

RECEIVED BY WIRE.

MAROONED
JAPANESEAre Still Held Prisoners by
Striking Fraser River
Fishermen

ON ISLAND IN GULF OF GEORGIA

Where They are Regularly Fed and
Their Number Added To.

POLICE UNABLE TO ASSIST

Until the Location of Island is Learned
—International Complications
May Arise.

From Thursday's Daily.

Vancouver, July 13, via Skagway, July 18.—There are now 47 Japanese prisoners guarded by white striking salmon fishermen and marooned on a small island somewhere in the Gulf of Georgia. The provincial police are endeavoring to ascertain the location of the island but so far have been unable to do so. The authorities do not admit that the Japanese have been spirited away as it is undesirable for international reasons that such should be the case. But it is generally accepted that the Orientals are the prisoners of the striking union fishermen and that their offense is fishing when the union has declared a strike. It is said that the marooned Japs are being fed regularly but will be kept prisoners as long as possible. Others will be put on the island as soon as captured, provided the present plan of the striking union men is maintained.

GRAVES

AND HAWKINS

Left Skagway for This Place
Yesterday.

Skagway, July 18.—President Graves and General Manager Hawkins of the White Pass & Yukon Route, left for Dawson yesterday.

The U. S. congressional river and harbor committee, seven members in all, arrived here this morning. The members of the Skagway Chamber of Commerce will entertain them in splendid style. The party went to Whitehorse today and will return this evening.

SETTLED OUT
OF COURTBaatz and Morford Came to Terms
Last Night.

The damages suit brought before Justice Dugas yesterday by Henry Baatz against S. O. Morford was compromised and settled out of court last night at a late hour. The exact terms upon which the settlement was effected is not known, but it is presumed Morford paid something like \$1000 in damages and in return was granted certain privileges. He is given permission to cross the creek claim with his ditch, but it must be completely and perfectly dammed throughout and kept in good condition. Defendant is also required to remove his tailings when requested to.

The settling of the suit relieves the court of rendering judgment upon a most knotty question, one which a number of the barristers were in hopes would reach a final adjudication. Reference is made to the amount of damages which would have been assessed against the defendant for injury caused by his ditch in case the plaintiff secured judgment. It is the first case of its kind to be presented in this court and had the point come to a decision a precedent would doubtless have been established. Baatz claimed \$5,000 damages, but there was small chance of the court allowing him that much.

The general traffic manager of the W. P. & Y. R. refused to be interviewed while in Dawson. He also cut very unsatisfactory to him as it was to Dawson so far as concerns an understanding regarding freight rates in the future.

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KLONDIKERS
LOSE DUSTIt Disappears in Seattle in Manner
Not Stated.

Seattle, July 13, via Skagway, July 18.—Several Klondikers claim to have lost considerable gold dust here. One of the heaviest losers is A. Wanger, of 13 Eldorado, who says he is short 125 ounces since coming to Seattle. August Bay, of 2 Eldorado, says he has lost 50 ounces.

BUTTE HOTEL
BURNEDAlso Four Large Stores—Hotel
Valued at \$90,000.

Butte, Mont., July 13, via Skagway, July 18.—At 2:40 o'clock this morning fire broke out in the Butte hotel and before it could be controlled had destroyed the hotel and four large stores. It is not yet known if all the guests escaped. The hotel loss is \$90,000.

ENGLISH TEAM
WINS TROPHYOutshoot All Competitors at Bisby
Rifle Contest.

London, July 13, via Skagway, July 18.—The English team won the Bisby trophy at Bisby rifle shooting contest.

Strike Is Off.

New York, July 13, via Skagway, July 18.—The metal workers' strike is off, the men having returned to work without having gained any concessions to speak of. In most cases they gained none. Work will be resumed all over the country on Monday, the 15th.

DEVINNE
SISTERSHeld Over in Languish House for
Trial in Higher Court.

