

SUPREME COURT DECISIONS

Judgments of the Hon. Mr. Justice Dugas Sustained.

Two Cases Appealed to the Higher Tribunal at British Columbia are Dismissed With Costs.

Clerk of the Court Charles Macdonald by last night's mail received two judgments from the supreme court of British Columbia on cases which had been appealed from the territorial court of this city.

In the case of James A. Williams and Joseph W. Boyle, trading under the name, style and firm of James Williams Mill, plaintiffs (appellants) vs. Isidore McWan Bourke and Mary Bourke, defendants (respondents) judgment which was rendered January 16, was as follows:

The appeal of the above named appellant from the judgment of the Hon. Mr. Justice Dugas, judge of the territorial court of the Yukon Territory, rendered on the 4th day of February, 1901, having come on to be argued before this court on the 14th and 15th days of June, 1901, whereupon and upon hearing Mr. L. P. Duff, K. C., of counsel for the respondents, this court was pleased to direct that the matter of said appeal should stand over for judgment and the same having come on this day for judgment, this court doth order and adjudge that the said appeal should be and the same is hereby dismissed with costs to be paid by the appellants to the respondents forthwith after taxation thereof.

The second case referred to was that of Isabella M. Healey, plaintiff (appellant) vs. A. W. Steinberger and Archie J. McLaren, defendants (respondents). Judgment was given January 13, as follows: "Upon motion made unto this court this day by Mr. F. Peters, K. C., of counsel for the above named respondent for an order dismissing the appellants' appeal from the verdict and judgment given the 6th day of Aug., 1901, by the territorial court of the Yukon Territory, and upon hearing read the notice of motion and the affidavit of Arthur Gordon Smith, sworn the 8th day of January, 1902, filed, and upon hearing counsel aforesaid for the respondents and Mr. E. P. Davis, K. C., of counsel for the appellant, this court doth order and adjudge that the said appeal should be and the same is hereby dismissed with costs to be paid by the appellant to the respondent forthwith after taxation thereof.

And this court doth direct that the costs incurred by the respondents in British Columbia be taxed by the registrar of this court and that the balance of such costs be taxed by the clerk of the territorial court of the Yukon Territory at Dawson.

Waiver Drowned Skagway, Feb. 6.—F. T. George, a waiter on the Alki, fell off Moore's wharf and was drowned yesterday. He was a son of Captain George, commander of the Wellington, which arrived here coal laden this morning.

Gas Explosion Chicago, Feb. 6.—At two o'clock this morning a gas explosion occurred in the Throble House which destroyed \$500,000 worth of property and caused an unknown number of deaths. Ten bodies have been recovered.

Large Company New York, Feb. 6.—A thirty million dollar company has been formed by the Whitney-Widmer-Elkins-Dolan combination to lease the Metropolitan Railway System of New York.

Very Natural Vladavostok, Feb. 5.—Two female prisoners escaped from a convict camp by killing two female guards and taking their clothing. Both convicts were recaptured.

L. A. Garner Dead Omaha, Feb. 6.—Lafayette C. Garner, general western superintendent of the American Express Company, died here last night.

Report Denied Rome, Feb. 6.—The report that the Count of Turin, cousin of the Italian king, is going to America in quest of a rich wife is denied.

Swiped Funds Buffalo, Feb. 6.—Ex-Treasurer Philip Gerst is under arrest charged with misappropriating \$27,000 of city funds.

France's Demand Paris, Feb. 5.—The French government has notified Venezuela that it will not sign a protocol for renewal of diplomatic relations unless M. Secretan, it is immediately authorized to hand at Lagunaira to protect

Irish Danger

London, Feb. 6.—Russell's compulsory land purchase campaign against the British government has its first fruits in the defeat of the government candidate at East Downis. Lord Salisbury made an alarmist speech before the Carlton Club concerning the situation in Ireland.

The Irish government with power to accumulate arms and ammunition would constitute a more serious threat than had the Boers. The Transvaal war, he said, must be fought to a finish.

Coming to Dawson Skagway, Feb. 6.—H. D. Weeks, chief clerk for Manager Newell, has resigned his position and accepted that of manager of the Klondike Mines Railroad with headquarters at Dawson.

Row at Church London, Feb. 4.—Anti-ritualists created a disgraceful scene at requiem service at St. Andrew's church. Immediately after the service they stood up and shouted "This service was a blasphemous insult to Queen Victoria's memory."

Up to Boers London, Feb. 6.—The correspondence between Britain and the Netherlands has been forwarded to Kitchener, who will communicate their contents to the Boer leaders. If the latter are disposed to accept Kitchener's negotiations for peace, the proposition will be cabled to the war department immediately.

