is 15 miles long and an equal distance from Teller City.

No Meeting Last Night.
Some people join societies on a principle, others on a fad. The latter class soon tire of attending meetings and this is probably why only three members of the Society for the Prevention of Cruelty to Animals were present last night, the occasion on which a regular meeting was to have been held.

Clean and New.
The Rainier lodging house recently burned out is now refurbished and opened for business. Clean, warm beds are advertised at 50 cents a night. Opposite Standard theater.

Eastern oysters at the Postoffice market.
Brewitt makes clothes fit.

Change of Time Table
Orr & Tukey's Stage Line
Telephone No. 8
On and after Monday, Oct. 22, 1900, will run a
DOUBLE LINE OF STAGES
TO & FROM GRAND FORKS

Leave Dawson, Office A. C. Co.'s Building
Hotel.....9:30 a. m.
Returning, Leave Forks, Office Op. Gold Hill Hotel.....3:30 p. m.

From Forks, Office Opposite Gold Hill Hotel.....9:30 a. m.
Returning, Leave Dawson, Office A. C. Co.'s Building.....3:30 p. m.

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OPPOSITE STANDARD THEATRE
BEDS 50 CENTS - All New and Clean

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