The preliminary trial of Fay Devienne, Ray Devienne and Harry Freeman charged with stealing \$180 in dust, a gold watch and other sundries, amounting altogether to \$250 in value, from Frankie White on the morning of July 4th, was heard yesterday afternoon before Magistrate Seath in the police court. Frankie White, the prosecuting witness, gave the account of the transaction substantially as printed in the Nugget yesterday. There were six who were to make up the party to go to Nome and were to leave on the morning of the 4th. On the third they had started drinking in the morning and had kept it up the greater part of the day and night and were all more or less under the influence of the liquor. In the evening while sitting in a room in the Melbourne Bay Devienne had asked Frankie to let her keep her money, watch, etc., until morning telling her that she was too drunk to keep them and some one would steal them from her. After some parley Fay had obtained possession of the goods by taking them from her, Frankie, giving an unwilling consent and trusting her to return them in the morning.

The party had broken up shortly after and when Frankie awoke the next morning she found her companions gone and also her property. She had immediately notified the police and the warrant had been telegraphed to Porterville where the party had been arrested. Various articles had been found distributed among them which Frankie identified as her's when they were shown to her. The evidence failed to implicate Freeman who was not in the room at the time the articles were taken from Frankie and the case against him was dismissed. But the other two were, upon the evidence produced, held over to the superior court for trial.

Will Ship Egan in Bond.

The two lads, Mark Stein and Martin Egan who left Dawson a week ago last Tuesday in a canoe en route to Nome and who were brought back on the steamer Lorelei yesterday morning, were before the authorities yesterday afternoon. The boys were given a good lecture and some good advice regarding their future conduct and Master Stein was given in charge to his parents.

The fate of Master Egan has not been fully decided upon, but the probabilities are that he will be sent down the river by the first boat and given in charge of the authorities at St. Michael who will forward him to his home at 'Prisco, from which place he ran away several weeks ago.

Fruit Juices at Selman & Myers.

GRANT OF BIG WATER RIGHT

To Syndicate Which Will Supply
Many CreeksWater Will be Taken From Klondike
River to Thousands of Claims—In-
dividual Owners Protected

From Thursday's Daily.

The feasibility of conducting a large volume of water from well up the Klondike river through a series of flumes and ditches to the different gold bearing creeks in this district has long been admitted and there are many who have been free in their predictions that sooner or later capital would be come interested in this the greatest scheme to be put into execution since the discovery of gold in the Klondike. A company which is said to be backed by ample capital has asked for and received from the privy council at Ottawa certain privileges and concessions in exchange for them bringing within the reach of practically every claim in the country sufficient water to work them to the fullest possible extent. In the rights granted the company by the government it is required to expend not less than \$250,000 before December 31, 1902. The petition of the promoters setting forth their intentions and purposes is given herewith:

Ottawa, Ont., May 31, 1901.

To the Honorable the Minister of the Interior:

Sir: The applicants are prepared to undertake the establishment of hydraulic works which will supply water to the auriferous deposits now without water in certain parts of the Klondike district provided the following rights are granted to them subject to the general condition that nothing contained in this grant shall interfere with the right to water to which any free miner is entitled on Bonanza, Bear and Hunker creeks and their tributaries for the working of his claim under the regulations now in force governing placer mining and the diversion of water in the Yukon territory:

1. The sole right to divert and take water from the Klondike river at any point or points between its entry into the Yukon river and Flat creek for the purpose of generating power with which to pump water to work the auriferous deposits in the district (hereinafter termed "the district") comprising the beds, banks, valleys, slopes and hills of the Klondike river, of Bonanza, Bear and Hunker creeks and of their tributaries.

Provided, that licensed holders of mining locations situated on the Klondike river shall be entitled as against the grantee to the use free from toll of a flow of water sufficient for working their claims but not exceeding in all three thousand five hundred (3500) miners' inches, equal to five thousand two hundred and fifty (5250) cubic feet per minute.

Provided, further, that in the event of the grantee interfering with the flow of the Klondike river by the erection of dams or other obstructions or by diversion of its water to such an extent as to prevent the passage of sawlogs or other timber down the stream, then the grantee shall for holders of timber berths under license from the Dominion government provide slides and facilities free of charge for the transmission of such logs and timber over such dams and obstructions and over the portion of the river affected by such diversion of water.

2. The prior right subject to the provisions contained in clause 1 to divert and take water from the Klondike river for distribution and use in the district, especially upon the hills and benches.