Steamer Ashore Portland, Feb. 6.—A cablegram says the steamer Knight Companion, belonging to the Oregon Railway & Navigation Co., is ashore on the east coast of Japan and is fast going to pieces. The loss will exceed \$600,000.

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SOLID FOR MACAULAY.

Continued from page 1.

whisky trust, that awful boogyman which has been the perpetual stock-in-trade of the kids, and in conclusion took a last determined flop squarely for the kids' ticket, making the sixteenth somersault turned by the News arabast since the beginning of the present political game.

T. G. Wilson by way of a preface to his brilliant effort said that as he had been made the particular target during the past few days he would devote the time at his disposal to squandering himself, an operation much needed. With tragical eloquence Mr. Thomas Godalmighty said: "Who is this man Grant who says I paid my men \$4 a day? Who is he? I never seen him or heard of him before."

Some one must have showed me to him," Mr. Wilson read from notes and as he had much difficulty in keeping his place the crowd good-naturedly chaffed him considerably by crying "Londer," etc. He insisted 75 cents a day (laughter), for Mr. Hagel walked up the center aisle holding aloft in his hand the original document. The rout was complete, absolute, and the speaker in his rambling incoherent talk of half an hour made attempt to refute the statements made.

When he at last took his seat Dr. Thompson hurriedly dismissed the audience, notwithstanding the loud and repeated cries for Mr. Hagel. It was well for the kids that the eloquent K. C. was shut out, for he was primed for them as they little knew. If any doubt existed as to the result of today's election it was forever dispelled at the conclusion of last night's meeting.

These are base fabrications. Talk about respectable people, they are all about on the name. I went to the Sun office yesterday and demanded a retraction, but upon the advice of my solicitor I shall wait until after election before bringing a suit for libel. Who is this man? I don't know him from the man in the moon, but I understand he is right from the land of herring and cod and I'll bet \$1,000 he can't get his shirt off now. What is he here for now? Who says this \$600 to this man—what's his name—Buel, to ridicule and vilify the citizens?"

Mr. Wilson emphasized his eloquence by handing the reporters present the bad eye. A moment later he lost his place again and upon the crowd yelling "Time" and "That'll do" he quietly subsided in his seat.

Dr. Thompson opened up his battery by passing out a lovely collection of orchids to the ladies for their presence and dramatically exclaimed "Tonight the curtain sets on the drama of Dawson and tomorrow or rather the day after rises upon a new scene." He said he had been called a religious crank, a second Mohammed and an A.P.A., and heaven would know what the next 24 hours would develop.

Reference was made to the press and Mr. Beddoe was complimented for his masterpiece of eloquence. The Sun prior in the present regime was spoken of as having been in the hands of the greatest bunch of idiots the sun ever shone upon and the Nugget was admitted to be without a peer this side of Seattle. The whisky trust bugaboo was again paraded before the audience and the doctor took his seat.

Then came the Boy Wonder from Atlin, James McKinnon, he of the beardless face, the classic brow, the curling locks, hands upon which the callouses caused by toil do not appear, the poseur of the laboring man and the typical walking delegate. Said he:

"It affords me much pleasure to come before such a large and intelligent audience—ahem—this evening—ahem—ahem—I want you—ahem—to bear—ahem—with me a few moments—ahem—while I tell you—how greatly I abhor personalities."

Rather a slow beginning in getting away from the pole, but chances for a good finish: A bid was made for the ladies' vote, James being a bachelor without any strings. The popularity of the Sun again came to the front and a feeble attempt was made to clear up the firemen's intimidation expose. He deplores the fire situation, spoke of Wilson's labor troubles, and again reiterated the statement so often used that he once having driven a team in Dawson was certainly a laboring man.

Mr. Clements was called upon and after making the superfluous announcement that he was not a candidate, pronounced an obituary over his friend who has recently withdrawn from the political arena, explaining how he was cruelly stabbed in the back, etc.

Max Landreville and J. E. Binet made a few remarks and were followed by George Brimston.

Mr. Macaulay at this point upon being observed in the rear of the hall came forward in response to loud cries for him and said:

"I greatly regret I was not here at the beginning of the meeting, having been detained by a similar gathering at South Dawson from which I have just returned. I have felt at all times that you have heard enough from me as I have not the gift of oratory possessed by many of my opponents, and I think you have had sufficient now. What we want is more work and less play. Boys, I'll be with you tomorrow night and you can depend upon it."

The cheers which greeted Mr. Macaulay as he took his seat were simply deafening.