3. The right on any creek or tributary within the district to divert, take, impound and store for mining purposes any water not used by any free miner for the working of his claim on such creek or tributary under the regulations now in force for placer mining or respecting the diversion of water for mining purposes in the Yukon territory.

4. The right at any point or points in the bed, banks, valley, slopes and hills of the Klondike river between its mouth and Flat creek to construct and maintain dams, cribs, intakes, flumes and any other works necessary for the generation of power and the right of entry upon and way through any lands and any mining ground for the purpose of such construction and maintenance.

Provided, that the grantee shall place in a separate dump for the use of the owners of any mining ground entered upon by them in the exercise of this right all gravel which they may be obliged to move in such mining ground in consequence of the exercise of such right.

5. The right to purchase any crown lands required by the grantee for the purposes of their works at a price not exceeding ten dollars per acre, saving and reserving all the timber, mines and minerals upon or under such lands.

6. The right at any point or points in the district to build, maintain and

operate, pumping stations, electrical works and reservoirs.

7. The right of entry upon and way through any lands and any mining ground for the purposes of constructing, laying and maintaining flumes, ditches and pipe lines for conveying the grantees' water supply to any point within the district.

Provided, that the grantees shall place in a separate dump for the use of the owners of any mining ground entered upon by them in the exercise of this right all gravel which they may be obliged to move in such mining ground in consequence of the exercise of such right.

8. The right of entry upon and way through any lands and any mining ground within the district and within the Indian river district for the purpose of constructing and maintaining overhead or underground wires and any other structures for the transmission of electricity for any purpose whatsoever throughout the said districts and the right to levy and collect such tolls as may be approved by the governor general in council for the use of electricity in the said districts.

Provided, that the grantees shall place in a separate dump for the use of the owners of any mining ground entered upon by them in the exercise of this right, all gravel which they may be obliged to move in such mining ground in consequence of the exercise of such right.

9. The right, subject to the regulations hereinafter contained, to use, distribute and dispose of the water delivered by the grantees within the district.

10. The right subject to no payment except the royalty prescribed upon output, to enter upon, make entry for and work all mining locations now heretofore abandoned on Bonanza, Bear and Hunker creeks and their tributaries.

11. The prior right, if mineral bearing lodes or deposits of any kind whatever be discovered through the operations of the grantees upon crown lands, or upon lands or locations owned or leased by the grantees within the district, to enter upon and purchase locations embracing the discoveries in the manner prescribed by the regulations governing mining in the Yukon territory.

12. The right to take from crown lands to be designated by the department subject to the payment of crown timber dues, all timber and materials needed for the construction, maintenance and operation of the grantees' works.

13. The exclusive right, subject to the regulations hereinafter contained, to construct, lay, maintain, supply with water and operate bed-rock flumes, and any other flumes for supplying water in the district; provided, that every free miner shall have the right of constructing flumes for the purpose of conveying to his claim the lawful amount of water to which he is entitled under the regulations now in force for placer mining in the Yukon territory, and any water that he shall purchase from the grantees; and he shall also have the right of constructing flumes for the purpose of draining his claim.

This grant is subject to the following conditions:

1. The grantees shall before the 1st of December, 1902, have expended upon the objects of their enterprise at least the sum of two hundred and fifty thousand dollars (\$250,000). Details of such expenditure shall be presented to the governor in council. If the grantees fail to comply with this condition the exclusive and prior rights granted to them shall cease and be determined.

2. The grantees shall deliver within the district during the summer season of 1905, not later than July 1st, 1905, a flow of one thousand (1000) miners' inches equal to fifteen hundred (1500) cubic feet per minute. Such flow shall be continuously maintained and be available during at least sixty (60) days of each season, and each season thereafter during the period for which this franchise is granted as set forth in condition 7 hereof, and in default thereof the exclusive and prior rights of the grantees shall cease and be determined. In case of unavoidable accident to the works of the grantees they shall be entitled without forfeiture to a reasonable time for effecting repairs.

3. The grantees shall supply water to the owners of claims within the district subject to the regulations hereinafter contained. Should the above apply prove insufficient to meet the applications of free miners, then the grantees may, at their option at any time increase such supply and may be required upon two years' notice, terminating with the 1st of August in any year, to deliver within the district an additional quantity not exceeding five hundred (500) miners' inches of water equal to seven thousand and fifty (750) cubic feet per minute; provided, that the grantees shall not be required to commence the works for such additional quantity unless and until they shall have earned a net profit of at least ten per cent (10 per cent) per annum for the three previous consecutive years upon the capital stock of the company which they shall organize for carrying this grant into effect. If the grantees fail to comply with such

requirement the exclusive and prior rights granted to them shall cease and be determined.

Provided, however, that if the grantees shall be delayed or their operations be interfered with by floods, war, civil commotions, strikes, accidents to machinery or works, or by the act of God, or other causes over which the grantees have no control and so prevented from complying with the conditions of this clause, they shall be entitled to extensions of time equal to the periods of delay.

4. The grantees shall not be required to pay to the crown or to the district or local authorities any rentals, occupation rents, assessments or other dues in respect of any lands except timber lands, or in respect of any flumes, drains, properties or profits other than import customs duties, school taxes and a royalty on the gold mined in the mines owned by them or any tax or assessment which may be substituted for such royalty.

Provided, that no other or higher royalty, or any tax or assessment which may be substituted for such royalty, shall be imposed on any gold or silver mined from quartz by the grantees, than that prescribed by the present regulations nor shall it at any particular time be greater than the lowest royalty imposed on the output of gold and silver from the placer mines of other mine owners in the Yukon district.

Provided, also, that no other or higher royalty or any tax or assessment which may be substituted for such royalty shall be imposed on any gold and silver mined from placer mines by the grantees than that prescribed by the present regulations, nor shall it at any particular time be greater than the lowest royalty imposed on the output of gold and silver from the placer mines of other mine owners in the Yukon district.

5. The properties of the grantees shall be exempt from representation.

6. Proper powers shall be granted by ordinance to the territorial court to enable the grantees to exercise the rights conferred upon them and to protect the interests of private owners by compensation for any actual damages sustained by them in consequence of the exercise of such rights.

7. The rights conferred upon the grantees shall extend for the period of thirty years, at the expiration of which period all exclusive and prior rights granted to them shall cease and be determined, but the works and structures built by the grantees together with the lands, rights and easements which they shall have purchased and acquired shall remain the grantees' private property.

8. The grantees shall have the right to assign the rights conferred upon them to any company or companies or to any persons associated together for the purpose of carrying into effect the objects of the grant or any part of them.

REGULATIONS.

A.—The grantees shall allow all free miners within the district to tail their sluices, hydraulics ground sluices and drains free of charge into the flumes and drains of the grantees, yet not in such a way as to damage or obstruct the free working of the flumes and drains of the grantees by rocks, stones, boulders or otherwise.

B.—The grantees shall compensate the owners of any mining claim or lands for any damage which any such owner may sustain by reason of any of the grantees' works breaking or being imperfect.

C.—Any question of compensation arising under this grant shall be determined judicially by the gold commissioner subject to appeal to the territorial court of the district and the said court may upon special circumstances being shown make an order for the taking of further evidence.

D.—The grantees shall yield to the owners of claims in consequence of the construction of such works.

E.—Subject to the provisions hereinafter contained, the owners of claims within the district shall be entitled to purchase one-half of the water delivered in the district by the grantees.

Any owner of a claim so desiring to purchase a supply of water from the grantees shall between the first day of January and the fifteenth day of March in each year deliver to the grantees' agent at Dawson, named for the purpose, a notice stating the amount of water required by the said owner for the purpose of working his claim during the approaching season.

The grantees shall allot the amount of water to be distributed during the approaching season among such owners and the certificate of such allotment shall be filed by the grantees in the office of the gold commissioner on or before the fifteenth day of April in each year.

The grantees shall in supplying water to claim owners apply for the same be bound to observe a fair proportion between such owners. In determining what is such fair proportion regard shall be had among other considerations to the size of the several claims and dumps to be washed and to the most economical use of the water within the district.

The gold commissioner shall have jurisdiction to hear and determine judicially all matters in difference in regard to the grantees' allotment of such

water as set forth in the said certificates.