A couple of other unimportant speakers appeared, one of whom asked Mr. Macaulay to repeat the statements he had made a short time previous at the South Dawson meeting. Again were heard loud cries for Macaulay. He arose and walked to the front of the stage, producing from his pocket the sworn affidavit of Hugh McKenzie, A. Macfarlane, A. B. Clark and Joseph Bingham, members of the fire department, in which the declaration was set forth that the most shameless, brazen attempt had been made to intimidate the vote of the firemen in favor of the kids' ticket.

WILL PRESENT NEW MAYOR

Manager Bittner Will Introduce Him on Stage Tonight.

Manager William Bittner has arranged for introducing the newly elected mayor of Dawson to the patrons of the Auditorium from the stage tonight.

In addition to the above mentioned attraction the play this week, "Lady Windemere's Fan," is the best ever presented in Dawson. Do not fail to see it.

ONLY COMMON AMERICAN GIRL

Will be Miss Roosevelt's Standing at the Coronation.

New York, Feb. 5.—Whitelaw Reid has invited Miss Alice Roosevelt, the eldest daughter of the president, to accompany him to London as his guest when he goes to attend the coronation of King Edward. Miss Roosevelt will avail herself of the opportunity to see London, but at the coronation she will have no status other than that of a young American girl and will not figure in any of the ceremonies in any manner.

Ultimatum

London, Feb. 5.—The British government has replied to Dr. Kuyper, the Dutch premier, that if the Boers in the field desire to negotiate for peace such negotiations can be entered into directly with the British commander in South Africa. The government adheres to its intention to not accept any intervention from any foreign power.

Has Recovered.

Mrs. Jack McDonald, who has been ill at St. Mary's hospital the past week, has returned to her home on Third avenue north.

Why Not

Ottawa, Feb. 5.—The Ontario College of Pharmacy will hereafter recognize diplomas from the British Columbia board.

Horse Sale

New York, Feb. 5.—The Fasig-Tipton horse sale closed yesterday. The total receipts were \$220,265, an average of \$377 per horse.

Incompetent

London, Feb. 5.—Inquiry into the army remount scandal shows that the British purchasing officers were grossly incompetent.

Indefinite

London, Feb. 5.—Lord Salisbury insists that he will retire from politics as soon as the war is ended.

CONDENSED DISPATCHES.

The illness of the Marquis of Dufferin and Ava, ex-viceroy of India and ex-governor-general of Canada, has reached a critical stage.

Fifty hundred miners at the West

End Company's colliery at Mocanaqua, Pa., went on strike because non-union workmen were employed.

Mr. and Mrs. M. H. DeYoung, of San Francisco, were entertained at lunch by Charlemagne Tower, the United States ambassador at St. Petersburg.

Benjamin Ide Wheeler, president of the University of California, is being considered as a candidate for the presidency of the University of Wisconsin, to succeed Dr. Adams.

The International Olympic Games Association, through its president, has appointed a committee of Chicago men to arrange spectacular evening performances on an enormous scale during the Olympic games of 1904.

Kelly Wiley, (colored), who was arrested on a charge of robbing Albert Lownenthal of the Hotel Portland two months ago, has been sentenced to seven years in the penitentiary.

William Allen White, the Kansas author and newspaper man, is sick and has given up work for the present. He, with his family, is going to Colorado Springs for a rest. A week ago he had an attack of grip, which has left him in a state of nervous exhaustion.

The condition of Prof. Rudolf Virchow, the eminent pathologist, who injured his thigh by a fall when alighting from a street car the early part of this month, causes apprehension among his physicians. The professor is growing weaker as a result of the accident.

Mme. Marcella Sembrich, returning to her hotel from a drive, tried to call her maid, but found that she could hardly speak. Examination by a physician showed that a small artery had been ruptured. Though the mishap is not dangerous, the physician has advised postponement of professional engagements.

A fire of incendiary origin broke out at Goldfields, Colo., and for a time threatened the destruction of the town. For forty minutes there was no water in the mains and the firemen fought the flames by tearing down buildings. The damage is estimated at \$30,000, the Clayton Hardware Company being the heaviest loser.

Ernest Gutschow, manager of the American Tobacco Company's works at San Francisco, Judge Bernard Phillips and Rufus Patterson are in St. Petersburg investigating the tobacco industry for the American Tobacco Company. They have been conferring with the great Lafarge Company, from which the latter had been purchased, but that is denied by the Americans.

The ceremony of the confirmation of the Right Rev. Charles Gore as bishop of Worcester, at the church house, Westminster, was attended by an extraordinary scene of tumult. Numerous objectors to the confirmation among whom was John Kanist, the notorious anti-ritualist crusader, protested so vehemently that what was intended to be a semi-religious ceremony assumed the character of a disorderly political gathering.

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

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All kinds of game at Bonanza Market, next Post Office.

Kelly & Co., Leading Druggists.

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