The grantees shall not be bound to construct supply pipes or flumes or other works leading to the claims of applicants.

F.—The charge which the grantees shall be entitled to make for the use of such water on each claim shall not exceed one dollar per miners' inch per hour.

We are, yours obediently, Malcolm H. Orr Ewing, Malvern, England; A. N. C. Treadgold, London, England; Walter Barwick, Toronto.

The order in council granting the foregoing application, together with the ordinance was necessary to enact to carry into effect the provisions of the order in council was passed June 12.

The order is as follows: "Whereas application has been made by Malcolm H. Orr Ewing, of Malvern, England; A. N. C. Treadgold, of London, England, and Walter Barwick, of Toronto, Ontario, under date the 31st May, 1901, with regard to the establishment of hydraulic works to supply water for the efficient working of auriferous deposits, now unworked for the want of a sufficient supply in the Klondike district in the Yukon territory, and for other purposes mentioned in such application, hereto annexed; and

"Whereas the details of different schemes submitted have been considered and discussed; and

"Whereas the mining now carried on in the Klondike district is because of the inadequate supply of water, necessarily confined to the washing of the richest gravel only, comparatively small in area thus leaving large tracts of gold bearing gravels unworked; and from the information obtained from the gold commissioner of the Yukon territory and others it is believed that the richest of the Klondike district can only be properly utilized by such a water supply as that which the before mentioned applicants are prepared to establish;

"Therefore, the governor general in council is pleased to order and doth hereby order that the said application by the said Malcolm H. Orr Ewing, A. N. C. Treadgold and Walter Barwick, bearing date the 31st May, 1901, a copy of which is hereto annexed, and which is hereby made a part of this order in council, shall be and the same is hereby accepted; and that the said parties shall be and are hereby granted all and every of the powers, privileges, rights and franchises asked for and mentioned in such application upon the terms and subject to the conditions and regulations therein set forth and also to the provisions of an ordinance necessary to carry into effect the provision hereof, and which said ordinance the governor general in council is hereby pleased to declare his intention to enact."

STEAMBOAT NEWS.

Inquiry at the office of the Northern Navigation Company today failed to elicit any new information concerning the movements of the lower river fleet. It is considered next to impossible that by this time the boats have failed to get through the delta of the Yukon and are not now within a few days' journey of this city. Under ordinary conditions a steamer heavily laden will take about 15 days in reaching this port from St. Michael and in past years ocean vessels have always been able to reach that point by July 1 or 2 at the latest. The only possible solution to this extraordinary delay is that a west wind has been blowing continuously since the breakup of Bering sea, thus driving the ice floes over against the Alaska shore. Should word be received from Eagle this evening of the arrival of a boat it would scarcely reach Dawson before Saturday, the 20th. That would be the latest date for the first St. Michael arrival since Dawson was founded, and one of the latest in the history of Yukon navigation. It will be impossible for the down river boats to make over two round trips this season, whereas three is generally expected of them.

Steamer Clifford Sifton arrived this morning with a small list of passengers and but 20 tons of freight. Purser Niles reports that there was not a pound of freight left at Whitehorse at the time they left. The Sifton returns up river this evening.

The Victorian pulled into port yesterday afternoon with 45 passengers and 151 tons of freight. She leaves tonight at 8 o'clock.

The Seikirk left last night at 8 o'clock with 24 passengers.

The Whitehorse is due tomorrow evening having left the up-river terminal this forenoon.

The recent strike on the head of Big Salmon is considered of sufficient importance for the B. Y. N. Co. to send a steamer in to the nearest point to the mines. The Victorian which leaves this evening will connect with the Bailey at the mouth of the Hootalinqua, which will land passengers and freight within 17 miles of the mines. About 45 miles up the Hootalinqua, approximately half way between the mouth and Lake Teslin, the Big Salmon makes a very large sweep to the north and is separated from the Hootalinqua by a comparatively short portage, which has proven the shortest and quickest route to the mines. As far as it is known, no one has ever ascended the Big Salmon via its mouth, but the scene of this new strike, as well as all others on the creek, is supposed to be about 200 miles from its confluence with the Yukon.

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